SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

34TH LEGISLATIVE DAY

TUESDAY, APRIL 16, 2013

12:36 O'CLOCK P.M.

NO. 34
[April 16, 2013]

SENATE
Daily Journal Index
34th Legislative Day

The Senate met pursuant to adjournment.
Senator James F. Clayborne, Belleville, Illinois, presiding.
Prayer by Pastor John Parrish, Virden First Baptist Church, Virden, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Friday, April 12, 2013, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Personal Information Protection Act Report, submitted by the Office of the Secretary of State.

Racial Profiling Prevention and Data Oversight Board Fiscal Year 2012 Activities, submitted by the Department of Transportation.

Qualified Energy Conservation Bonds Allocations as of April 15, 2013, submitted by the Illinois Finance Authority.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 2 to Senate Bill 34
Senate Committee Amendment No. 1 to Senate Bill 41
Senate Committee Amendment No. 1 to Senate Bill 1255
Senate Committee Amendment No. 2 to Senate Bill 1411
Senate Committee Amendment No. 2 to Senate Bill 1479
Senate Committee Amendment No. 2 to Senate Bill 1572
Senate Committee Amendment No. 2 to Senate Bill 1602
Senate Committee Amendment No. 2 to Senate Bill 1639
Senate Committee Amendment No. 2 to Senate Bill 1643
Senate Committee Amendment No. 1 to Senate Bill 1647
Senate Committee Amendment No. 1 to Senate Bill 1735
Senate Committee Amendment No. 1 to Senate Bill 2169
Senate Committee Amendment No. 2 to Senate Bill 2231
Senate Committee Amendment No. 1 to Senate Bill 2340
Senate Committee Amendment No. 2 to Senate Bill 2352
Senate Committee Amendment No. 2 to Senate Bill 2362

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. 1 to Senate Bill 92
Senate Floor Amendment No. 1 to Senate Bill 205
Senate Floor Amendment No. 1 to Senate Bill 206
Senate Floor Amendment No. 2 to Senate Bill 333
Senate Floor Amendment No. 1 to Senate Bill 337
Senate Floor Amendment No. 1 to Senate Bill 338
Senate Floor Amendment No. 2 to Senate Bill 494
Senate Floor Amendment No. 1 to Senate Bill 577
Senate Floor Amendment No. 1 to Senate Bill 578

Senate Floor Amendment No. 1 to Senate Bill 579
Senate Floor Amendment No. 1 to Senate Bill 626
Senate Floor Amendment No. 1 to Senate Bill 627
Senate Floor Amendment No. 1 to Senate Bill 722
Senate Floor Amendment No. 1 to Senate Bill 723
Senate Floor Amendment No. 1 to Senate Bill 724
Senate Floor Amendment No. 1 to Senate Bill 849
Senate Floor Amendment No. 1 to Senate Bill 850
Senate Floor Amendment No. 1 to Senate Bill 925
Senate Floor Amendment No. 2 to Senate Bill 1042
Senate Floor Amendment No. 1 to Senate Bill 1043
Senate Floor Amendment No. 1 to Senate Bill 1044
Senate Floor Amendment No. 2 to Senate Bill 1164
Senate Floor Amendment No. 2 to Senate Bill 1190
Senate Floor Amendment No. 1 to Senate Bill 1194
Senate Floor Amendment No. 6 to Senate Bill 1207
Senate Floor Amendment No. 2 to Senate Bill 1226
Senate Floor Amendment No. 3 to Senate Bill 1323
Senate Floor Amendment No. 4 to Senate Bill 1323
Senate Floor Amendment No. 3 to Senate Bill 1332
Senate Floor Amendment No. 1 to Senate Bill 1399
Senate Floor Amendment No. 2 to Senate Bill 1399
Senate Floor Amendment No. 2 to Senate Bill 1403
Senate Floor Amendment No. 1 to Senate Bill 1404
Senate Floor Amendment No. 1 to Senate Bill 1415
Senate Floor Amendment No. 1 to Senate Bill 1458
Senate Floor Amendment No. 2 to Senate Bill 1469
Senate Floor Amendment No. 1 to Senate Bill 1528
Senate Floor Amendment No. 2 to Senate Bill 1528
Senate Floor Amendment No. 2 to Senate Bill 1532
Senate Floor Amendment No. 2 to Senate Bill 1571
Senate Floor Amendment No. 2 to Senate Bill 1592
Senate Floor Amendment No. 2 to Senate Bill 1618
Senate Floor Amendment No. 2 to Senate Bill 1625
Senate Floor Amendment No. 2 to Senate Bill 1640
Senate Floor Amendment No. 1 to Senate Bill 1657
Senate Floor Amendment No. 1 to Senate Bill 1667
Senate Floor Amendment No. 2 to Senate Bill 1681
Senate Floor Amendment No. 2 to Senate Bill 1708
Senate Floor Amendment No. 3 to Senate Bill 1738
Senate Floor Amendment No. 1 to Senate Bill 1775
Senate Floor Amendment No. 1 to Senate Bill 1791
Senate Floor Amendment No. 5 to Senate Bill 1868
Senate Floor Amendment No. 2 to Senate Bill 1898
Senate Floor Amendment No. 2 to Senate Bill 1912
Senate Floor Amendment No. 1 to Senate Bill 1945
Senate Floor Amendment No. 1 to Senate Bill 1961
Senate Floor Amendment No. 2 to Senate Bill 1961
Senate Floor Amendment No. 1 to Senate Bill 1977
Senate Floor Amendment No. 1 to Senate Bill 1983
Senate Floor Amendment No. 1 to Senate Bill 1984
Senate Floor Amendment No. 1 to Senate Bill 1991
Senate Floor Amendment No. 1 to Senate Bill 2043
Senate Floor Amendment No. 1 to Senate Bill 2047
Senate Floor Amendment No. 1 to Senate Bill 2086
Senate Floor Amendment No. 1 to Senate Bill 2101
Senate Floor Amendment No. 1 to Senate Bill 2105
Senate Floor Amendment No. 1 to Senate Bill 2106
Senate Floor Amendment No. 1 to Senate Bill 2107

Senate Floor Amendment No. 2 to Senate Bill 2194
Senate Floor Amendment No. 3 to Senate Bill 2226
Senate Floor Amendment No. 2 to Senate Bill 2244
Senate Floor Amendment No. 2 to Senate Bill 2256
Senate Floor Amendment No. 1 to Senate Bill 2270
Senate Floor Amendment No. 1 to Senate Bill 2306
Senate Floor Amendment No. 2 to Senate Bill 2312
Senate Floor Amendment No. 1 to Senate Bill 2314
Senate Floor Amendment No. 2 to Senate Bill 2339
Senate Floor Amendment No. 3 to Senate Bill 2339
Senate Floor Amendment No. 2 to Senate Bill 2350
Senate Floor Amendment No. 1 to Senate Bill 2353
Senate Floor Amendment No. 2 to Senate Bill 2353
Senate Floor Amendment No. 1 to Senate Bill 2365
Senate Floor Amendment No. 2 to Senate Bill 2365
Senate Floor Amendment No. 3 to Senate Bill 2366
Senate Floor Amendment No. 1 to Senate Bill 2381
Senate Floor Amendment No. 1 to Senate Bill 2393

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

Senate Committee Amendment No. 1 to House Bill 1349

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. 1 to House Bill 192

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 227
Offered by Senator Clayborne and all Senators:
Mourns the death of Patrick Dylan Fiore of Belleville.

SENATE RESOLUTION NO. 228
Offered by Senator Clayborne and all Senators:
Mourns the death of Johnnie C. McIntosh, Sr.

SENATE RESOLUTION NO. 229
Offered by Senator McCann and all Senators:
Mourns the death of Rita M. Klaas of Meppen.

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

COMMUNICATIONS

ILLINOIS STATE SENATOAR
MARTIN A. SANDOVAL
11TH LEGISLATIVE DISTRICT

April 16, 2013

Mr. Tim Anderson
Secretary of the Senate
403 State House

Springfield, IL 62706

Dear Mr. Anderson:

Please allow Senator Munoz to present the following bills in my absence:
SB1343, SB1523 and SB1697.

Sincerely,
s/Martin A. Sandoval
Senator Martin Sandoval
State Senator 11th District

JIM DURKIN
STATE REPRESENTATIVE · 82ND DISTRICT
ASSISTANT REPUBLICAN LEADER

April 16, 2013

Tim Anderson
Secretary of the Illinois State Senate
401 Capitol Building
Springfield, IL 62706

Dear Secretary Anderson:

Pursuant to Senate Rule 5-1(c) and as Chief House sponsor of House Bill 3152, I am seeking a change in Senate sponsorship of that bill. This letter serves as the notice under that Rule.

Senate Republican Leader Christine Radogno will be the substitute sponsor of House Bill 3152.

I have informed the original Senate sponsor, Senator Landek, with my intent to see a substitute sponsor.

Sincerely,
s/Jim Durkin
Jim Durkin
State Representative - District 82
Assistant House Republican Leader

s/Christine Radogno
Christine Radogno
Senate Republican Leader

According to the rules, the foregoing notice was referred to the Committee on Assignments.

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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 71

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 353

A bill for AN ACT concerning finance.

HOUSE BILL NO. 1552

A bill for AN ACT concerning insurance.

HOUSE BILL NO. 2773

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 3088

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 3112

A bill for AN ACT concerning education.

HOUSE BILL NO. 3147

A bill for AN ACT concerning courts.

HOUSE BILL NO. 3191

A bill for AN ACT concerning regulation.

Passed the House, April 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 71, 353, 1552, 2773, 3088, 3112, 3147 and 3191** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL NO. 83

A bill for AN ACT concerning animals.

HOUSE BILL NO. 438

A bill for AN ACT concerning local government.

HOUSE BILL NO. 1052

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 1405

A bill for AN ACT concerning local government.

HOUSE BILL NO. 1573

A bill for AN ACT concerning liquor.

HOUSE BILL NO. 2432

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2623

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2839

A bill for AN ACT concerning regulation.

Passed the House, April 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 83, 438, 1052, 1405, 1573, 2432, 2623 and 2839** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL NO. 160

A bill for AN ACT concerning education.

HOUSE BILL NO. 1457

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2760

A bill for AN ACT concerning health facilities.

HOUSE BILL NO. 2969

A bill for AN ACT concerning business.

HOUSE BILL NO. 2977

A bill for AN ACT concerning State government.

HOUSE BILL NO. 2996
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3011
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 3243
A bill for AN ACT concerning safety.
Passed the House, April 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 160, 1457, 2760, 2969, 2977, 2996, 3011 and 3243** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 58, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 71, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 116, sponsored by Senator Biss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 140, sponsored by Senator Duffy, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 160, sponsored by Senator Bush, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 163, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 353, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 438, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 774, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1042, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1052, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1335, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1345, sponsored by Senator Bertino-Tarrant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1405, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1443, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1457, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1460, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1561, sponsored by Senator Bivins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1817, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1871, sponsored by Senator Connelly, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1919, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2362, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2363, sponsored by Senator Bivins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2401, sponsored by Senator Van Pelt, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2591, sponsored by Senator Biss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2623, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2721, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2726, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2760, sponsored by Senator LaHood, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2773, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2802, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2839, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2992, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3021, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3038, sponsored by Senator Barickman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3043, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3070, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3088, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3112, sponsored by Senator Bertino-Tarrant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3175, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3255, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3388, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

MESSAGE 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 125
A bill for AN ACT concerning local government.

HOUSE BILL NO. 1323
A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2404
A bill for AN ACT concerning courts.

HOUSE BILL NO. 2420
A bill for AN ACT concerning education.

HOUSE BILL NO. 2649
A bill for AN ACT concerning employment.

HOUSE BILL NO. 2748
A bill for AN ACT concerning State government.

HOUSE BILL NO. 2765
A bill for AN ACT concerning public aid.

HOUSE BILL NO. 3023
A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 3232
A bill for AN ACT concerning education.

HOUSE BILL NO. 3357
A bill for AN ACT concerning criminal law.

Passed the House, April 16, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 125, 1323, 2404, 2420, 2649, 2748, 2765, 3023, 3232 and 3357** were taken up, ordered printed and placed on first reading.

ANNOUNCEMENT ON ATTENDANCE

Senator Mulroe announced for the record that Senator Sandoval was absent due personal injury.

At the hour of 12:54 o'clock p.m., Honorable John J. Cullerton, President of the Senate, presiding, for the purpose of an introduction.

At the hour of 1:02 o'clock p.m., Senator Clayborne, presiding, and the Senate resumed consideration of business.

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 1 to Senate Bill 2187

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

Senate Committee Amendment No. 1 to House Bill 181

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Noland, **Senate Bill No. 492** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 492

AMENDMENT NO. 1. Amend Senate Bill 492 by replacing everything after the enacting clause with the following:

"Section 5. The Sanitary District Act of 1917 is amended by changing Section 3 as follows:

(70 ILCS 2405/3) (from Ch. 42, par. 301)

Sec. 3. Board of trustees; creation; term. A board of trustees shall be created, consisting of 5 members in any sanitary district which includes one or more municipalities with a population of over 90,000 but less than 500,000 according to the most recent Federal census, and consisting of 3 members in any other district. However, the board of trustees for the Fox River Water Reclamation District, the Sanitary District of Decatur, and the Northern Moraine Wastewater Reclamation District shall each consist of 5 members. Each board of trustees shall be created for the government, control and management of the affairs and business of each sanitary district organized under this Act shall be created in the following manner:

(1) If the district is located wholly within a single county, the presiding officer of the county board, with the advice and consent of the county board, shall appoint the trustees for the district;

(2) If the district is located in more than one county, the members of the General Assembly whose legislative districts encompass any portion of the district shall appoint the trustees for the district.

In any sanitary district which shall have a 3 member board of trustees, within 60 days after the adoption of such act, the appropriate appointing authority shall appoint three trustees not more than 2 of whom shall be from one incorporated city, town or village in districts in which are included 2 or more incorporated cities, towns or villages, or parts of 2 or more incorporated cities, towns or villages, who

shall hold their office respectively for 1, 2 and 3 years, from the first Monday of May next after their appointment and until their successors are appointed and have qualified, and thereafter on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee whose term shall be for 3 years commencing the first Monday in May of the year in which he is appointed. The length of the term of the first trustees shall be determined by lot at their first meeting.

In the case of any sanitary district created after January 1, 1978 in which a 5 member board of trustees is required, the appropriate appointing authority shall appoint 5 trustees, one of whom shall hold office for one year, two of whom shall hold office for 2 years, and 2 of whom shall hold office for 3 years from the first Monday of May next after their respective appointments and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The length of the terms of the first trustees shall be determined by lot at their first meeting.

In any sanitary district created prior to January 1, 1978 in which a 5 member board of trustees is required as of January 1, 1978, the two trustees already serving terms which do not expire on May 1, 1978 shall continue to hold office for the remainders of their respective terms, and 3 trustees shall be appointed by the appropriate appointing authority by April 10, 1978 and shall hold office for terms beginning May 1, 1978. Of the three new trustees, one shall hold office for 2 years and 2 shall hold office for 3 years from May 1, 1978 and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The lengths of the terms of the trustees who are to hold office beginning May 1, 1978 shall be determined by lot at their first meeting after May 1, 1978.

No more than 3 members of a 5 member board of trustees may be of the same political party; except that in any sanitary district which otherwise meets the requirements of this Section and which lies within 4 counties of the State of Illinois or, prior to April 30, 2008, in the Fox River Water Reclamation District; the appointments of the 5 members of the board of trustees shall be made without regard to political party. Beginning with the appointments made on April 30, 2008, all appointments to the board of trustees of the Fox River Water Reclamation District shall be made so that no more than 3 of the 5 members are from the same political party.

Within 60 days after the release of Federal census statistics showing that a sanitary district having a 3 member board of trustees contains one or more municipalities with a population over 90,000 but less than 500,000, or, for the Northern Moraine Wastewater Reclamation District, within 60 days after the effective date of this amendatory Act of the 95th General Assembly, the appropriate appointing authority shall appoint 2 additional trustees to the board of trustees, one to hold office for 2 years and one to hold office for 3 years from the first Monday of May next after their appointment and until their successors are appointed and have qualified. The lengths of the terms of these two additional members shall be determined by lot at the first meeting of the board of trustees held after the additional members take office. The three trustees already holding office in the sanitary district shall continue to hold office for the remainders of their respective terms. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed.

