



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

35TH LEGISLATIVE DAY

WEDNESDAY, APRIL 17, 2013

12:15 O'CLOCK P.M.

SENATE
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35th Legislative Day

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The Senate met pursuant to adjournment.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Pastor David Anderson, Modesto Christian Church, Modesto, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 16, 2013, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

Illiana Expressway - Will, Kankakee (IL) and Lake (IN) Counties Legislative Report - April 1, 2013, submitted by the Department of Transportation.

Report #12-13 Pursuant to the Taxpayer Accountability and Budget Stabilization Act, submitted by the Office of the Auditor General.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 2 to Senate Bill 2169

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

Senate Committee Amendment No. 1 to Senate Joint Resolution 27

COMMUNICATION

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 bill in my absence:
SB1772.

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

PRESENTATION OF RESOLUTIONS

[April 17, 2013]

SENATE RESOLUTION NO. 230

Offered by Senator Koehler and all Senators:
Mourns the death of Erma M. Davis of Peoria.

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

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

SENATE RESOLUTION NO. 231

WHEREAS, Alpha Kappa Alpha Sorority, Incorporated, founded on the campus of Howard University in 1908 and incorporated in 1913, has established a mandate for carrying out the vision of a new day of excellence and performance; and

WHEREAS, Alpha Kappa Alpha's mission of "Service to All Mankind" began at its inception; the sorority has remained at the forefront of positive change in American life, particularly in the African-American community, for 105 years; and

WHEREAS, Many prominent women have been or are members of Alpha Kappa Alpha Sorority, Inc., including the late First Lady Eleanor Roosevelt, the late civil rights leaders Coretta Scott King and Rosa Parks, actress Phylicia Rashad, poet Maya Angelou, writer Toni Morrison, singer Alicia Keys, attorney Star Jones, financial expert Melody Hobson, comedian/actress Wanda Sykes, actress Jada Pinkett-Smith, congresswoman Eddie Bernice Johnson, former U.S. Secretary of Energy Hazel O'Leary, congresswoman Sheila Jackson Lee, Cook County Recorder of Deeds Karen Yarbrough, and CNN reporter Suzanne Malveaux; and

WHEREAS, Many members of the General Assembly and legislative staff are members of Alpha Kappa Alpha Sorority, Inc., including Senator Mattie Hunter, Senator Toi Hutchinson, Representative Monique Davis, India Hammons, and Nia Odeoti-Hassan, who serves as the Illinois State Connection Coordinator in the Central Region under the leadership of Regional Director Dr. Gisele M. Casanova; and

WHEREAS, The 2010-2014 Alpha Kappa Alpha Sorority, Inc., administration, under the leadership of attorney Carolyn House Stewart, continues to fulfill the service imperative of the founders with the theme, "Global Leadership Through Timeless Service", and the "Collaboration, Advocacy, Registration, Education and Stimulation (C.A.R.E.S.) Program Through Global Leadership and Timeless Service"; and

WHEREAS, Alpha Kappa Alpha Sorority Inc.'s signature program, the Emerging Young Leaders (EYL), will impact 10,000 girls in grades 6 through 8 by providing leadership development, civic engagement, enhanced academic preparation, and character building; the program is implemented by all 90 AKA chapters of the Central Region, which consists of Illinois, Indiana, Missouri (St. Louis and Cape Girardeau), Minnesota, Wisconsin, North Dakota, South Dakota, and Kentucky; young women from the Illinois programs will be a part of the day at the Capitol on May 15, 2013; and

WHEREAS, Alpha Kappa Alpha's storied history of proven leadership and extensive involvement in the world community through strategic partnerships evidence the sorority's potential to significantly contribute to the world community; and

WHEREAS, Leadership development is essential to the vitality of the organization, and the sorority's continuing requirements of academic excellence, shared values, and dedication to the mission of Alpha Kappa Alpha ensure a continuous wellspring of quality leaders; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE

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STATE OF ILLINOIS, that we designate the date of May 15, 2013 as Alpha Kappa Alpha Day in the State of Illinois in honor of Alpha Kappa Alpha Sorority, Incorporated, and its work; and be it further

RESOLVED, That suitable copies of this resolution be provided to the sorority for presentation to attorney Carolyn House Stewart, International President; Dr. Gisele M. Casanova, Central Regional Director; Kiahna Davis, Central Regional Representative to the International Connection Committee; and attorney Leyser Hayes, International Chair of the Connection Committee.

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

SENATE JOINT RESOLUTION NO. 33

WHEREAS, The Budgeting for Results Commission has stated goals of increasing postsecondary graduation among Illinoisans to 60% by 2025 and minimizing achievement gaps between different types of students; and

WHEREAS, In its legislative declaration, the Charter Schools Law states that the purpose for charter schools in this State is to improve pupil learning; increase learning opportunities for all children, with special emphasis on expanding options for at-risk pupils; encourage innovation, parental engagement, community involvement, and expanded public school options; create new professional opportunities for teachers; and hold charter schools accountable; and

WHEREAS, Charter schools serve 13% of Chicago's student population and a growing number of students in downstate and suburban communities; 91% of the students enrolled in charter schools across this State come from low-income families and 95% are minorities, making charter schools a key component to help close the achievement gaps that persist; and

WHEREAS, The 2 fundamental pillars of charter schools are autonomy and accountability, each of which must be enforced through high-quality authorizing; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that a Task Force on Charter School Funding be created to examine charter school funding issues, including the following:

- (1) to compile a comparative analysis of charter school funding practices across the United States;
- (2) to examine the current funding provisions in the Charter Schools Law for the purpose of ensuring funding equity, specifically the provision allowing school districts to provide charter schools funding in the range of 75% to 125% of the district's per capita tuition charge; and
- (3) to review the effects of State-authorized charter schools on the students served by the charter, the students in the home school district, and the home school district's budget; and be it further

RESOLVED, That the Task Force shall consist of the following members, who shall serve without compensation:

- (1) one member appointed by the President of the Senate;
- (2) one member appointed by the Minority Leader of the Senate;
- (3) one member appointed by the Speaker of the House of Representatives;
- (4) one member appointed by the Minority Leader of the House of Representatives;
- (5) the State Superintendent of Education or his or her designee;
- (6) the chairperson of the State Charter School Commission or his or her designee;
- (7) the chief executive officer of a school district in a city having a population exceeding 500,000 or his or her designee;
- (8) one member appointed by the Governor, upon recommendation of an organization representing teachers in a school district in a city having a population exceeding 500,000;
- (9) one member appointed by the Governor, upon recommendation of the largest statewide

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- organization representing teachers;
- (10) one member appointed by the Governor, upon recommendation of the second-largest statewide organization representing teachers;
- (11) one member appointed by the Governor, upon recommendation of a statewide organization representing charter schools in this State;
- (12) one member appointed by the Governor, upon recommendation of an organization representing downstate and suburban school boards;
- (13) a principal of a currently operating, high-performing, charter school in this State, appointed by the State Superintendent of Education;
- (14) one member appointed by the Governor who is a parent of a charter school student, upon recommendation of a charter school;
- (15) one member appointed by the Governor, upon recommendation of the largest charter school in this State;
- (16) one member appointed by the Governor who is a representative of a community organization that operates charter schools, upon recommendation of that community organization;
- (17) one member appointed by the Governor, upon recommendation of an organization representing the business community in this State;
- (18) one member appointed by the Governor, upon recommendation of an education advocacy group that organizes parents and supports high-quality, public school options, including high-quality, public charter schools; and
- (19) one member appointed by the Governor representing each Commission-approved charter school in this State, upon recommendation of the leadership of the Commission-approved charter schools; and be it further

RESOLVED, That the members of the Task Force shall elect a chairperson from among their membership and that the State Charter School Commission shall provide administrative support; and be it further

RESOLVED, That the members of the Task Force shall be appointed within 30 days after the adoption of this resolution and shall begin meeting no later than 30 days after the appointments are finalized; and be it further

RESOLVED, That the Task Force shall issue a report making recommendations on any changes to State laws with regard to charter school funding on or before January 15, 2014 and that the task force shall be dissolved upon issuance of this report; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor, the State Superintendent of Education, the State Charter School Commission, and the Chief Executive Officer of City of Chicago School District 299.

REPORTS FROM STANDING COMMITTEES

Senator Hutchinson, Vice-Chairperson of the Committee on Transportation, to which was referred **Senate Bills Numbered 1479 and 2356**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Hutchinson, Vice-Chairperson of the Committee on Transportation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 925
 Senate Amendment No. 2 to Senate Bill 1294
 Senate Amendment No. 1 to Senate Bill 2047

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

Senator Hutchinson, Vice-Chairpersons of the Committee on Transportation, to which was referred **House Bill No. 1009**, reported the same back with the recommendation that the bill do pass.

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Under the rules, the bill was ordered to a second reading.

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **Senate Bill No. 1606**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1043
 Senate Amendment No. 1 to Senate Bill 1044
 Senate Amendment No. 6 to Senate Bill 1207
 Senate Amendment No. 2 to Senate Bill 1330
 Senate Amendment No. 2 to Senate Bill 1867
 Senate Amendment No. 1 to Senate Bill 2086
 Senate Amendment No. 1 to Senate Bill 2101

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

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 984 and 1048**, reported the same back with the recommendation that the bills do pass.