If any sanitary district having a 5 member board of trustees shall cease to contain one or more municipalities with a population over 90,000 but less than 500,000 according to the most recent Federal census, then, for so long as that sanitary district does not contain one or more such municipalities, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee whose term shall be for 3 years commencing the first Monday in May of the year in which he is appointed. In districts which include 2 or more incorporated cities, towns, or villages, or parts of 2 or more incorporated cities, towns, or villages, all of the trustees shall not be from one incorporated city, town or village.

If a vacancy occurs on any board of trustees, the appropriate appointing authority shall within 60 days appoint a trustee who shall hold office for the remainder of the vacated term.

The appointing authority shall require each of the trustees to enter into bond, with security to be approved by the appointing authority, in such sum as the appointing authority may determine.

A majority of the board of trustees shall constitute a quorum but a smaller number may adjourn from day to day. No trustee or employee of such district shall be directly or indirectly interested in any

contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by such district; nor in the purchase of any real estate or property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the district. Provided, that nothing herein shall be construed as prohibiting the appointment or selection of any person as trustee or employee whose only interest in the district is as owner of real estate in the district or of contributing to the payment of taxes levied by the district. The trustees shall have the power to provide and adopt a corporate seal for the district.

Notwithstanding any other provision in this Section, in any sanitary district created prior to the effective date of this amendatory Act of 1985, in which a five member board of trustees has been appointed and which currently includes one or more municipalities with a population of over 90,000 but less than 500,000, the board of trustees shall consist of five members.

Notwithstanding any other provision in this Section, on and after the effective date of this amendatory Act, all persons appointed to the board of trustees of the Fox River Water Reclamation District shall reside within the district. If a trustee is serving his or her term on the effective date of this amendatory Act and lives outside the district, his or her seat shall be considered vacant and be filled by the appropriate appointing authority in accordance with the provisions of this Section.

(Source: P.A. 95-608, eff. 9-11-07; 96-1065, eff. 7-16-10.)

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

Senator Noland offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 492

AMENDMENT NO. 2. Amend Senate Bill 492 by replacing everything after the enacting clause with the following:

"Section 5. The Sanitary District Act of 1917 is amended by changing Section 3 as follows:

(70 ILCS 2405/3) (from Ch. 42, par. 301)

Sec. 3. Board of trustees; creation; term. A board of trustees shall be created, consisting of 5 members in any sanitary district which includes one or more municipalities with a population of over 90,000 but less than 500,000 according to the most recent Federal census, and consisting of 3 members in any other district. However, the board of trustees for the Fox River Water Reclamation District, the Sanitary District of Decatur, and the Northern Moraine Wastewater Reclamation District shall each consist of 5 members. Each board of trustees shall be created for the government, control and management of the affairs and business of each sanitary district organized under this Act shall be created in the following manner:

(1) If the district is located wholly within a single county, the presiding officer of the county board, with the advice and consent of the county board, shall appoint the trustees for the district;

(2) If the district is located in more than one county, the members of the General Assembly whose legislative districts encompass any portion of the district shall appoint the trustees for the district.

In any sanitary district which shall have a 3 member board of trustees, within 60 days after the adoption of such act, the appropriate appointing authority shall appoint three trustees not more than 2 of whom shall be from one incorporated city, town or village in districts in which are included 2 or more incorporated cities, towns or villages, or parts of 2 or more incorporated cities, towns or villages, who shall hold their office respectively for 1, 2 and 3 years, from the first Monday of May next after their appointment and until their successors are appointed and have qualified, and thereafter on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee whose term shall be for 3 years commencing the first Monday in May of the year in which he is appointed. The length of the term of the first trustees shall be determined by lot at their first meeting.

In the case of any sanitary district created after January 1, 1978 in which a 5 member board of trustees is required, the appropriate appointing authority shall appoint 5 trustees, one of whom shall hold office for one year, two of whom shall hold office for 2 years, and 2 of whom shall hold office for 3 years from the first Monday of May next after their respective appointments and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The length of the terms of the first trustees shall be determined by

lot at their first meeting.

In any sanitary district created prior to January 1, 1978 in which a 5 member board of trustees is required as of January 1, 1978, the two trustees already serving terms which do not expire on May 1, 1978 shall continue to hold office for the remainders of their respective terms, and 3 trustees shall be appointed by the appropriate appointing authority by April 10, 1978 and shall hold office for terms beginning May 1, 1978. Of the three new trustees, one shall hold office for 2 years and 2 shall hold office for 3 years from May 1, 1978 and until their successors are appointed and have qualified. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed. The lengths of the terms of the trustees who are to hold office beginning May 1, 1978 shall be determined by lot at their first meeting after May 1, 1978.

No more than 3 members of a 5 member board of trustees may be of the same political party; except that in any sanitary district which otherwise meets the requirements of this Section and which lies within 4 counties of the State of Illinois or, prior to April 30, 2008, in the Fox River Water Reclamation District; the appointments of the 5 members of the board of trustees shall be made without regard to political party. Beginning with the appointments made on April 30, 2008, all appointments to the board of trustees of the Fox River Water Reclamation District shall be made so that no more than 3 of the 5 members are from the same political party.

Within 60 days after the release of Federal census statistics showing that a sanitary district having a 3 member board of trustees contains one or more municipalities with a population over 90,000 but less than 500,000, or, for the Northern Moraine Wastewater Reclamation District, within 60 days after the effective date of this amendatory Act of the 95th General Assembly, the appropriate appointing authority shall appoint 2 additional trustees to the board of trustees, one to hold office for 2 years and one to hold office for 3 years from the first Monday of May next after their appointment and until their successors are appointed and have qualified. The lengths of the terms of these two additional members shall be determined by lot at the first meeting of the board of trustees held after the additional members take office. The three trustees already holding office in the sanitary district shall continue to hold office for the remainders of their respective terms. Thereafter, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee or 2 trustees, as shall be necessary to maintain a 5 member board of trustees, whose terms shall be for 3 years commencing the first Monday in May of the year in which they are respectively appointed.

If any sanitary district having a 5 member board of trustees shall cease to contain one or more municipalities with a population over 90,000 but less than 500,000 according to the most recent Federal census, then, for so long as that sanitary district does not contain one or more such municipalities, on or before the second Monday in April of each year the appropriate appointing authority shall appoint one trustee whose term shall be for 3 years commencing the first Monday in May of the year in which he is appointed. In districts which include 2 or more incorporated cities, towns, or villages, or parts of 2 or more incorporated cities, towns, or villages, all of the trustees shall not be from one incorporated city, town or village.

If a vacancy occurs on any board of trustees, the appropriate appointing authority shall within 60 days appoint a trustee who shall hold office for the remainder of the vacated term.

The appointing authority shall require each of the trustees to enter into bond, with security to be approved by the appointing authority, in such sum as the appointing authority may determine.

A majority of the board of trustees shall constitute a quorum but a smaller number may adjourn from day to day. No trustee or employee of such district shall be directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by such district; nor in the purchase of any real estate or property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the district. Provided, that nothing herein shall be construed as prohibiting the appointment or selection of any person as trustee or employee whose only interest in the district is as owner of real estate in the district or of contributing to the payment of taxes levied by the district. The trustees shall have the power to provide and adopt a corporate seal for the district.

Notwithstanding any other provision in this Section, in any sanitary district created prior to the effective date of this amendatory Act of 1985, in which a five member board of trustees has been appointed and which currently includes one or more municipalities with a population of over 90,000 but less than 500,000, the board of trustees shall consist of five members.

Notwithstanding any other provision in this Section, all persons appointed to the board of trustees of the Fox River Water Reclamation District on or after the effective date of this amendatory Act of the

98th General Assembly shall reside within the district.
(Source: P.A. 95-608, eff. 9-11-07; 96-1065, eff. 7-16-10.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Mulroe, **Senate Bill No. 204** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 204

AMENDMENT NO. 1. Amend Senate Bill 204 by replacing everything after the enacting clause with the following:

"Section 5. The State Police Act is amended by changing Section 9 as follows:

(20 ILCS 2610/9) (from Ch. 121, par. 307.9)

Sec. 9. Appointment; qualifications.

(a) Except as otherwise provided in this Section, the appointment of Department of State Police officers shall be made from those applicants who have been certified by the Board as being qualified for appointment. All persons so appointed shall, at the time of their appointment, be not less than 21 years of age, or 20 years of age and have successfully completed 2 years of law enforcement studies at an accredited college or university. Any person appointed subsequent to successful completion of 2 years of such law enforcement studies shall not have power of arrest, nor shall he be permitted to carry firearms, until he reaches 21 years of age. In addition, all persons so certified for appointment shall be of sound mind and body, be of good moral character, be citizens of the United States, have no criminal records, possess such prerequisites of training, education and experience as the Board may from time to time prescribe, and shall be required to pass successfully such mental and physical tests and examinations as may be prescribed by the Board. Notwithstanding any Board rule to the contrary, all persons who either: (i) have been honorably discharged and who have been awarded a Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal by the United States Armed Forces or (ii) are active members of the Illinois National Guard or a reserve component of the United States Armed Forces and who have been awarded a Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal as a result of honorable service during deployment on active duty, are deemed to have met the collegiate educational requirements. ~~All persons who have been honorably discharged and who have been awarded an Afghan or Iraqi campaign medal by the military or naval services of the United States are deemed to have met the collegiate educational requirements, notwithstanding any Board rule.~~ Preference shall be given in such appointments to persons who have honorably served in the military or naval services of the United States. All appointees shall serve a probationary period of 12 months from the date of appointment and during that period may be discharged at the will of the Director. However, the Director may in his or her sole discretion extend the probationary period of an officer up to an additional 6 months when to do so is deemed in the best interest of the Department.

(b) Notwithstanding the other provisions of this Act, after July 1, 1977 and before July 1, 1980, the Director of State Police may appoint and promote not more than 20 persons having special qualifications as special agents as he deems necessary to carry out the Department's objectives. Any such appointment or promotion shall be ratified by the Board.

(c) During the 90 days following the effective date of this amendatory Act of 1995, the Director of State Police may appoint up to 25 persons as State Police officers. These appointments shall be made in accordance with the requirements of this subsection (c) and any additional criteria that may be established by the Director, but are not subject to any other requirements of this Act. The Director may specify the initial rank for each person appointed under this subsection.

All appointments under this subsection (c) shall be made from personnel certified by the Board. A

person certified by the Board and appointed by the Director under this subsection must have been employed by the Illinois Commerce Commission on November 30, 1994 in a job title subject to the Personnel Code and in a position for which the person was eligible to earn "eligible creditable service" as a "noncovered employee", as those terms are defined in Article 14 of the Illinois Pension Code.

Persons appointed under this subsection (c) shall thereafter be subject to the same requirements and procedures as other State police officers. A person appointed under this subsection must serve a probationary period of 12 months from the date of appointment, during which he or she may be discharged at the will of the Director.

This subsection (c) does not affect or limit the Director's authority to appoint other State Police officers under subsection (a) of this Section.

(Source: P.A. 97-640, eff. 12-19-11.)".

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

On motion of Senator Rose, **Senate Bill No. 1147** having been printed, was taken up, read by title a second time.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1147

AMENDMENT NO. 1. Amend Senate Bill 1147 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Enterprise Zone Act is amended by changing Section 5.5 as follows:

(20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

Sec. 5.5. High Impact Business.

(a) In order to respond to unique opportunities to assist in the encouragement, development, growth and expansion of the private sector through large scale investment and development projects, the Department is authorized to receive and approve applications for the designation of "High Impact Businesses" in Illinois subject to the following conditions:

(1) such applications may be submitted at any time during the year;

(2) such business is not located, at the time of designation, in an enterprise zone designated pursuant to this Act;

(3) the business intends to do one or more of the following:

(A) the business intends to make a minimum investment of $12,000,000 which will be placed in service in qualified property and intends to create 500 full-time equivalent jobs at a designated location in Illinois or intends to make a minimum investment of $30,000,000 which will be placed in service in qualified property and intends to retain 1,500 full-time retained jobs at a designated location in Illinois. The business must certify in writing that the investments would not be placed in service in qualified property and the job creation or job retention would not occur without the tax credits and exemptions set forth in subsection (b) of this Section. The terms "placed in service" and "qualified property" have the same meanings as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B) the business intends to establish a new electric generating facility at a designated location in Illinois. "New electric generating facility", for purposes of this Section, means a newly-constructed electric generation plant or a newly-constructed generation capacity expansion at an existing electric generation plant, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which such new foundation construction commenced not sooner than July 1, 2001. Such facility shall be designed to provide baseload electric generation and shall operate on a continuous basis throughout the year; and (i) shall have an aggregate rated generating capacity of at least 1,000 megawatts for all new units at one site if it uses natural gas as its primary fuel and foundation construction of the facility is commenced on or before December 31, 2004, or shall have an aggregate rated generating capacity of at least 400 megawatts for all new units at one site if it uses coal or gases derived from coal as its primary fuel and shall support the creation of at least 150 new Illinois coal mining jobs, or (ii) shall be funded through a federal Department of Energy grant before December 31, 2010 and shall support the creation of Illinois coal-mining jobs, or (iii) shall use coal gasification or integrated gasification-combined cycle units that generate electricity or chemicals, or both, and shall support the creation of Illinois coal-mining jobs. The business must certify in writing that the

investments necessary to establish a new electric generating facility would not be placed in service and the job creation in the case of a coal-fueled plant would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B-5) the business intends to establish a new gasification facility at a designated location in Illinois. As used in this Section, "new gasification facility" means a newly constructed coal gasification facility that generates chemical feedstocks or transportation fuels derived from coal (which may include, but are not limited to, methane, methanol, and nitrogen fertilizer), that supports the creation or retention of Illinois coal-mining jobs, and that qualifies for financial assistance from the Department before December 31, 2010. A new gasification facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal; or

(C) the business intends to establish production operations at a new coal mine, re-establish production operations at a closed coal mine, or expand production at an existing coal mine at a designated location in Illinois not sooner than July 1, 2001; provided that the production operations result in the creation of 150 new Illinois coal mining jobs as described in subdivision (a)(3)(B) of this Section, and further provided that the coal extracted from such mine is utilized as the predominant source for a new electric generating facility. The business must certify in writing that the investments necessary to establish a new, expanded, or reopened coal mine would not be placed in service and the job creation would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(D) the business intends to construct new transmission facilities or upgrade existing transmission facilities at designated locations in Illinois, for which construction commenced not sooner than July 1, 2001. For the purposes of this Section, "transmission facilities" means transmission lines with a voltage rating of 115 kilovolts or above, including associated equipment, that transfer electricity from points of supply to points of delivery and that transmit a majority of the electricity generated by a new electric generating facility designated as a High Impact Business in accordance with this Section. The business must certify in writing that the investments necessary to construct new transmission facilities or upgrade existing transmission facilities would not be placed in service without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(E) the business intends to establish a new wind power facility at a designated location in Illinois. For purposes of this Section, "new wind power facility" means a newly constructed electric generation facility, or a newly constructed expansion of an existing electric generation facility, placed in service on or after July 1, 2009, that generates electricity using wind energy devices, and such facility shall be deemed to include all associated transmission lines, substations, and other equipment related to the generation of electricity from wind energy devices. For purposes of this Section, "wind energy device" means any device, with a nameplate capacity of at least 0.5 megawatts, that is used in the process of converting kinetic energy from the wind to generate electricity; or ~~and~~

(F) the business intends to (i) make a minimum investment of $500,000,000, which will be placed in service in a qualified property, (ii) create 125 full-time equivalent jobs at a designated location in Illinois, and (iii) establish a fertilizer plant at a designated location in Illinois; for the purposes of this Section, "fertilizer plant" means a newly constructed or upgraded plant facilitating gas used in the production of anhydrous ammonia and downstream nitrogen fertilizer products for resale; and

(4) no later than 90 days after an application is submitted, the Department shall notify the applicant of the Department's determination of the qualification of the proposed High Impact Business under this Section.

(b) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(A) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 9-222 and Section 9-222.1A of the Public Utilities Act, subsection (h) of Section 201 of the Illinois Income Tax Act, and Section 1d of the Retailers' Occupation Tax Act; provided that these credits and exemptions described in these Acts shall not be authorized until the minimum investments set forth in subdivision (a)(3)(A) of this Section have been placed in service in qualified properties and, in the case of the exemptions described in the Public Utilities Act and Section 1d of the Retailers' Occupation Tax Act, the minimum full-time equivalent jobs or full-time retained jobs set forth in subdivision (a)(3)(A) of this Section have been created or retained. Businesses designated as High Impact Businesses under this Section shall also

qualify for the exemption described in Section 5l of the Retailers' Occupation Tax Act. The credit provided in subsection (h) of Section 201 of the Illinois Income Tax Act shall be applicable to investments in qualified property as set forth in subdivision (a)(3)(A) of this Section.

(b-5) Businesses designated as High Impact Businesses pursuant to subdivisions (a)(3)(B), (a)(3)(B-5), (a)(3)(C), and (a)(3)(D) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 51 of the Retailers' Occupation Tax Act, Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act; however, the credits and exemptions authorized under Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act shall not be authorized until the new electric generating facility, the new gasification facility, the new transmission facility, or the new, expanded, or reopened coal mine is operational, except that a new electric generating facility whose primary fuel source is natural gas is eligible only for the exemption under Section 5l of the Retailers' Occupation Tax Act.

(b-6) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(E) of this Section shall qualify for the exemptions described in Section 5l of the Retailers' Occupation Tax Act; any business so designated as a High Impact Business being, for purposes of this Section, a "Wind Energy Business".

(c) High Impact Businesses located in federally designated foreign trade zones or sub-zones are also eligible for additional credits, exemptions and deductions as described in the following Acts: Section 9-221 and Section 9-222.1 of the Public Utilities Act; and subsection (g) of Section 201, and Section 203 of the Illinois Income Tax Act.

(d) Except for businesses contemplated under subdivision (a)(3)(E) of this Section, existing Illinois businesses which apply for designation as a High Impact Business must provide the Department with the prospective plan for which 1,500 full-time retained jobs would be eliminated in the event that the business is not designated.

(e) Except for new wind power facilities contemplated under subdivision (a)(3)(E) of this Section, new proposed facilities which apply for designation as High Impact Business must provide the Department with proof of alternative non-Illinois sites which would receive the proposed investment and job creation in the event that the business is not designated as a High Impact Business.

(f) Except for businesses contemplated under subdivision (a)(3)(E) of this Section, in the event that a business is designated a High Impact Business and it is later determined after reasonable notice and an opportunity for a hearing as provided under the Illinois Administrative Procedure Act, that the business would have placed in service in qualified property the investments and created or retained the requisite number of jobs without the benefits of the High Impact Business designation, the Department shall be required to immediately revoke the designation and notify the Director of the Department of Revenue who shall begin proceedings to recover all wrongfully exempted State taxes with interest. The business shall also be ineligible for all State funded Department programs for a period of 10 years.

(g) The Department shall revoke a High Impact Business designation if the participating business fails to comply with the terms and conditions of the designation. However, the penalties for new wind power facilities or Wind Energy Businesses for failure to comply with any of the terms or conditions of the Illinois Prevailing Wage Act shall be only those penalties identified in the Illinois Prevailing Wage Act, and the Department shall not revoke a High Impact Business designation as a result of the failure to comply with any of the terms or conditions of the Illinois Prevailing Wage Act in relation to a new wind power facility or a Wind Energy Business.

(h) Prior to designating a business, the Department shall provide the members of the General Assembly and Commission on Government Forecasting and Accountability with a report setting forth the terms and conditions of the designation and guarantees that have been received by the Department in relation to the proposed business being designated.

(Source: P.A. 96-28, eff. 7-1-09; 97-905, eff. 8-7-12.)

Section 10. The Property Tax Code is amended by changing Section 18-165 as follows:

(35 ILCS 200/18-165)

Sec. 18-165. Abatement of taxes.

(a) Any taxing district, upon a majority vote of its governing authority, may, after the determination of the assessed valuation of its property, order the clerk of that county to abate any portion of its taxes on the following types of property:

(1) Commercial and industrial.

(A) The property of any commercial or industrial firm, including but not limited to the property of (i) any firm that is used for collecting, separating, storing, or processing recyclable

materials, locating within the taxing district during the immediately preceding year from another state, territory, or country, or having been newly created within this State during the immediately preceding year, or expanding an existing facility, or (ii) any firm that is used for the generation and transmission of electricity locating within the taxing district during the immediately preceding year or expanding its presence within the taxing district during the immediately preceding year by construction of a new electric generating facility that uses natural gas as its fuel, or any firm that is used for production operations at a new, expanded, or reopened coal mine within the taxing district, that has been certified as a High Impact Business by the Illinois Department of Commerce and Economic Opportunity. The property of any firm used for the generation and transmission of electricity shall include all property of the firm used for transmission facilities as defined in Section 5.5 of the Illinois Enterprise Zone Act. The abatement shall not exceed a period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000.

(A-5) Any property in the taxing district of a new electric generating facility, as defined in Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. The abatement shall not exceed a period of 10 years. The abatement shall be subject to the following limitations:

(i) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $25,000,000 but less than $50,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 5% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 20% of the taxing district's taxes from the new electric generating facility;

(ii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $50,000,000 but less than $75,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 10% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 35% of the taxing district's taxes from the new electric generating facility;

(iii) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $75,000,000 but less than $100,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 20% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 50% of the taxing district's taxes from the new electric generating facility;

(iv) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $100,000,000 but less than $125,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 30% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(v) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $125,000,000 but less than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 40% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility;

(vi) if the equalized assessed valuation of the new electric generating facility is equal to or greater than $150,000,000, then the abatement may not exceed (i) over the entire term of the abatement, 50% of the taxing district's aggregate taxes from the new electric generating facility and (ii) in any one year of abatement, 60% of the taxing district's taxes from the new electric generating facility.

The abatement is not effective unless the owner of the new electric generating facility agrees to repay to the taxing district all amounts previously abated, together with interest computed at the rate and in the manner provided for delinquent taxes, in the event that the owner of the new electric generating facility closes the new electric generating facility before the expiration of the entire term of the abatement.

The authorization of taxing districts to abate taxes under this subdivision (a)(1)(A-5) expires on January 1, 2010.

(B) The property of any commercial or industrial development of at least 225 ~~500~~ acres having been created within the taxing district. The abatement shall not exceed a period of 20 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $12,000,000.

(C) The property of any commercial or industrial firm currently located in the taxing district that expands a facility or its number of employees. The abatement shall not exceed a

period of 10 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $4,000,000. The abatement period may be renewed at the option of the taxing districts.

(2) Horse racing. Any property in the taxing district which is used for the racing of horses and upon which capital improvements consisting of expansion, improvement or replacement of existing facilities have been made since July 1, 1987. The combined abatements for such property from all taxing districts in any county shall not exceed $5,000,000 annually and shall not exceed a period of 10 years.

(3) Auto racing. Any property designed exclusively for the racing of motor vehicles. Such abatement shall not exceed a period of 10 years.

(4) Academic or research institute. The property of any academic or research institute in the taxing district that (i) is an exempt organization under paragraph (3) of Section 501(c) of the Internal Revenue Code, (ii) operates for the benefit of the public by actually and exclusively performing scientific research and making the results of the research available to the interested public on a non-discriminatory basis, and (iii) employs more than 100 employees. An abatement granted under this paragraph shall be for at least 15 years and the aggregate amount of abated taxes for all taxing districts combined shall not exceed $5,000,000.

(5) Housing for older persons. Any property in the taxing district that is devoted exclusively to affordable housing for older households. For purposes of this paragraph, "older households" means those households (i) living in housing provided under any State or federal program that the Department of Human Rights determines is specifically designed and operated to assist elderly persons and is solely occupied by persons 55 years of age or older and (ii) whose annual income does not exceed 80% of the area gross median income, adjusted for family size, as such gross income and median income are determined from time to time by the United States Department of Housing and Urban Development. The abatement shall not exceed a period of 15 years, and the aggregate amount of abated taxes for all taxing districts shall not exceed $3,000,000.

(6) Historical society. For assessment years 1998 through 2018, the property of an historical society qualifying as an exempt organization under Section 501(c)(3) of the federal Internal Revenue Code.

(7) Recreational facilities. Any property in the taxing district (i) that is used for a municipal airport, (ii) that is subject to a leasehold assessment under Section 9-195 of this Code and (iii) which is sublet from a park district that is leasing the property from a municipality, but only if the property is used exclusively for recreational facilities or for parking lots used exclusively for those facilities. The abatement shall not exceed a period of 10 years.

(8) Relocated corporate headquarters. If approval occurs within 5 years after the effective date of this amendatory Act of the 92nd General Assembly, any property or a portion of any property in a taxing district that is used by an eligible business for a corporate headquarters as defined in the Corporate Headquarters Relocation Act. Instead of an abatement under this paragraph (8), a taxing district may enter into an agreement with an eligible business to make annual payments to that eligible business in an amount not to exceed the property taxes paid directly or indirectly by that eligible business to the taxing district and any other taxing districts for premises occupied pursuant to a written lease and may make those payments without the need for an annual appropriation. No school district, however, may enter into an agreement with, or abate taxes for, an eligible business unless the municipality in which the corporate headquarters is located agrees to provide funding to the school district in an amount equal to the amount abated or paid by the school district as provided in this paragraph (8). Any abatement ordered or agreement entered into under this paragraph (8) may be effective for the entire term specified by the taxing district, except the term of the abatement or annual payments may not exceed 20 years.

(9) United States Military Public/Private Residential Developments. Each building, structure, or other improvement designed, financed, constructed, renovated, managed, operated, or maintained after January 1, 2006 under a "PPV Lease", as set forth under Division 14 of Article 10, and any such PPV Lease.

(10) Property located in a business corridor that qualifies for an abatement under Section 18-184.10.

(b) Upon a majority vote of its governing authority, any municipality may, after the determination of the assessed valuation of its property, order the county clerk to abate any portion of its taxes on any property that is located within the corporate limits of the municipality in accordance with Section 8-3-18 of the Illinois Municipal Code.

(Source: P.A. 96-1136, eff. 7-21-10; 97-577, eff. 1-1-12; 97-636, eff. 6-1-12.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Link, **Senate Bill No. 1227** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 1228** having been printed, was taken up, read by title a second time.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1228

AMENDMENT NO. 1. Amend Senate Bill 1228 on page 3, by replacing lines 23 through 26 with the following:

"which the action is brought.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Link, **Senate Bill No. 1244** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **Senate Bill No. 1410** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **Senate Bill No. 1475** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, as chief co-sponsor pursuant to Senate Rule 5-1(b)(ii), **Senate Bill No. 1523** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 1680** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **Senate Bill No. 1687** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1687

AMENDMENT NO. 1. Amend Senate Bill 1687 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 15-126.1, 15-139, 15-139.5, and 15-168.2 as follows:

(40 ILCS 5/15-126.1) (from Ch. 108 1/2, par. 15-126.1)

Sec. 15-126.1. Academic year. "Academic year": The 12-month period beginning on the first day of the fall term as determined by each employer, or if the employer does not have an academic program divided into terms, then beginning September 1. For the purposes of Section 15-139.5 and subsection (b) of Section 15-139, however, "academic year" means the 12-month period beginning September 1.

(Source: P.A. 84-1472.)

(40 ILCS 5/15-139) (from Ch. 108 1/2, par. 15-139)

Sec. 15-139. Retirement annuities; cancellation; suspended during employment.

(a) If an annuitant returns to employment for an employer within 60 days after the beginning of the

retirement annuity payment period, the retirement annuity shall be cancelled, and the annuitant shall refund to the System the total amount of the retirement annuity payments which he or she received. If the retirement annuity is cancelled, the participant shall continue to participate in the System.

(b) If an annuitant retires prior to age 60 and receives or becomes entitled to receive during any month compensation in excess of the monthly retirement annuity (including any automatic annual increases) for services performed after the date of retirement for any employer under this System, that portion of the monthly retirement annuity provided by employer contributions shall not be payable.

If an annuitant retires at age 60 or over and receives or becomes entitled to receive during any academic year compensation in excess of the difference between his or her highest annual earnings prior to retirement and his or her annual retirement annuity computed under Rule 1, Rule 2, Rule 3, Rule 4, or Rule 5 of Section 15-136, or under Section 15-136.4, for services performed after the date of retirement for any employer under this System, that portion of the monthly retirement annuity provided by employer contributions shall be reduced by an amount equal to the compensation that exceeds such difference.

However, any remuneration received for serving as a member of the Illinois Educational Labor Relations Board shall be excluded from "compensation" for the purposes of this subsection (b), and serving as a member of the Illinois Educational Labor Relations Board shall not be deemed to be a return to employment for the purposes of this Section. This provision applies without regard to whether service was terminated prior to the effective date of this amendatory Act of 1991.

"Academic year", as used in this subsection (b), means the 12-month period beginning September 1.

(c) If an employer certifies that an annuitant has been reemployed on a permanent and continuous basis or in a position in which the annuitant is expected to serve for at least 9 months, the annuitant shall resume his or her status as a participating employee and shall be entitled to all rights applicable to participating employees upon filing with the board an election to forgo all annuity payments during the period of reemployment. Upon subsequent retirement, the retirement annuity shall consist of the annuity which was terminated by the reemployment, plus the additional retirement annuity based upon service granted during the period of reemployment, but the combined retirement annuity shall not exceed the maximum annuity applicable on the date of the last retirement.

The total service and earnings credited before and after the initial date of retirement shall be considered in determining eligibility of the employee or the employee's beneficiary to benefits under this Article, and in calculating final rate of earnings.

In determining the death benefit payable to a beneficiary of an annuitant who again becomes a participating employee under this Section, accumulated normal and additional contributions shall be considered as the sum of the accumulated normal and additional contributions at the date of initial retirement and the accumulated normal and additional contributions credited after that date, less the sum of the annuity payments received by the annuitant.

The survivors insurance benefits provided under Section 15-145 shall not be applicable to an annuitant who resumes his or her status as a participating employee, unless the annuitant, at the time of initial retirement, has a survivors insurance beneficiary who could qualify for such benefits.

If the participant's employment is terminated because of circumstances other than death before 9 months from the date of reemployment, the provisions of this Section regarding resumption of status as a participating employee shall not apply. The normal and survivors insurance contributions which are deducted during this period shall be refunded to the annuitant without interest, and subsequent benefits under this Article shall be the same as those which were applicable prior to the date the annuitant resumed employment.

The amendments made to this Section by this amendatory Act of the 91st General Assembly apply without regard to whether the annuitant was in service on or after the effective date of this amendatory Act.

(Source: P.A. 97-933, eff. 8-10-12; 97-968, eff. 8-16-12.)

(40 ILCS 5/15-139.5)

Sec. 15-139.5. Return to work by affected annuitant; notice and contribution by employer.

(a) An employer who employs or re-employs a person receiving a retirement annuity from the System in an academic year beginning on or after August 1, 2014 ~~2013~~ must notify the System of that employment within 60 days after employing the annuitant. The notice must include a summary ~~copy~~ of the contract of employment or ~~; if no written contract of employment exists, then the notice must~~ specify the rate of compensation and the anticipated length of employment of that annuitant. The notice must specify whether the annuitant will be compensated from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name. The notice must include the employer's determination of whether or not the annuitant is an "affected annuitant" as defined in

subsection (b).

The employer must also record, document, and certify to the System (i) ~~the number of paid days and paid weeks worked by the annuitant in the academic year, (ii)~~ the amount of compensation paid to the annuitant for employment during the academic year, and (ii) ~~(iii)~~ the amount of that compensation, if any, that comes from either federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name.

As used in this Section, "academic year" means the 12-month period beginning September 1. ~~has the meaning ascribed to that term in Section 15-126.1; "paid day" means a day on which a person performs personal services for an employer and for which the person is compensated by the employer; and "paid week" means a calendar week in which a person has at least one paid day.~~

For the purposes of this Section, an annuitant whose employment by an employer extends over more than one academic year shall be deemed to be re-employed by that employer in each of those academic years.

The System may specify the time, form, and manner of providing the determinations, notifications, certifications, and documentation required under this Section.

(b) A person receiving a retirement annuity from the System becomes an "affected annuitant" on the first day of the academic year following the academic year in which the annuitant first meets ~~both of~~ the following condition ~~conditions~~:

(1) (Blank). ~~While receiving a retirement annuity under this Article, the annuitant has been employed on or after August 1, 2013 by one or more employers under this Article for a total of more than 18 paid weeks (which need not have been with the same employer or in the same academic year); except that any periods of employment for which the annuitant was compensated solely from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name are excluded.~~

(2) While receiving a retirement annuity under this Article, the annuitant was employed on or after August 1, 2014 ~~2013~~ by one or more employers under this Article and received or became entitled to receive during an academic year compensation for that employment in excess of 40% of his or her highest annual earnings prior to retirement; except that compensation paid from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name is excluded.

A person who becomes an affected annuitant remains an affected annuitant, except for any period during which the person returns to active service and does not receive a retirement annuity from the System.

(c) It is the obligation of the employer to determine whether an annuitant is an affected annuitant before employing the annuitant. For that purpose the employer may require the annuitant to disclose and document his or her relevant prior employment and earnings history. Failure of the employer to make this determination correctly and in a timely manner or to include this determination with the notification required under subsection (a) does not excuse the employer from making the contribution required under subsection (e).

The System may assist the employer in determining whether a person is an affected annuitant. The System shall inform the employer if it discovers that the employer's determination is inconsistent with the employment and earnings information in the System's records.

(d) Upon the request of an annuitant, the System shall certify to the annuitant or the employer the following information as reported by the employers, as that information is indicated in the records of the System: (i) the annuitant's highest annual earnings prior to retirement, (ii) ~~the number of paid weeks worked by the annuitant for an employer on or after August 1, 2013, (iii)~~ the compensation paid for that employment in each academic year, and (iii) ~~(iv)~~ whether any of that employment or compensation has been certified to the System as being paid from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name. The System shall only be required to certify information that is received from the employers.

(e) In addition to the requirements of subsection (a), an employer who employs an affected annuitant must pay to the System an employer contribution in the amount and manner provided in this Section, unless the annuitant is compensated by that employer solely from federal, corporate, foundation, or trust funds or grants of State funds that identify the principal investigator by name.

The employer contribution required under this Section for employment of an affected annuitant in an academic year shall be equal to 12 times the amount of the gross monthly retirement annuity payable to the annuitant for the month in which the first paid day of that employment in that academic year occurs, after any reduction in that annuity that may be imposed under subsection (b) of Section 15-139.

If an affected annuitant is employed by more than one employer in an academic year, the employer

contribution required under this Section shall be divided among those employers in proportion to their respective portions of the total compensation paid to the affected annuitant for that employment during that academic year.

If the System determines that an employer, without reasonable justification, has failed to make the determination of affected annuitant status correctly and in a timely manner, or has failed to notify the System or to correctly document or certify to the System any of the information required by this Section, and that failure results in a delayed determination by the System that a contribution is payable under this Section, then the amount of that employer's contribution otherwise determined under this Section shall be doubled.

The System shall deem a failure to correctly determine the annuitant's status to be justified if the employer establishes to the System's satisfaction that the employer, after due diligence, made an erroneous determination that the annuitant was not an affected annuitant due to reasonable reliance on false or misleading information provided by the annuitant or another employer, or an error in the annuitant's official employment or earnings records.

(f) Whenever the System determines that an employer is liable for a contribution under this Section, it shall so notify the employer and certify the amount of the contribution. The employer may pay the required contribution without interest at any time within one year after receipt of the certification. If the employer fails to pay within that year, then interest shall be charged at a rate equal to the System's prescribed rate of interest, compounded annually from the 366th day after receipt of the certification from the System. Payment must be concluded within 2 years after receipt of the certification by the employer. If the employer fails to make complete payment, including applicable interest, within 2 years, then the System may, after giving notice to the employer, certify the delinquent amount to the State Comptroller, and the Comptroller shall thereupon deduct the certified delinquent amount from State funds payable to the employer and pay them instead to the System.

(g) If an employer is required to make a contribution to the System as a result of employing an affected annuitant and the annuitant later elects to forgo his or her annuity in that same academic year pursuant to subsection (c) of Section 15-139, then the required contribution by the employer shall be waived, and if the contribution has already been paid, it shall be refunded to the employer without interest.

(h) Notwithstanding any other provision of this Article, the employer contribution required under this Section shall not be included in the determination of any benefit under this Article or any other Article of this Code, regardless of whether the annuitant returns to active service, and is in addition to any other State or employer contribution required under this Article.

(i) Notwithstanding any other provision of this Section to the contrary, if an employer employs an affected annuitant in order to continue critical operations in the event of either an employee's unforeseen illness, accident, or death or a catastrophic incident or disaster, then, for one and only one academic year, the employer is not required to pay the contribution set forth in this Section for that annuitant. The employer shall, however, immediately notify the System upon employing a person subject to this subsection (i). For the purposes of this subsection (i), "critical operations" means teaching services, medical services, student welfare services, and any other services that are critical to the mission of the employer.

(j) This Section shall be applied and coordinated with the regulatory obligations contained in the State Universities Civil Service Act. This Section shall not apply to an annuitant if the employer of that annuitant provides documentation to the System that (1) the annuitant is employed in a status appointment position, as that term is defined in 80 Ill. Adm. Code 250.80, and (2) due to obligations contained under the State Universities Civil Service Act, the employer does not have the ability to limit the earnings or duration of employment for the annuitant while employed in the status appointment position.

(Source: P.A. 97-968, eff. 8-16-12.)

(40 ILCS 5/15-168.2)

Sec. 15-168.2. Audit of employers. Beginning August 1, 2014 ~~2013~~, the System may audit the employment records and payroll records of all employers. When the System audits an employer, it shall specify the exact information it requires, which may include but need not be limited to the names, titles, and earnings history of every individual receiving compensation from the employer. If an employer is audited by the System, then the employer must provide to the System all necessary documents and records within 60 calendar days after receiving notification from the System. When the System audits an employer, it shall send related correspondence by certified mail.

(Source: P.A. 97-968, eff. 8-16-12.)

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

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

On motion of Senator Mulroe, **Senate Bill No. 1756** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 1768** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1768

AMENDMENT NO. 1. Amend Senate Bill 1768 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.826 as follows:
(30 ILCS 105/5.826 new)
Sec. 5.826. The Supreme Court Special Purposes Fund.

Section 10. The Appellate Court Act is amended by changing Section 3 as follows:
(705 ILCS 25/3) (from Ch. 37, par. 27)
Sec. 3. Clerk's salary - destruction of records.

(a) The ordinary and contingent expenses of operating the offices of the clerks of the branches of the Appellate Court, including salaries, shall be determined by the Supreme Court and paid from the State Treasury on the warrant of the Comptroller out of appropriations made for that purpose by the General Assembly. The clerk of each branch of the appellate court shall perform the duties usually devolving upon clerks of courts in this State, and shall provide books, stationery and seals for the appellate courts, and shall be entitled to receive the same fees for services in each branch of the appellate court as are allowed for like services in the Supreme Court. All fees paid to or received by any such clerk shall be paid into the Supreme Court Special Purposes Fund ~~State treasury as required by Section 2 of "An Act in relation to the payment and disposition of moneys received by officers and employees of the State of Illinois by virtue of their office or employment", approved June 9, 1911, as amended~~, except that any filing fees designated by Supreme Court Rule for alternative dispute resolution programs in the reviewing courts as provided in the Reviewing Court Alternative Dispute Resolution Act shall, within one month after receipt, be remitted to the State Treasurer for deposit in the Mandatory Arbitration Fund.

(b) The clerks shall, on the order and under the direction of the court, destroy any or all the records certified by the clerk (or a judge) of a trial court in cases finally decided more than 21 years prior to the entry of the order.
(Source: P.A. 96-302, eff. 1-1-10.)

Section 15. The Clerks of Courts Act is amended by changing Sections 28 and 29 as follows:
(705 ILCS 105/28)
Sec. 28. Supreme Court Clerk; fees. At the time of filing a petition or record, the petitioner or appellant shall pay to the Clerk of the Supreme Court the sum of $25. That sum shall be in full payment of all services of the clerk on behalf of the petitioner or appellant, except the making of a complete record, or copies of records, papers, or orders. The respondent or appellee, before entering an appearance or filing any paper, shall pay to the Clerk of the Supreme Court the sum of $15, which sum shall be in full payment of all services of the clerk on behalf of the respondent or appellee, except the making of a complete record, or copies of records, papers, or orders.

The fee for each official certificate and seal is $1.

The fee for making a complete record, copy of a record, or other papers in this office is a reasonable fee per page as established by the Supreme Court, except that the clerk shall furnish without cost, to parties in interest or their attorneys of record, copies of opinions or orders. In furtherance of the public interest, the clerk may furnish copies of opinions or orders without cost to other individuals or entities.

The fee for preparing a law license, certifying it with the seal, administering the oath, and transcribing the name on the roll of attorneys is $5.

~~In no event shall the clerk charge or receive any other or different fees than those specified in this~~

~~Section, except as otherwise authorized by statute.~~

After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section may be set by Supreme Court rule, except that the amount of the fees collected under this Section shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

There is created the Supreme Court Special Purposes Fund, a special fund in the State treasury. Moneys collected under this Section shall be deposited into the Supreme Court Special Purposes Fund, to be used by the Supreme Court for:

(1) costs associated with electronic filing and case management systems in the reviewing courts; and

(2) the operation of committees and commissions established by the Supreme Court.

(Source: P.A. 88-691; 89-233, eff. 1-1-96; 89-626, eff. 8-9-96; 89-686, eff. 12-31-96.)

(705 ILCS 105/29)

Sec. 29. Salary; disposition of fees; expenditures. The ordinary and contingent expenses of operating the Office of the Clerk of the Supreme Court, including salaries, shall be determined by the Supreme Court and paid from the State treasury on the warrant of the Comptroller out of appropriations made for that purpose by the General Assembly.

Except as specified under Section 28 of this Act, Section 12 of the Professional Service Corporation Act, Section 50-45 of the Limited Liability Company Act, and Section 10 of the Professional Association Act, all ~~All~~ fees and costs paid to or received by the Clerk of the Supreme Court shall be paid into the State Treasury.

(Source: P.A. 89-233, eff. 1-1-96.)

Section 20. The Professional Service Corporation Act is amended by changing Section 12 as follows:

(805 ILCS 10/12) (from Ch. 32, par. 415-12)

Sec. 12. (a) No corporation shall open, operate or maintain an establishment for any of the purposes for which a corporation may be organized under this Act without a certificate of registration from the regulating authority authorized by law to license individuals to engage in the profession or related professions concerned. Application for such registration shall be made in writing, and shall contain the name and address of the corporation, and such other information as may be required by the regulating authority. Upon receipt of such application, the regulating authority, or some administrative agency of government designated by it, shall make an investigation of the corporation. If the regulating authority is the Supreme Court it may designate the bar or legal association which investigates and prefers charges against lawyers to it for disciplining. If such authority finds that the incorporators, officers, directors and shareholders are each licensed pursuant to the laws of Illinois to engage in the particular profession or related professions involved (except that the secretary of the corporation need not be so licensed), and if no disciplinary action is pending before it against any of them, and if it appears that the corporation will be conducted in compliance with the law and the regulations and rules of the regulating authority, such authority, shall issue, upon payment of a registration fee of $50, a certificate of registration.

Upon written application of the holder, the regulating authority which originally issued the certificate of registration shall renew the certificate if it finds that the corporation has complied with its regulations and the provisions of this Act.

The fee for the renewal of a certificate of registration shall be calculated at the rate of $40 per year.

The certificate of registration shall be conspicuously posted upon the premises to which it is applicable, and the professional corporation shall have only those offices which are designated by street address in the articles of incorporation, or as changed by amendment of such articles. No certificate of registration shall be assignable.

(b) Moneys collected under this Section from a professional corporation organized to practice law shall be deposited into the Supreme Court Special Purposes Fund.

(c) After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section from a professional corporation organized to practice law may be set by Supreme Court rule, except that the amount of the fees shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

(Source: P.A. 83-863.)

Section 25. The Limited Liability Company Act is amended by changing Section 50-45 as follows:

(805 ILCS 180/50-45)

Sec. 50-45. Certificate of registration; attorneys at law.

(a) A limited liability company that is organized to practice law may not engage in the practice of law

without a certificate of registration from the Supreme Court of Illinois. Application for registration shall be made in writing and shall contain the name and address of the limited liability company and such other information as may be required by the Supreme Court. Upon receipt of the application, if the Supreme Court finds that the organizers, members, and managers are each licensed to practice law, no disciplinary action is pending against any of them, and it appears that the limited liability company will be conducted in compliance with the law and the rules of the Supreme Court, the Supreme Court may issue, upon payment of a registration fee of $50, a certificate of registration.

Upon written application of the certificate holder and upon completion of a form prescribed by the Supreme Court, the Supreme Court may renew the certificate if it finds that the limited liability company has complied with the Supreme Court's rules and the provisions of this Act. The fee for the renewal of a certificate of registration is $40 per year.

The applications submitted and fees payable to the Supreme Court shall be in addition to the documents, amendments, and reports filed with and the fees and penalties charged by the Secretary of State.

The certificate of registration shall be conspicuously posted upon the premises to which it is applicable, and the limited liability company may have only those offices that are designated by street address in the articles of organization or as changed by amendment of those articles. A certificate of registration is not assignable.

(b) Moneys collected under this Section shall be deposited into the Supreme Court Special Purposes Fund.

(c) After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section may be set by Supreme Court rule, except that the amount of the fees shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

(Source: P.A. 89-686, eff. 12-31-96.)

Section 30. The Professional Association Act is amended by changing Section 10 as follows:

(805 ILCS 305/10) (from Ch. 106 1/2, par. 110)

Sec. 10. Regulation of practice of law.

(a) The manner in which lawyers practice law under this Act is subject to the powers of the Supreme Court to regulate the practice of law.

(b) A professional association that is organized to practice law may not engage in the practice of law without a certificate of registration from the Supreme Court of Illinois. Application for registration shall be made in writing and shall contain the name and address of the professional association and such other information as may be required by the Supreme Court. Upon receipt of the application, if the Supreme Court finds that the members and shareholders are each licensed to practice law, no disciplinary action is pending against any of them, and it appears that the professional association will be conducted in compliance with the law and the rules of the Supreme Court, the Supreme Court may issue, upon payment of a registration fee of $50, a certificate of registration.

Upon written application of the certificate holder and upon completion of a form prescribed by the Supreme Court, the Supreme Court may renew the certificate if it finds that the professional association has complied with the Supreme Court's rules and the provisions of this Act. The fee for the renewal of a certificate of registration is $40 per year.

The certificate of registration shall be conspicuously posted upon the premises to which it is applicable, and the professional association may have only those offices that are designated by street address in the articles of association or as changed by amendment of those articles. A certificate of registration is not assignable.

(c) Moneys collected under this Section shall be deposited into the Supreme Court Special Purposes Fund.

(d) After the effective date of this amendatory Act of the 98th General Assembly, the amount of any fee collected under this Section may be set by Supreme Court rule, except that the amount of the fees shall remain as set by statute until the Supreme Court adopts rules specifying a higher or lower fee amount.

(Source: P.A. 89-686, eff. 12-31-96.)

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

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

On motion of Senator Mulroe, **Senate Bill No. 1841** having been printed, was taken up, read by title a second time.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1841

AMENDMENT NO. 1. Amend Senate Bill 1841 on page 2, line 5, by deleting ", child support,".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Mulroe, **Senate Bill No. 1844** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1844

AMENDMENT NO. 1. Amend Senate Bill 1844 on page 3, line 13, by replacing "17" with "18"; and

on page 3, line 16, by replacing "17" with "18"; and

on page 4, line 1, by replacing "." with ";"; and

on page 4, by deleting lines 2 through 4.

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

On motion of Senator Holmes, **Senate Bill No. 1723** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1723

AMENDMENT NO. 1. Amend Senate Bill 1723 by replacing line 17 on page 5 through line 12 on page 7 with the following:

"(15 ILCS 405/20) (from Ch. 15, par. 220)

Sec. 20. Annual report. The Comptroller ~~comptroller~~ shall annually, as soon as possible after the close of the fiscal year but no later than December 31, make out and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives a report, showing the amount of warrants drawn on the treasury, on other funds held by the State Treasurer and on any public funds held by State agencies, during the preceding fiscal year, and stating, particularly, on what account they were drawn, and if drawn on the contingent fund, to whom and for what they were issued. He or she shall, also, at the same time, report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives the amount of money received into the treasury, into other funds held by the State Treasurer and into any other funds held by State agencies during the preceding fiscal year, and stating particularly, the source from which the same may be derived, and also a general account of all the business of his office during the preceding fiscal year. The report shall also summarize for the previous fiscal year the information required under Section 19.

Within 60 days after the expiration of each calendar year, the Comptroller ~~comptroller~~ shall compile, from records maintained and available in his office, a list of all persons including those employed in the Office of the Comptroller ~~office of the comptroller~~, who have been employed by the State during the past calendar year and paid from funds in the hands of the State Treasurer.

The list shall be arranged according to counties and shall state in alphabetical order the name of each

employee, the address in the county in which he votes, except as specified below, the position and the total salary paid to him or her during the past calendar year. For persons employed by the Department of Corrections, Department of Children and Family Services, and the Department of State Police, as well as their spouses, no address shall be listed. The list so compiled and arranged shall be kept on file in the office of the Comptroller ~~comptroller~~ and be open to inspection by the public at all times.

No person who utilizes the names obtained from this list for solicitation shall represent that such solicitation is authorized by any officer or agency of the State of Illinois. Violation of this provision is a Business Offense punishable by a fine not to exceed $3,000.

(Source: P.A. 86-1003.)".

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

On motion of Senator Biss, **Senate Bill No. 1585** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1585

AMENDMENT NO. 1. Amend Senate Bill 1585 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 3-70 as follows:

(35 ILCS 200/3-70 new)

Sec. 3-70. Cessation of Township Assessor. If the office of Township Assessor in a coterminous township ceases as provided in Article 27 of the Township Code, then the coterminous municipality shall assume the duties of the Township Assessor under this Code.

Section 10. The Township Code is amended by adding Article 27 as follows:

(60 ILCS 1/Art. 27 heading new)

ARTICLE 27. DISCONTINUANCE OF TOWNSHIP ORGANIZATION WITHIN COTERMINOUS MUNICIPALITY

(60 ILCS 1/27-5 new)

Sec. 27-5. Applicability. This Article shall apply only to a township within a coterminous, or substantially coterminous, municipality in which the city council exercises the powers and duties of the township board, or in which one or more municipal officials serve as an officer or trustee of the township.

(60 ILCS 1/27-10 new)

Sec. 27-10. Petition and referendum to discontinue and abolish a township organization within a coterminous municipality. Upon ordinance adopted by the city council of a township described under Section 27-5 of this Article, or upon petition of at least 10% of the registered voters of that township, the city council shall certify and cause to be submitted to the voters of the township, at the next election or consolidated election, a proposition to discontinue and abolish the township organization and to transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township organization to the coterminous municipality.

A signature on a petition shall not be valid or counted in considering the petition unless the form requirements are complied with and the date of each signature is less than 90 days before the last day for filing the petition. The statement of the person who circulates the petition must include an attestation (i) indicating the dates on which that sheet was circulated, (ii) indicating the first and last date on which that sheet was circulated, or (iii) certifying that none of the signatures on the sheet was signed more than 90 days before the last day for filing the petition. The petition shall be treated and the proposition certified in the manner provided by the general election law. After the proposition has once been submitted to the electorate, the proposition shall not be resubmitted for 4 years.

The proposition shall be in substantially the following form:

Shall the township organization be continued in [Name of Township] Township?

The votes shall be recorded as "Yes" or "No".

(60 ILCS 1/27-15 new)

Sec. 27-15. Cessation of township organization. If a majority of the votes of the township cast are in

favor of the proposition to discontinue and abolish the township organization, then the township organization in that township shall cease.

On the effective date of the discontinuance and abolishment of the township organization, all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township shall by operation of law vest in and be assumed by the coterminous municipality.

(60 ILCS 1/27-20 new)

Sec. 27-20. Township officers.

Upon the effective date of discontinuance, the coterminous municipality shall exercise all duties and responsibilities of that township officer as provided in the Township Code, the Illinois Public Aid Code, Property Tax Code, and the Illinois Highway Code, as applicable. The coterminous municipality may enter into an intergovernmental agreement or contract with the county or the State to administer the duties and responsibilities of that township officer for services under its jurisdiction.

(60 ILCS 1/27-25 new)

Sec. 27-25. Business, records, and property of discontinued township organization. The records of a township organization discontinued under this Article shall be deposited in the coterminous municipality's city clerk's office. The coterminous municipality may close up all unfinished business of the township and sell and dispose of any of the property belonging to the township for benefit of the inhabitants of the municipality.

Section 15. The Public Health District Act is amended by adding Section 25 as follows:

(70 ILCS 905/25 new)

Sec. 25. Discontinuance of a coterminous township. If the office of Township Assessor in a coterminous township is discontinued as provided in Article 27 of the Township Code, then the coterminous municipality's Council members shall be the board of health for the public health district under this Act.

Section 20. The Illinois Public Aid Code is amended by adding Section 12-3.1 as follows:

(305 ILCS 5/12-3.1 new)

Sec. 12-3.1. Discontinuance of a coterminous township. Upon discontinuance of a coterminous township under Article 27 of the Township Code, the coterminous municipality shall provide funds for and administer the public aid program provided for under Article VI of this Code.

Section 25. The Illinois Highway Code is amended by adding Section 5-205.10 as follows:

(605 ILCS 5/5-205.10 new)

Sec. 5-205.10. Discontinuance of a coterminous township. If township organization is discontinued as provided in Article 27 of the Township Code, then the coterminous municipality shall assume the duties of highway commissioner under this Code.

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

Senator Biss offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1585

AMENDMENT NO. _2_. Amend Senate Bill 1585 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 3-70 as follows:

(35 ILCS 200/3-70 new)

Sec. 3-70. Cessation of Township Assessor. If the office of Township Assessor in a coterminous township ceases as provided in Article 27 of the Township Code, then the coterminous municipality shall assume the duties of the Township Assessor under this Code.

Section 10. The Township Code is amended by adding Article 27 as follows:

(60 ILCS 1/Art. 27 heading new)

ARTICLE 27. DISCONTINUANCE OF TOWNSHIP ORGANIZATION WITHIN COTERMINOUS MUNICIPALITY

(60 ILCS 1/27-5 new)

Sec. 27-5. Applicability. This Article shall apply only to a township that: (1) is within a coterminous,

or substantially coterminous, municipality in which the city council exercises the powers and duties of the township board, or in which one or more municipal officials serve as an officer or trustee of the township; (2) is located within a county with a population of 3 million or more; and (3) contains a territory of 7 square miles or more.

(60 ILCS 1/27-10 new)

Sec. 27-10. Petition and referendum to discontinue and abolish a township organization within a coterminous municipality. Upon ordinance adopted by the city council of a township described under Section 27-5 of this Article, or upon petition of at least 10% of the registered voters of that township, the city council shall certify and cause to be submitted to the voters of the township, at the next election or consolidated election, a proposition to discontinue and abolish the township organization and to transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township organization to the coterminous municipality.

A signature on a petition shall not be valid or counted in considering the petition unless the form requirements are complied with and the date of each signature is less than 90 days before the last day for filing the petition. The statement of the person who circulates the petition must include an attestation (i) indicating the dates on which that sheet was circulated, (ii) indicating the first and last date on which that sheet was circulated, or (iii) certifying that none of the signatures on the sheet was signed more than 90 days before the last day for filing the petition. The petition shall be treated and the proposition certified in the manner provided by the general election law. After the proposition has once been submitted to the electorate, the proposition shall not be resubmitted for 4 years.

The proposition shall be in substantially the following form:

Shall the township organization be continued in [Name of Township] Township?

The votes shall be recorded as "Yes" or "No".

(60 ILCS 1/27-15 new)

Sec. 27-15. Cessation of township organization. If a majority of the votes of the township cast are in favor of the proposition to discontinue and abolish the township organization, then the township organization in that township shall cease.

On the effective date of the discontinuance and abolishment of the township organization, all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township shall by operation of law vest in and be assumed by the coterminous municipality.

(60 ILCS 1/27-20 new)

Sec. 27-20. Township officers.

Upon the effective date of discontinuance, the coterminous municipality shall exercise all duties and responsibilities of that township officer as provided in the Township Code, the Illinois Public Aid Code, Property Tax Code, and the Illinois Highway Code, as applicable. The coterminous municipality may enter into an intergovernmental agreement or contract with the county or the State to administer the duties and responsibilities of that township officer for services under its jurisdiction.

(60 ILCS 1/27-25 new)

Sec. 27-25. Business, records, and property of discontinued township organization. The records of a township organization discontinued under this Article shall be deposited in the coterminous municipality's city clerk's office. The coterminous municipality may close up all unfinished business of the township and sell and dispose of any of the property belonging to the township for benefit of the inhabitants of the municipality.

Section 15. The Public Health District Act is amended by adding Section 25 as follows:

(70 ILCS 905/25 new)

Sec. 25. Discontinuance of a coterminous township. If the office of Township Assessor in a coterminous township is discontinued as provided in Article 27 of the Township Code, then the coterminous municipality's Council members shall be the board of health for the public health district under this Act.

Section 20. The Illinois Public Aid Code is amended by adding Section 12-3.1 as follows:

(305 ILCS 5/12-3.1 new)

Sec. 12-3.1. Discontinuance of a coterminous township. Upon discontinuance of a coterminous township under Article 27 of the Township Code, the coterminous municipality shall provide funds for and administer the public aid program provided for under Article VI of this Code.

Section 25. The Illinois Highway Code is amended by adding Section 5-205.10 as follows:

(605 ILCS 5/5-205.10 new)

Sec. 5-205.10. Discontinuance of a coterminous township. If township organization is discontinued as provided in Article 27 of the Township Code, then the coterminous municipality shall assume the duties of highway commissioner under this Code.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

At the hour of 1:23 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 1:31 o'clock p.m., the Senate resumed consideration of business.

Senator Clayborne, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 16, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Committee Amendment No. 2 to Senate Bill 2362**.

Criminal Law: **Senate Floor Amendment No. 1 to Senate Bill 1005; Senate Floor Amendment No. 3 to Senate Bill 1332; Senate Floor Amendment No. 1 to Senate Bill 1528; Senate Floor Amendment No. 2 to Senate Bill 1528; Senate Floor Amendment No. 2 to Senate Bill 1532; Senate Floor Amendment No. 2 to Senate Bill 1587; Senate Committee Amendment No. 1 to Senate Bill 1598; Senate Floor Amendment No. 1 to Senate Bill 1609; Senate Committee Amendment No. 1 to Senate Bill 1618; Senate Committee Amendment No. 2 to Senate Bill 1618; Senate Committee Amendment No. 2 to Senate Bill 1643; Senate Committee Amendment No. 1 to Senate Bill 1735; Senate Floor Amendment No. 2 to Senate Bill 1817; Senate Floor Amendment No. 3 to Senate Bill 1831; Senate Committee Amendment No. 1 to Senate Bill 1948; Senate Floor Amendment No. 1 to Senate Bill 1968; Senate Committee Amendment No. 1 to Senate Bill 2231; Senate Committee Amendment No. 2 to Senate Bill 2231; Senate Floor Amendment No. 1 to Senate Bill 2270**.

Education: **Senate Floor Amendment No. 1 to Senate Bill 578; Senate Floor Amendment No. 1 to Senate Bill 579; Senate Committee Amendment No. 1 to Senate Bill 1572; Senate Committee Amendment No. 2 to Senate Bill 1572; Senate Floor Amendment No. 2 to Senate Bill 1625; Senate Floor Amendment No. 1 to Senate Bill 1791; Senate Floor Amendment No. 1 to Senate Bill 1932; Senate Committee Amendment No. 1 to Senate Bill 2340**.

Executive: **Senate Floor Amendment No. 1 to Senate Bill 1983**.

Financial Institutions: **Senate Floor Amendment No. 1 to Senate Bill 627; Senate Floor Amendment No. 1 to Senate Bill 1667**.

Higher Education: **Senate Floor Amendment No. 2 to Senate Bill 1592; Senate Committee Amendment No. 2 to Senate Bill 1900; Senate Floor Amendment No. 1 to Senate Bill 2202; Senate Floor Amendment No. 2 to Senate Bill 2245; Senate Committee Amendment No. 1 to Senate Bill 2305**.

Human Services: **Senate Floor Amendment No. 1 to Senate Bill 45; Senate Floor Amendment No. 1 to Senate Bill 626; Senate Committee Amendment No. 2 to Senate Bill 1454; Senate Floor Amendment No. 1 to Senate Bill 1655**.

Judiciary: **Senate Floor Amendment No. 2 to Senate Bill 31; Senate Floor Amendment No. 2 to Senate Bill 1042; Senate Floor Amendment No. 1 to Senate Bill 1043; Senate Floor Amendment No. 1 to Senate Bill 1044; Senate Floor Amendment No. 2 to Senate Bill 1164; Senate Floor Amendment No. 6 to Senate Bill 1207; Senate Committee Amendment No. 1 to Senate Bill 1255; Senate Floor Amendment No. 2 to Senate Bill 1330; Senate Floor Amendment No. 1 to Senate Bill 1399; Senate Floor Amendment No. 2 to Senate Bill 1399; Senate Committee Amendment No. 2 to Senate Bill 1602; Senate Floor Amendment No. 2 to Senate Bill 1867; Senate Floor Amendment No. 2 to Senate Bill 1898; Senate Floor Amendment No. 2 to Senate Bill 1912; Senate Floor Amendment No. 1 to Senate Bill 1945; Senate Floor Amendment No. 1 to Senate Bill 1967; Senate Floor Amendment No. 1 to Senate Bill 1969; Senate Floor Amendment No. 1 to Senate Bill 2086; Senate Floor Amendment No. 1 to Senate Bill 2101**.

Labor and Commerce: **Senate Floor Amendment No. 2 to Senate Bill 1190; Senate Floor Amendment No. 2 to Senate Bill 1568; Senate Floor Amendment No. 2 to Senate Bill 1708; Senate Committee Amendment No. 1 to Senate Bill 2184; Senate Floor Amendment No. 1 to Senate Bill 2393**.

Local Government: **Senate Committee Amendment No. 1 to House Bill 1349; Senate Floor Amendment No. 2 to Senate Bill 1417; Senate Floor Amendment No. 2 to Senate Bill 1474; Senate Floor Amendment No. 2 to Senate Bill 1681; Senate Committee Amendment No. 1 to Senate Bill 1790; Senate Floor Amendment No. 1 to Senate Bill 1822**.

Public Health: **Senate Floor Amendment No. 1 to Senate Bill 625; Senate Floor Amendment No. 2 to Senate Bill 1226; Senate Floor Amendment No. 2 to Senate Bill 2312; Senate Floor Amendment No. 1 to Senate Bill 2314; Senate Floor Amendment No. 1 to Senate Bill 2353; Senate Floor Amendment No. 2 to Senate Bill 2353**.

Transportation: **Senate Floor Amendment No. 1 to Senate Bill 925; Senate Floor Amendment No. 2 to Senate Bill 1294; Senate Floor Amendment No. 4 to Senate Bill 1346; Senate Committee Amendment No. 2 to Senate Bill 1477; Senate Committee Amendment No. 1 to Senate Bill 1479; Senate Committee Amendment No. 2 to Senate Bill 1479; Senate Committee Amendment No. 1 to Senate Bill 1647; Senate Floor Amendment No. 1 to Senate Bill 2047; Senate Committee Amendment No. 2 to Senate Bill 2356**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 16, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Bills 743, 1651 and 2709**.

Criminal Law: **House Bills 1281, 2250, 2897, 2898, 2961, 3009 and 3029**.

Education: **House Bills 3, 129, 2213, 2428 and 2768**.

Energy: **House Bills 2494 and 2753**.

Financial Institutions: **House Bills 1545 and 2830**.

Higher Education: **House Bills 2370 and 2910**.

Human Services: **House Bills 100 and 1046**.

Judiciary: **House Bills 131, 830, 1189, 2374, 2401 and 3128**.

Labor and Commerce: **House Bill 1544**.

Licensed Activities and Pensions: **House Bills 1444, 2767 and 2778**.

Local Government: **House Bills 1192, 1295, 2376, 2488, 2755, 2807, 2862 and 3233**.

Public Health: **House Bills 1233, 1455, 2777 and 3075**.

Revenue: **House Bill 2317**.

State Government and Veterans Affairs: **House Bills 2498, 2687, 2761, 2775 and 3122**.

Transportation: **House Bills 772, 1247, 1330, 1389, 2310, 2361, 2382, 2584, 2641, 3057 and 3199**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 16, 2013 meeting, reported the following Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: **House Joint Resolution No. 1.**

Environment: **Senate Resolution No. 163.**

Executive: **Senate Joint Resolution No. 27.**

Higher Education: **Senate Joint Resolution No. 29.**

Labor and Commerce: **Senate Resolution No. 172.**

State Government and Veterans Affairs: **Senate Resolutions Numbered 122 and 160.**

Transportation: **Senate Joint Resolution No. 31; House Joint Resolutions Numbered 3 and 12.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 18, 2013 meeting, to which was referred **House Bills numbered 2267, 2273, 2369, 2639, 2820 and 2822**, reported the same back with the recommendation that the bills be placed on the order of second reading without recommendation to committee.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 2:50 o'clock p.m.:

Education in Room 400
Public Health in Room 409

The Chair announced the following committees to meet at 4:00 o'clock p.m.:

Judiciary in Room 212
Higher Education in Room 400
Human Services in Room 409

The Chair announced the following committees to meet at 5:00 o'clock p.m.:

Transportation in Room 212

COMMITTEE MEETING ANNOUNCEMENTS FOR APRIL 17, 2013

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

Local Government in Room 212
Criminal Law in Room 409

The Chair announced the following committees to meet at 11:00 o'clock a.m.:

Labor and Commerce in Room 212
Financial Institutions in Room 400

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

April 16, 2013

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Jacqueline Collins to temporarily replace Senator Kimberly Lightford as a member of the Senate Education Committee. This appointment will automatically expire upon adjournment of the Senate Education Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority 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

April 16, 2013

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Terry Link to temporarily replace Senator Kimberly Lightford as a member of the Senate Higher Education Committee. This appointment will automatically expire upon adjournment of the Senate Higher Education Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority 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

April 16, 2013

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator John Mulroe to temporarily replace Senator Martin Sandoval as a member of the Senate Transportation Committee. This appointment will automatically expire upon adjournment of the Senate Transportation Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Haine, **Senate Bill No. 1194** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Holmes, **Senate Bill No. 1871** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1871

AMENDMENT NO. 1. Amend Senate Bill 1871 as follows:

on page 10, by replacing lines 17 through 23 with the following:

"If, after releasing security to a judgment debtor or claimant, the balance of the security posted with the Secretary is $5 or less, the balance shall be transferred to the General Revenue Fund. The Secretary shall compile a list of all security amounts of $5 or less annually in July and shall certify that amount to

the State Comptroller. As soon as possible after receiving the certification, the State Comptroller shall order transferred and the State Treasurer shall transfer the amount certified to the General Revenue Fund.".

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

On motion of Senator Noland, **Senate Bill No. 1917** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 1920** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 1921** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 1922** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1922

AMENDMENT NO. 1. Amend Senate Bill 1922 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 9-190 and by adding Section 9-202.1 as follows:

(40 ILCS 5/9-190) (from Ch. 108 1/2, par. 9-190)

Sec. 9-190. Board powers and duties. The board shall have the powers and duties stated in Sections 9-191 to 9-202.1 ~~9-202~~, inclusive, in addition to such other powers and duties provided in this Article. (Source: Laws 1963, p. 161.)

(40 ILCS 5/9-202.1 new)

Sec. 9-202.1. To reproduce records. To have any records kept by the board photographed, microfilmed, or digitally or electronically reproduced. The photographs, microfilm, and digital and electronic reproductions shall be deemed original records and documents for all purposes, including introduction in evidence before all courts and administrative agencies.

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

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

On motion of Senator Raoul, **Senate Bill No. 1923** having been printed, was taken up, read by title a second time and ordered to a third reading.

At the hour of 1:55 o'clock p.m., Senator Sullivan, presiding.

On motion of Senator Luechtefeld, **Senate Bill No. 1924** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **Senate Bill No. 1940** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Oberweis, **Senate Bill No. 2026** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Cunningham, **Senate Bill No. 2154** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **Senate Bill No. 2195** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **Senate Bill No. 2196** having been printed, was taken up, read by title a second time.

Senator Muñoz offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2196

AMENDMENT NO. 1. Amend Senate Bill 2196 by replacing everything from line 23 on page 1 through line 1 on page 2 with the following:

"the criminal offense or violation is discovered during an investigation or search conducted pursuant to the powers conferred under subsection (a) and (ii) the".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Raoul, **Senate Bill No. 2233** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, III, **Senate Bill No. 1929** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1929

AMENDMENT NO. 1. Amend Senate Bill 1929 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 11-1301.2 as follows:

(625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

Sec. 11-1301.2. Special decals for parking; persons with disabilities.

(a) The Secretary of State shall provide for, by administrative rules, the design, size, color, and placement of a person with disabilities motorist decal or device and shall provide for, by administrative rules, the content and form of an application for a person with disabilities motorist decal or device, which shall be used by local authorities in the issuance thereof to a person with temporary disabilities, provided that the decal or device is valid for no more than 90 days, subject to renewal for like periods based upon continued disability, and further provided that the decal or device clearly sets forth the date that the decal or device expires. The application shall include the requirement of an Illinois Identification Card number or a State of Illinois driver's license number. This decal or device may be used by the authorized holder to designate and identify a vehicle not owned or displaying a registration plate as provided in Sections 3-609 and 3-616 of this Act to designate when the vehicle is being used to transport said person or persons with disabilities, and thus is entitled to enjoy all the privileges that would be afforded a person with disabilities licensed vehicle. Person with disabilities decals or devices issued and displayed pursuant to this Section shall be recognized and honored by all local authorities regardless of which local authority issued such decal or device.

The decal or device shall be issued only upon a showing by adequate documentation that the person for whose benefit the decal or device is to be used has a ~~temporary~~ disability as defined in Section 1-159.1 of this Code and the disability is temporary.

(b) The local governing authorities shall be responsible for the provision of such decal or device, its issuance and designated placement within the vehicle. The cost of such decal or device shall be at the discretion of such local governing authority.

(c) The Secretary of State may, pursuant to Section 3-616(c), issue a person with disabilities parking decal or device to a person with disabilities as defined by Section 1-159.1. Any person with disabilities

parking decal or device issued by the Secretary of State shall be registered to that person with disabilities in the form to be prescribed by the Secretary of State. The person with disabilities parking decal or device shall not display that person's address. One additional decal or device may be issued to an applicant upon his or her written request and with the approval of the Secretary of State. The written request must include a justification of the need for the additional decal or device.

(c-5) Beginning January 1, 2014, the Secretary shall provide by administrative rule for the issuance of a separate and distinct parking decal or device for persons with disabilities as defined by Section 1-159.1 of this Code and who meet the qualifications under this subsection. The authorized holder of a decal or device issued under this subsection (c-5) shall be exempt from the payment of fees generated by parking in a metered space, a parking area subject to paragraph (10) of subsection (a) of Section 11-209 of this Code, or a publicly owned parking structure or area.

The Secretary shall issue a meter-exempt decal or device to a person with disabilities who: (i) has been issued registration plates under subsection (a) of Section 3-609 or Section 3-616 of this Code or a special decal or device under this Section, (ii) holds a valid Illinois driver's license, ~~;~~ and (iii) is unable to do one or more of the following:

(1) manage, manipulate, or insert coins, or obtain tickets or tokens in parking meters or ticket machines in parking lots or parking structures, due to the lack of fine motor control of both hands;

(2) reach above his or her head to a height of 42 inches from the ground, due to a lack of finger, hand, or upper extremity strength or mobility;

(3) approach a parking meter due to his or her use of a wheelchair or other device for mobility; or

(4) walk more than 20 feet due to an orthopedic, neurological, cardiovascular, or lung condition in which the degree of debilitation is so severe that it almost completely impedes the ability to walk.

The application for a meter-exempt parking decal or device shall contain a statement certified by a licensed physician, physician assistant, or advanced practice nurse attesting to the permanent nature ~~and estimated duration~~ of the applicant's condition and verifying that the applicant meets the physical qualifications specified in this subsection (c-5).

Notwithstanding the requirements of this subsection (c-5), the Secretary shall issue a meter-exempt decal or device to a person who has been issued registration plates under Section 3-616 of this Code or a special decal or device under this Section, if the applicant is the parent or guardian of a person with disabilities who is under 18 years of age and incapable of driving.

(d) Replacement decals or devices may be issued for lost, stolen, or destroyed decals upon application and payment of a $10 fee. The replacement fee may be waived for individuals that have claimed and received a grant under the Senior Citizens and Disabled Persons Property Tax Relief Act.

(Source: P.A. 96-72, eff. 1-1-10; 96-79, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-689, eff. 6-14-12; 97-845, eff. 1-1-13; revised 8-3-12.)".

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

On motion of Senator Clayborne, **Senate Bill No. 2255** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Licensed Activities and Pensions, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2255

AMENDMENT NO. 1. Amend Senate Bill 2255 by replacing everything after the enacting clause with the following:

"Section 5. The Coal Mining Act is amended by changing Section 2.05 and by adding Article 40 as follows:

(225 ILCS 705/2.05) (from Ch. 96 1/2, par. 305)

Sec. 2.05. For the examination of persons seeking certificates of competency as mine managers, hoisting engineers, and mine examiners, the Board shall hold meetings at such times and places within the State as shall, in the judgment of the members, afford the best facilities to the greatest number of candidates. They shall also call an examination at least once a year for electrical hoisting engineers and at least twice a year for mine electricians.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/Art. 40 heading new)

ARTICLE 40.
MINE ELECTRICIANS.

(225 ILCS 705/40.1 new)

Sec. 40.1. Mine electrician. Each applicant for a certificate of competency as mine electrician shall produce evidence of at least one year of experience in performing electrical work in a coal mine or acceptable, related industry. The applicant shall pass an examination as to his or her practical and technical knowledge of the nature and properties of electricity, direct and alternating currents, electrical equipment and circuits, permissibility of electrical equipment, the National Electrical Code, and the laws of this State relating to coal mine electricity. To be eligible for taking a mine electrician examination administered by the State Mining Board, the applicant must meet at least one of the following criteria:

(1) be classified as an apprentice mine electrician and have met the requirements for an apprentice;

(2) possess a Bachelor of Science degree in electrical engineering and provide evidence of experience;

(3) possess a current coal mine electrician certification from another state coal mine electrical program; or

(4) be qualified as a mine electrician, but have not taken a State-approved coal mine electrician examination or a federal coal mine electrician examination.

(225 ILCS 705/40.2 new)

Sec. 40.2. Electrical equipment and systems; examination, testing, and maintenance. All electrical equipment and systems shall be frequently examined and tested and properly maintained by a mine electrician to ensure safe operating conditions. When a potentially dangerous condition is found in electrical equipment or an electrical system, the equipment or system shall be removed from service until the condition is corrected. A record of the examinations shall be kept and made available to the company, the State Mine Inspector, and all other persons interested.".

AMENDMENT NO. 2 TO SENATE BILL 2255

AMENDMENT NO. 2. Amend Senate Bill 2255, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 3, by replacing line 3 with the following:

""Qualified mine electrician" means an individual who has completed the required classroom instruction from an approved college or university and can produce evidence of at least one year of experience in performing electrical work in a coal mine or acceptable related industry.".

AMENDMENT NO. 3 TO SENATE BILL 2255

AMENDMENT NO. 3. Amend Senate Bill 2255, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, by replacing line 3 with the following:

""Qualified mine electrician" means an individual who has completed the required classroom instruction from an approved college or university and can produce evidence of at least one year of experience in performing electrical work in a coal mine or acceptable related industry.".

There being no further amendments, the foregoing Amendments Numbered 1, 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2256** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2256

AMENDMENT NO. 1. Amend Senate Bill 2256 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 18-185 as follows:

(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c)

made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general

obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may

be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means: (i) for levy years before 2014, the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230; and (ii) for levy years 2014 and later, the greater of (A) the taxing district's aggregate extension limit; or (B) the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

"Aggregate extension limit" means the district's last preceding aggregate extension if the taxing district had utilized the maximum limiting rate permitted without referendum.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a

redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided.

(Source: P.A. 96-501, eff. 8-14-09; 96-517, eff. 8-14-09; 96-1000, eff. 7-2-10; 96-1202, eff. 7-22-10; 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13.)".

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

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

On motion of Senator Harmon, **Senate Bill No. 2257** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2257

AMENDMENT NO. 1. Amend Senate Bill 2257 on page 17, line 15, after "limitation", by inserting "defined in this Section"; and

on page 17, line 17, by replacing "Act" with "Law"; and

on page 25, line 22, by replacing "referenda approval after January" with "referendum approval on or after January"; and

on page 26, by replacing lines 7 and 8 with the following:
"Illinois, be increased by (insert the amount of increase sought) for levy year...(insert the levy"; and

on page 26, by replacing lines 16 through 19 with the following:

""(1) The amount of taxes extended which were subject to the Property Tax Cap (Property Tax Extension Limitation Law) in levy year (insert most recent levy year) was (insert the most recent levy year's aggregate extension base). If the proposition is not approved, then the taxing district may increase its extension by the lesser of 5% or the or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding (insert levy year). If the proposition is approved, then the taxing district may increase its extension in levy year (insert levy year) by an additional (insert the amount of increase sought).)"; and

on page 26, line 21, by replacing "levy year" with "levy year,".

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

On motion of Senator Harmon, **Senate Bill No. 2258** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McGuire, **Senate Bill No. 2339** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2339

AMENDMENT NO. 1. Amend Senate Bill 2339 by replacing everything after the enacting clause with the following:

"Section 5. The Intergovernmental Cooperation Act is amended by changing Section 6 as follows:

(5 ILCS 220/6) (from Ch. 127, par. 746)

Sec. 6. Joint self-insurance. An intergovernmental contract may, among other undertakings, authorize public agencies to jointly self-insure and authorize each public agency member of the contract to utilize its funds to pay to a joint insurance pool its costs and reserves to protect, wholly or partially, itself or any public agency member of the contract against liability or loss in the designated insurable area.

A joint insurance pool shall have an annual audit performed by an independent certified public accountant and shall file an annual audited financial report with the Director of Insurance no later than 150 days after the end of the pool's immediately preceding fiscal year. The Director of Insurance shall issue rules necessary to implement this audit and report requirement. The rule shall establish the due date for filing the initial annual audited financial report. Within 30 days after January 1, 1991, and within 30 days after each January 1 thereafter, public agencies that are jointly self-insured to protect against liability under the Workers' Compensation Act and the Workers' Occupational Diseases Act shall file with the Illinois Workers' Compensation Commission a report indicating an election to self-insure.

The joint insurance pool shall also annually file with the Director a certification by an independent actuary that the pool's reserves are in accordance with sound loss-reserving and adequate for the payment of claims. This certification must be filed no later than 150 days after the end of each fiscal year. If the joint insurance pool obtains aggregate coverage or uses any other reinsurance mechanism, then the independent actuary's certification need only account for the primary level of coverage provided by the joint insurance pool prior to reinsurance. The independent actuary's certification shall also indicate the conditions under which the aggregate coverage or other reinsurance mechanism takes effect. In addition, the joint insurance pool must annually provide the Department with an accurate statement of the amount of coverage provided through aggregate coverage or any other reinsurance mechanism.

The Director may adopt, by administrative rule, appropriate penalties for joint insurance pools that fail to comply with the auditing, reporting, and certification requirements of this Section. The Director, or his or her designees, may examine the affairs, transactions, accounts, records, and assets and liabilities of each joint insurance pool as often as the Director deems advisable. The joint insurance pool shall cooperate fully with the Director's representatives in all evaluations and audits of the joint insurance pool and resolve issues raised in those evaluations and audits. The failure to resolve those issues shall constitute a violation of this Section, and may, after notice and an opportunity to be heard, result in the imposition of penalties established by the Director by administrative rule. No sanctions under this Section may become effective until 30 days after the date that a notice of sanctions is delivered by registered or certified mail to the joint insurance pool.

If a joint insurance pool requires a member to submit written notice in order for the member to withdraw from a qualified pool, then the period in which the member must provide the written notice cannot be greater than 90 days, except that this requirement applies only to joint insurance pool agreements entered into, modified, or renewed on or after the effective date of this amendatory Act of the 98th General Assembly and this requirement does not apply during the initial year of membership in the joint insurance pool.

The joint insurance pool shall notify each public agency member of the deadline for withdrawing from the pool at least 30 days before the deadline for withdrawal.

For purposes of this Section, "public agency member" means any public agency defined or created

under this Act, any local public entity as defined in Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act, and any public agency, authority, instrumentality, council, board, service region, district, unit, bureau, or, commission, or any municipal corporation, college, or university, whether corporate or otherwise, and any other local governmental body or similar entity that is presently existing or created after the effective date of this amendatory Act of the 92nd General Assembly, whether or not specified in this Section. Only public agency members with tax receipts, tax revenues, taxing authority, or other resources sufficient to pay costs and to service debt related to intergovernmental activities described in this Section, or public agency members created by or as part of a public agency with these powers, may enter into contracts or otherwise associate among themselves as permitted in this Section.

No joint insurance pool or other intergovernmental cooperative offering health insurance shall interfere with the statutory obligation of any public agency member to bargain over or to reach agreement with a labor organization over a mandatory subject of collective bargaining as those terms are used in the Illinois Public Labor Relations Act. No intergovernmental contract of insurance offering health insurance shall limit the rights or obligations of public agency members to engage in collective bargaining, and it shall be unlawful for a joint insurance pool or other intergovernmental cooperative offering health insurance to discriminate against public agency members or otherwise retaliate against such members for limiting their participation in a joint insurance pool as a result of a collective bargaining agreement.

It shall not be considered a violation of this Section for an intergovernmental contract of insurance relating to health insurance coverage, life insurance coverage, or both to permit the pool or cooperative, if a member withdraws employees or officers into a union-sponsored program, to re-price the costs of benefits provided to the continuing employees or officers based upon the same underwriting criteria used by that pool or cooperative in the normal course of its business, but no member shall be expelled from a pool or cooperative if the continuing employees or officers meet the general criteria required of other members.

(Source: P.A. 93-721, eff. 1-1-05; 94-685, eff. 11-2-05.)".

Senate Floor Amendment Nos. 2 and 3 were held in the Committee on Assignments.

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

On motion of Senator Martinez, **Senate Bill No. 2363** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2365** having been printed, was taken up, read by title a second time.

Senate Floor Amendment Nos. 1 and 2 were held in the Committee on Assignments.

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

On motion of Senator Harmon, **Senate Bill No. 2366** having been printed, was taken up, read by title a second time.

Senate Committee Amendment Nos. 1 and 2 and Senate Floor Amendment No. 3 were held in the Committee on Assignments.

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

On motion of Senator Harmon, **Senate Bill No. 333** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 333

AMENDMENT NO. 1. Amend Senate Bill 333 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Sections 223 and 704A as follows:

(35 ILCS 5/223)

Sec. 223. Hospital credit.

(a) For tax years ending on or after December 31, 2012, a taxpayer that is the owner of a hospital

licensed under the Hospital Licensing Act, but not including an organization that is exempt from federal income taxes under the Internal Revenue Code, is entitled to a credit against the taxes imposed under subsections (a) and (b) of Section 201 of this Act or the payments due under Section 704A of this Act in an amount equal to the lesser of the amount of real property taxes paid during the tax year on real property used for hospital purposes during the prior tax year or the cost of free or discounted services provided during the tax year pursuant to the hospital's charitable financial assistance policy, measured at cost.

(b) If the taxpayer is a partnership or Subchapter S corporation, the credit is allowed to the partners or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. A transfer of this credit may be made by the taxpayer earning the credit within one year after the credit is earned in accordance with rules adopted by the Department. The Department shall prescribe rules to enforce and administer provisions of this Section. If the amount of the credit exceeds the tax liability for the year, then the excess credit may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one tax year that are available to offset a liability, the earlier credit shall be applied first. In no event shall a credit under this Section reduce the taxpayer's liability to less than zero.

(c) This Section is exempt from the provisions of Section 250.

(Source: P.A. 97-688, eff. 6-14-12.)

(35 ILCS 5/704A)

Sec. 704A. Employer's return and payment of tax withheld.

(a) In general, every employer who deducts and withholds or is required to deduct and withhold tax under this Act on or after January 1, 2008 shall make those payments and returns as provided in this Section.

(b) Returns. Every employer shall, in the form and manner required by the Department, make returns with respect to taxes withheld or required to be withheld under this Article 7 for each quarter beginning on or after January 1, 2008, on or before the last day of the first month following the close of that quarter.

(c) Payments. With respect to amounts withheld or required to be withheld on or after January 1, 2008:

(1) Semi-weekly payments. For each calendar year, each employer who withheld or was required to withhold more than $12,000 during the one-year period ending on June 30 of the immediately preceding calendar year, payment must be made:

(A) on or before each Friday of the calendar year, for taxes withheld or required to be withheld on the immediately preceding Saturday, Sunday, Monday, or Tuesday;

(B) on or before each Wednesday of the calendar year, for taxes withheld or required to be withheld on the immediately preceding Wednesday, Thursday, or Friday.

Beginning with calendar year 2011, payments made under this paragraph (1) of subsection (c) must be made by electronic funds transfer.

(2) Semi-weekly payments. Any employer who withholds or is required to withhold more than $12,000 in any quarter of a calendar year is required to make payments on the dates set forth under item (1) of this subsection (c) for each remaining quarter of that calendar year and for the subsequent calendar year.

(3) Monthly payments. Each employer, other than an employer described in items (1) or (2) of this subsection, shall pay to the Department, on or before the 15th day of each month the taxes withheld or required to be withheld during the immediately preceding month.

(4) Payments with returns. Each employer shall pay to the Department, on or before the due date for each return required to be filed under this Section, any tax withheld or required to be withheld during the period for which the return is due and not previously paid to the Department.

(d) Regulatory authority. The Department may, by rule:

(1) Permit employers, in lieu of the requirements of subsections (b) and (c), to file annual returns due on or before January 31 of the year for taxes withheld or required to be withheld during the previous calendar year and, if the aggregate amounts required to be withheld by the employer under this Article 7 (other than amounts required to be withheld under Section 709.5) do not exceed $1,000 for the previous calendar year, to pay the taxes required to be shown on each such return no later than the due date for such return.

(2) Provide that any payment required to be made under subsection (c)(1) or (c)(2) is deemed to be timely to the extent paid by electronic funds transfer on or before the due date for deposit of federal income taxes withheld from, or federal employment taxes due with respect to, the

wages from which the Illinois taxes were withheld.

(3) Designate one or more depositories to which payment of taxes required to be withheld under this Article 7 must be paid by some or all employers.

(4) Increase the threshold dollar amounts at which employers are required to make semi-weekly payments under subsection (c)(1) or (c)(2).

(e) Annual return and payment. Every employer who deducts and withholds or is required to deduct and withhold tax from a person engaged in domestic service employment, as that term is defined in Section 3510 of the Internal Revenue Code, may comply with the requirements of this Section with respect to such employees by filing an annual return and paying the taxes required to be deducted and withheld on or before the 15th day of the fourth month following the close of the employer's taxable year. The Department may allow the employer's return to be submitted with the employer's individual income tax return or to be submitted with a return due from the employer under Section 1400.2 of the Unemployment Insurance Act.

(f) Magnetic media and electronic filing. Any W-2 Form that, under the Internal Revenue Code and regulations promulgated thereunder, is required to be submitted to the Internal Revenue Service on magnetic media or electronically must also be submitted to the Department on magnetic media or electronically for Illinois purposes, if required by the Department.

(g) For amounts deducted or withheld after December 31, 2009, a taxpayer who makes an election under subsection (f) of Section 5-15 of the Economic Development for a Growing Economy Tax Credit Act for a taxable year shall be allowed a credit against payments due under this Section for amounts withheld during the first calendar year beginning after the end of that taxable year equal to the amount of the credit for the incremental income tax attributable to full-time employees of the taxpayer awarded to the taxpayer by the Department of Commerce and Economic Opportunity under the Economic Development for a Growing Economy Tax Credit Act for the taxable year and credits not previously claimed and allowed to be carried forward under Section 211(4) of this Act as provided in subsection (f) of Section 5-15 of the Economic Development for a Growing Economy Tax Credit Act. The credit or credits may not reduce the taxpayer's obligation for any payment due under this Section to less than zero. If the amount of the credit or credits exceeds the total payments due under this Section with respect to amounts withheld during the calendar year, the excess may be carried forward and applied against the taxpayer's liability under this Section in the succeeding calendar years as allowed to be carried forward under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first. Each employer who deducts and withholds or is required to deduct and withhold tax under this Act and who retains income tax withholdings under subsection (f) of Section 5-15 of the Economic Development for a Growing Economy Tax Credit Act must make a return with respect to such taxes and retained amounts in the form and manner that the Department, by rule, requires and pay to the Department or to a depositary designated by the Department those withheld taxes not retained by the taxpayer. For purposes of this subsection (g), the term taxpayer shall include taxpayer and members of the taxpayer's unitary business group as defined under paragraph (27) of subsection (a) of Section 1501 of this Act. This Section is exempt from the provisions of Section 250 of this Act.

(h) An employer may claim a credit against payments due under this Section for amounts withheld during the first calendar year ending after the date on which a tax credit certificate was issued under Section 35 of the Small Business Job Creation Tax Credit Act. The credit shall be equal to the amount shown on the certificate, but may not reduce the taxpayer's obligation for any payment due under this Section to less than zero. If the amount of the credit exceeds the total payments due under this Section with respect to amounts withheld during the calendar year, the excess may be carried forward and applied against the taxpayer's liability under this Section in the 5 succeeding calendar years. The credit shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one calendar year that are available to offset a liability, the earlier credit shall be applied first. This Section is exempt from the provisions of Section 250 of this Act.

(i) A taxpayer may claim a credit against payments due under this Section for amounts withheld during the first calendar year ending after the date on which an Illinois income tax return is filed by the taxpayer as required by Section 502 of this Act on which a credit was claimed pursuant to Section 223 of this Act. The credit shall be equal to the amount shown on the taxpayer's Illinois income tax return less any amounts claimed as a credit on the return to offset the taxes imposed on the taxpayer under Section (a) and (b) of Section 201 of this Act, but may not reduce the taxpayer's obligation for any payment due under this Section to less than zero. If the amount of the credit exceeds the total payments due under this Section with respect to amounts withheld during the calendar year, the excess may be carried forward

and applied against the taxpayer's liability under this Section in the 5 succeeding calendar years. The credit shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one calendar year that are available to offset a liability, the earlier credit shall be applied first. For purposes of this subsection (i), the term taxpayer shall include taxpayer and members of the taxpayer's unitary business group as defined under paragraph (27) of subsection (a) of Section 1501 of this Act. This Section is exempt from the provisions of Section 250 of this Act.

(Source: P.A. 96-834, eff. 12-14-09; 96-888, eff. 4-13-10; 96-905, eff. 6-4-10; 96-1027, eff. 7-12-10; 97-333, eff. 8-12-11; 97-507, eff. 8-23-11.)

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 foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 1204** having been printed, was taken up, read by title a second time.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1204

AMENDMENT NO. 1. Amend Senate Bill 1204 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 3-5018 as follows:

(55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

Sec. 3-5018. Fees. The recorder elected as provided for in this Division shall receive such fees as are or may be provided for him or her by law, in case of provision therefor: otherwise he or she shall receive the same fees as are or may be provided in this Section, except when increased by county ordinance pursuant to the provisions of this Section, to be paid to the county clerk for his or her services in the office of recorder for like services.

For recording deeds or other instruments, $12 for the first 4 pages thereof, plus $1 for each additional page thereof, plus $1 for each additional document number therein noted. The aggregate minimum fee for recording any one instrument shall not be less than $12.

For recording deeds or other instruments wherein the premises affected thereby are referred to by document number and not by legal description, a fee of $1 in addition to that hereinabove referred to for each document number therein noted.

For recording assignments of mortgages, leases or liens, $12 for the first 4 pages thereof, plus $1 for each additional page thereof. However, except for leases and liens pertaining to oil, gas and other minerals, whenever a mortgage, lease or lien assignment assigns more than one mortgage, lease or lien document, a $7 fee shall be charged for the recording of each such mortgage, lease or lien document after the first one.

For recording maps or plats of additions or subdivisions approved by the county or municipality (including the spreading of the same of record in map case or other proper books) or plats of condominiums, $50 for the first page, plus $1 for each additional page thereof except that in the case of recording a single page, legal size 8 1/2 x 14, plat of survey in which there are no more than two lots or parcels of land, the fee shall be $12. In each county where such maps or plats are to be recorded, the recorder may require the same to be accompanied by such number of exact, true and legible copies thereof as the recorder deems necessary for the efficient conduct and operation of his or her office.

For non-certified copies of records, an amount not to exceed one-half of the amount provided in this Section for certified copies, according to a standard scale of fees, established by county ordinance and made public. The provisions of this paragraph shall not be applicable to any person or entity who obtains non-certified copies of records in the following manner: (i) in bulk for all documents recorded on any given day in an electronic or paper format for a negotiated amount less than the amount provided for in this paragraph for non-certified copies, (ii) under a contractual relationship with the recorder for a negotiated amount less than the amount provided for in this paragraph for non-certified copies, or (iii) by means of Internet access pursuant to Section 5-1106.1.

For certified copies of records, the same fees as for recording, but in no case shall the fee for a certified copy of a map or plat of an addition, subdivision or otherwise exceed $10.

Each certificate of such recorder of the recording of the deed or other writing and of the date of

recording the same signed by such recorder, shall be sufficient evidence of the recording thereof, and such certificate including the indexing of record, shall be furnished upon the payment of the fee for recording the instrument, and no additional fee shall be allowed for the certificate or indexing.

The recorder shall charge an additional fee, in an amount equal to the fee otherwise provided by law, for recording a document (other than a document filed under the Plat Act or the Uniform Commercial Code) that does not conform to the following standards:

(1) The document shall consist of one or more individual sheets measuring 8.5 inches by 11 inches, not permanently bound and not a continuous form. Graphic displays accompanying a document to be recorded that measure up to 11 inches by 17 inches shall be recorded without charging an additional fee.

(2) The document shall be legibly printed in black ink, by hand, type, or computer. Signatures and dates may be in contrasting colors if they will reproduce clearly.

(3) The document shall be on white paper of not less than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side. Margins may be used for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.

(4) The first page of the document shall contain a blank space, measuring at least 3 inches by 5 inches, from the upper right corner.

(5) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded except upon payment of the additional fee required under this paragraph. This paragraph, as amended by this amendatory Act of 1995, applies only to documents dated after the effective date of this amendatory Act of 1995.

The county board of any county may provide for an additional charge of $3 for filing every instrument, paper, or notice for record, (1) in order to defray the cost of converting the county recorder's document storage system to computers or micrographics and (2) in order to defray the cost of providing access to records through the global information system known as the Internet.

A special fund shall be set up by the treasurer of the county and such funds collected pursuant to Public Act 83-1321 shall be used (1) for a document storage system to provide the equipment, materials and necessary expenses incurred to help defray the costs of implementing and maintaining such a document records system and (2) for a system to provide electronic access to those records.

The county board of any county that provides and maintains a countywide map through a Geographic Information System (GIS) may provide for an additional charge of $3 for filing every instrument, paper, or notice for record (1) in order to defray the cost of implementing or maintaining the county's Geographic Information System and (2) in order to defray the cost of providing electronic <u>or automated</u> access to the county's Geographic Information System <u>or property</u> records. Of that amount, $2 must be deposited into a special fund set up by the treasurer of the county, and any moneys collected pursuant to this amendatory Act of the 91st General Assembly and deposited into that fund must be used solely for the equipment, materials, and necessary expenses incurred in implementing and maintaining a Geographic Information System and in order to defray the cost of providing electronic access to the county's Geographic Information System records. The remaining $1 must be deposited into the recorder's special funds created under Section 3-5005.4. The recorder may, in his or her discretion, use moneys in the funds created under Section 3-5005.4 to defray the cost of implementing or maintaining the county's Geographic Information System and to defray the cost of providing electronic access to the county's Geographic Information System records.

The recorder shall collect a $10 Rental Housing Support Program State surcharge for the recordation of any real estate-related document. Payment of the Rental Housing Support Program State surcharge shall be evidenced by a receipt that shall be marked upon or otherwise affixed to the real estate-related document by the recorder. The form of this receipt shall be prescribed by the Department of Revenue and the receipts shall be issued by the Department of Revenue to each county recorder.

The recorder shall not collect the Rental Housing Support Program State surcharge from any State agency, any unit of local government or any school district.

One dollar of each surcharge shall be retained by the county in which it was collected. This dollar shall be deposited into the county's general revenue fund. Fifty cents of that amount shall be used for the costs of administering the Rental Housing Support Program State surcharge and any other lawful expenditures for the operation of the office of the recorder and may not be appropriated or expended for any other purpose. The amounts available to the recorder for expenditure from the surcharge shall not offset or reduce any other county appropriations or funding for the office of the recorder.

On the 15th day of each month, each county recorder shall report to the Department of Revenue, on a form prescribed by the Department, the number of real estate-related documents recorded for which the

Rental Housing Support Program State surcharge was collected. Each recorder shall submit $9 of each surcharge collected in the preceding month to the Department of Revenue and the Department shall deposit these amounts in the Rental Housing Support Program Fund. Subject to appropriation, amounts in the Fund may be expended only for the purpose of funding and administering the Rental Housing Support Program.

For purposes of this Section, "real estate-related document" means that term as it is defined in Section 7 of the Rental Housing Support Program Act.

The foregoing fees allowed by this Section are the maximum fees that may be collected from any officer, agency, department or other instrumentality of the State. The county board may, however, by ordinance, increase the fees allowed by this Section and collect such increased fees from all persons and entities other than officers, agencies, departments and other instrumentalities of the State if the increase is justified by an acceptable cost study showing that the fees allowed by this Section are not sufficient to cover the cost of providing the service. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for filing or indexing a lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $5. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for indexing each additional name in excess of one for any lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is $1.

A statement of the costs of providing each service, program and activity shall be prepared by the county board. All supporting documents shall be public record and subject to public examination and audit. All direct and indirect costs, as defined in the United States Office of Management and Budget Circular A-87, may be included in the determination of the costs of each service, program and activity. (Source: P.A. 96-1356, eff. 7-28-10.)

Section 10. The Tuberculosis Sanitarium District Act is amended by changing Section 5.4 as follows:

(70 ILCS 920/5.4)

Sec. 5.4. Dissolution of Suburban Cook County Tuberculosis Sanitarium District; disposition of land and real estate; continuation of District levy.

(a) Notwithstanding any provision of law to the contrary, the Suburban Cook County Tuberculosis Sanitarium District is dissolved by operation of law one year after the effective date of this amendatory Act of the 94th General Assembly.

(b) On or before the day 2 months after the effective date of this amendatory Act of the 94th General Assembly, the Board of Directors shall forward to the Cook County Department of Public Health all transition plans relating to the consolidation of all of the existing programs, personnel, and infrastructure of the District into the Cook County Bureau of Health Services to be administered by the Cook County Department of Public Health. Beginning on the effective date of this amendatory Act of the 94th General Assembly, the District shall not make any enhancements to pensions.

(c) Upon dissolution of the District: (i) all assets and liabilities of the Suburban Cook County Tuberculosis Sanitarium District dissolved under this amendatory Act of the 94th General Assembly shall be transferred to the Cook County Board and the monetary assets shall be deposited into a special purpose fund for the prevention, care, treatment, and control of tuberculosis and other communicable airborne diseases in or associated with suburban Cook County; (ii) the Cook County Department of Public Health shall assume all responsibility for the prevention, care, treatment, and control of tuberculosis within the area of the Suburban Cook County Tuberculosis Sanitarium District dissolved under this amendatory Act of the 94th General Assembly, including the provision of tuberculosis care and treatment for units of local government with State-certified local public health departments; and (iii) employees of the Suburban Cook County Tuberculosis Sanitarium District become employees of Cook County.

(d) The Cook County Board may transfer to the Cook County Forest Preserve District appropriate unimproved real estate owned by the Suburban Cook County Tuberculosis Sanitarium District at the time of its dissolution. After the dissolution of the District, any land owned by the District at the time of its dissolution remains subject to any leases and encumbrances that existed upon the dissolution of the District and, if the land is subject to a lease, the land may not be taken by any unit of government during the term of the lease.

(e) Upon the dissolution of the Suburban Cook County Tuberculosis Sanitarium District, any levy imposed by the dissolved District is abolished. In accordance with subsection (b) of Section 12 of the State Revenue Sharing Act, the tax base of the dissolved Suburban Cook County Tuberculosis Sanitarium District shall be added to the tax base of Cook County.

(Source: P.A. 94-1050, eff. 7-24-06.)

Section 15. The Animal Control Act is amended by changing Section 7 as follows:
(510 ILCS 5/7) (from Ch. 8, par. 357)
Sec. 7.

All registration fees collected shall be remitted to the County Treasurer, who shall place the monies in an Animal Control Fund. This fund shall be set up by him for the purpose of paying costs of the Animal Control Program.

In any county with a population under 3,000,000, all ~~All~~ fees collected shall be used for the purpose of paying claims for loss of livestock or poultry as set forth in Section 19 of this Act and for the following purposes as established by ordinance of the County Board: funds may be utilized by local health departments or county nurse's offices for the purchase of human rabies anti-serum, human vaccine, the cost for administration of serum or vaccine, minor medical care, and for paying the cost of stray dog control, impoundment, education on animal control and rabies, and other costs incurred in carrying out the provisions of this Act or any county or municipal ordinance concurred in by the Department relating to animal control, except as set forth in Section 19. Counties of 100,000 inhabitants or more may assume self-insurance liability to pay claims for the loss of livestock or poultry.

In any county with a population of 3,000,000 or more, all fees collected shall be used for the purpose of paying claims for loss of livestock or poultry, as set forth in Section 19 of this Act, and for the following purposes, as established by ordinance of the County Board: funds may be utilized by local health departments or county nurse's offices for the purchase of human rabies anti-serum, human vaccine, the cost for administration of serum or vaccine, minor medical care, and for paying the cost of stray dog control, impoundment, education on animal control and rabies, and other costs incurred in carrying out the provisions and enforcement of this Act or any county or municipal ordinance relating to animal control, or animal-related public health or public nuisances, except as set forth in Section 19 of this Act.
(Source: P.A. 87-151.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Harmon, **Senate Bill No. 1664** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2182** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2182

AMENDMENT NO. 1. Amend Senate Bill 2182 by replacing lines 4 through 22 on page 1 with the following:

"Section 5. The State Comptroller Act is amended by changing Section 23.7 as follows:
(15 ILCS 405/23.7)
Sec. 23.7. Comptroller; local government and school district registry. The Comptroller shall establish and maintain a registry of all units of local government and school districts within the State. Information in the registry may include, but shall not be limited to, the name, address, and type of government unit, the names of current elected or appointed office holders, and such other information as the Comptroller may determine. Each county clerk shall notify the Comptroller upon learning of the creation or dissolution of any unit of local government or school district.
(Source: P.A. 90-104, eff. 7-11-97.)".

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

On motion of Senator Harmon, **Senate Bill No. 2183** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2183

AMENDMENT NO. 1. Amend Senate Bill 2183 as follows:

on page 1, lines 16 and 17, by replacing "The Bureau of Strategic Sourcing and Procurement in the Department of Central Management Services" with "The State's Chief Procurement Officers"; and

on page 2, line 3, by replacing "Department" with "Agency"; and

on page 2, line 15, immediately after "shall" by inserting "be subject to the Illinois Procurement Code and shall"; and

on page 4, line 9, by replacing "The program shall adopt measures" with "The Chief Procurement Officer identified under item (5) of Section 1-15.15 of the Illinois Procurement Code shall adopt rules".

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

On motion of Senator Harmon, **Senate Bill No. 2185** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2187** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2335** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2335

AMENDMENT NO. 1. Amend Senate Bill 2335 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Sections 19-105 and 19-111 as follows:

(220 ILCS 5/19-105)

Sec. 19-105. Definitions. For the purposes of this Article, the following terms shall be defined as set forth in this Section.

"Alternative gas supplier" means every person, cooperative, corporation, municipal corporation, company, association, joint stock company or association, firm, partnership, individual, or other entity, their lessees, trustees, or receivers appointed by any court whatsoever, that offers gas for sale, lease, or in exchange for other value received to one or more customers, or that engages in the furnishing of gas to one or more customers, and shall include affiliated interests of a gas utility, resellers, aggregators and marketers, but shall not include (i) gas utilities (or any agent of the gas utility to the extent the gas utility provides tariffed services to customers through an agent); (ii) public utilities that are owned and operated by any political subdivision, public institution of higher education or municipal corporation of this State, or public utilities that are owned by a political subdivision, public institution of higher education, or municipal corporation and operated by any of its lessees or operating agents; (iii) natural gas cooperatives that are not-for-profit corporations operated for the purpose of administering, on a cooperative basis, the furnishing of natural gas for the benefit of their members who are consumers of natural gas; and (iv) the ownership or operation of a facility that sells compressed natural gas at retail to the public for use only as a motor vehicle fuel and the selling of compressed natural gas at retail to the public for use only as a motor vehicle fuel.

"Gas utility" means a public utility, as defined in Section 3-105 of this Act, that has a franchise, license, permit, or right to furnish or sell gas or transportation services to customers within a service area.

"Non-tariffed service" means any service provided by an alternative gas supplier to a residential customer or a small commercial customer.

"Residential customer" means a customer who receives gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate or gas utility service for household purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit.

"Sales agent" means any employee, agent, independent contractor, consultant, or other person that is engaged by the alternative gas supplier to solicit customers to purchase, enroll in, or contract for alternative gas service on behalf of an alternative gas supplier.

"Service area" means (i) the geographic area within which a gas utility was lawfully entitled to provide gas to customers as of the effective date of this amendatory Act of the 92nd General Assembly and includes (ii) the location of any customer to which the gas utility was lawfully providing gas utility services on such effective date.

"Single billing" means the combined billing of the services provided by both a natural gas utility and an alternative gas supplier to any customer who has enrolled in a customer choice program.

"Small commercial customer" means a nonresidential retail customer of a natural gas utility who consumed 5,000 or fewer therms of natural gas during the previous year; provided that any alternative gas supplier may remove the customer from designation as a "small commercial customer" if the customer consumes more than 5,000 therms of natural gas in any calendar year after becoming a customer of the alternative gas supplier. In determining whether a customer has consumed 5,000 or fewer therms of natural gas during the previous year, usage by the same commercial customer shall be aggregated to include usage at the same premises even if measured by more than one meter, and to include usage at multiple premises. Nothing in this Section creates an affirmative obligation on a gas utility to monitor or inform customers or alternative gas suppliers as to a customer's status as a small commercial customer as that term is defined herein. Nothing in this Section relieves a gas utility from any obligation to provide information upon request to a customer, alternative gas supplier, the Commission, or others necessary to determine whether a customer meets the classification of small commercial customers as that term is defined herein.

"Tariffed service" means a service provided to customers by a gas utility as defined by its rates on file with the Commission pursuant to the provisions of Article IX of this Act.

"Transportation services" means those services provided by the gas utility that are necessary in order for the storage, transmission and distribution systems to function so that customers located in the gas utility's service area can receive gas from suppliers other than the gas utility and shall include, without limitation, standard metering and billing services.

(Source: P.A. 95-1051, eff. 4-10-09; 96-435, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(220 ILCS 5/19-111)

Sec. 19-111. Material changes in business.

(a) The provisions of this Section shall apply only to alternative gas suppliers serving or seeking to serve residential or small commercial customers and only to the extent such alternative gas suppliers provide services to residential or small commercial customers.

(b) Alternative gas suppliers shall file with the Commission a notification of any material change to the information supplied in a certification application within 30 days of such material change.

(1) An alternative gas supplier shall file such notice under the docket number assigned to the alternative gas supplier's certification application, whichever is the most recent. The supplier shall also serve such notice upon the gas utility company serving customers in the service area where the alternative gas supplier is certified to provide service.

(2) After notice and an opportunity for a hearing, the Commission may (i) suspend, rescind, or conditionally rescind an alternative gas supplier's certificate if it determines that the material change will adversely affect the alternative gas supplier's fitness or ability to provide the services for which it is certified or (ii) require the alternative gas supplier to provide reasonable financial assurances sufficient to protect their customers and gas utilities from default.

(c) Material changes to the information contained in or supplied with a certification application include, but are not limited to, the following:

(1) Any significant change in ownership (an ownership interest of 5% or more) of the applicant or alternative gas supplier.

(2) An affiliation with any gas utility or change of an affiliation with a gas utility in this State.

(3) Retirement or other long-term changes to the operational status of supply resources relied upon by the alternative gas supplier to provide alternative gas service. Changes in the volume of

supply from any given supply resource replaced by a comparable supply resource do not need to be reported.

(4) Revocation, restriction, or termination of any interconnection or service agreement with a pipeline company or natural gas company relied upon by an alternative gas supplier to provide alternative retail natural gas service, but only if such revocation, restriction, or termination creates a situation in which the alternative gas supplier does not meet the tariffed capacity requirements of the relevant Illinois natural gas utility or utilities.

(5) If the alternative gas supplier has a long-term bond rating from Standard & Poor's or its successor, or Fitch Ratings or its successor, or Moody's Investor Service or its successor, and the alternative gas supplier's long-term bond rating falls below BBB as reported by Standard & Poor's or its successor or Fitch Ratings or its successor or below Baa3 as reported by Moody's Investors Service or its successor.

(6) The applicant or alternative gas supplier has or intends to file for reorganization, protection from creditors, or any other form of bankruptcy with any court.

(7) Any judgment, finding, or ruling by a court or regulatory agency that could affect an alternative gas supplier's fitness or ability to provide service in this State.

(8) Any change in the alternative gas supplier's name or logo, including without limitation any change in the alternative gas supplier's legal name, fictitious names, or assumed business names, except for logos and names the alternative gas supplier provided as part of its original certification process or that the alternative gas supplier previously provided to the Commission under this Section.

(d) An alternative gas supplier shall provide annually to the Commission a list of all non-tariffed services available to customers in a service area for publication on the Commission's website.

(Source: P.A. 95-1051, eff. 4-10-09.)".

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Mulroe, **House Bill No. 183** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 956** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 1020** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 1045** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 192** was taken up, read by title a second time.

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

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

On motion of Senator Delgado, **House Bill No. 1191** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 1209** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 1327** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 1353** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **House Bill No. 1404** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 1522** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 1589** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 2245** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McCarter, **House Bill No. 2381** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2613** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2638** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 2640** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McGuire, **House Bill No. 2690** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 2737** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 1388** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 1458** was taken up, read by title a second time and ordered to a third reading.

At the hour of 2:32 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 2:41 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 16, 2013 meeting, reported that the Committee recommends that **Senate Bills numbered 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355,**

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At the hour of 2:45 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, April 17, 2013, at 12:00 o'clock noon.