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

Senator Delgado, Chairperson of the Committee on Education, to which was referred **Senate Bills Numbered 1572 and 2340**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Delgado, Chairperson of the Committee on Education, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 578
 Senate Amendment No. 1 to Senate Bill 579
 Senate Amendment No. 1 to Senate Bill 1622
 Senate Amendment No. 2 to Senate Bill 1625
 Senate Amendment No. 1 to Senate Bill 1791
 Senate Amendment No. 1 to Senate Bill 1932

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

Senator Delgado, Chairperson of the Committee on Education, to which was referred **House Bill No. 64**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Koehler, Chairperson of the Committee on Agriculture and Conservation, to which was referred **Senate Bill No. 2362**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Koehler, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bills Numbered 1272 and 1292**, reported the same back with the recommendation that the bills do pass.

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

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Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 625
 Senate Amendment No. 2 to Senate Bill 1226
 Senate Amendment No. 1 to Senate Bill 2314
 Senate Amendment No. 2 to Senate Bill 2353

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

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 61, 2009 and 2452**, reported the same back with the recommendation that the bills do pass.

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

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **Senate Bill No. 1454**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 45
 Senate Amendment No. 1 to Senate Bill 626
 Senate Amendment No. 1 to Senate Bill 1655

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

Senator Frerichs, Chairperson of the Committee on Higher Education, to which was referred **Senate Bills Numbered 1900 and 2305**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Frerichs, Chairperson of the Committee on Higher Education, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2202
 Senate Amendment No. 2 to Senate Bill 2245

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

Senator Frerichs, Chairperson of the Committee on Higher Education, to which was referred **House Bill No. 194**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator E. Jones, III, Chairperson of the Committee on Local Government, to which was referred **Senate Bill No. 1790**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator E. Jones, III, Chairperson of the Committee on Local Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1417
 Senate Amendment No. 2 to Senate Bill 1474

Senate Amendment No. 2 to Senate Bill 1681
Senate Amendment No. 1 to Senate Bill 1822

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

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1667

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

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **House Bill No. 99**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **Senate Bills Numbered 1192, 1598, 1735 and 2231**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1528
Senate Amendment No. 2 to Senate Bill 1532
Senate Amendment No. 2 to Senate Bill 1587
Senate Amendment No. 1 to Senate Bill 1609
Senate Amendment No. 2 to Senate Bill 1817
Senate Amendment No. 3 to Senate Bill 1831
Senate Amendment No. 1 to Senate Bill 1968
Senate Amendment No. 1 to Senate Bill 2270

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

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **House Bill No. 1346**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor and Commerce, to which was referred **Senate Bill No. 2184**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor and Commerce, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1568

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

MESSAGES FROM THE HOUSE

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

[April 17, 2013]

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. 1011
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1140
A bill for AN ACT concerning gaming.
HOUSE BILL NO. 1555
A bill for AN ACT concerning State government.
HOUSE BILL NO. 2508
A bill for AN ACT concerning business.
HOUSE BILL NO. 2517
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 2616
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 2993
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 3049
A bill for AN ACT concerning State government.
Passed the House, April 16, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1011, 1140, 1555, 2508, 2517, 2616, 2993 and 3049** 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. 1324
A bill for AN ACT concerning education.
HOUSE BILL NO. 2262
A bill for AN ACT concerning public aid.
HOUSE BILL NO. 2583
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 3104
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3390
A bill for AN ACT concerning civil law.
Passed the House, April 16, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1324, 2262, 2583, 3104 and 3390** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1011, sponsored by Senator Bush, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1140, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1533, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 1552, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1555, sponsored by Senator Dillard, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1573, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2262, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2404, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2420, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2432, sponsored by Senators E. Jones, III, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2499, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2508, sponsored by Senator Syverson, was taken up, read by title a first time and referred to the Committee on Assignments.

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

House Bill No. 2624, sponsored by Senator Connelly, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2649, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2748, sponsored by Senator Barickman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2765, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2812, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2893, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3023, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3191, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3232, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3357, sponsored by Senator McCarter, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Silverstein, **Senate Bill No. 39** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 44; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|-----------|-------------|---------------|
| Barickman | Dillard | LaHood | Radogno |
| Bertino-Tarrant | Forby | Link | Righter |
| Biss | Frerichs | Luechtefeld | Rose |
| Bivins | Harmon | Manar | Silverstein |
| Brady | Harris | Martinez | Steans |
| Bush | Hastings | McCann | Sullivan |
| Clayborne | Holmes | McGuire | Van Pelt |
| Collins | Hunter | Morrison | Mr. President |
| Connelly | Jacobs | Muñoz | |
| Cullerton, T. | Jones, E. | Murphy | |
| Cunningham | Koehler | Noland | |
| Delgado | Kotowski | Oberweis | |

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

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

On motion of Senator Muñoz, **Senate Bill No. 204** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|-------------|---------------|
| Barickman | Duffy | LaHood | Radogno |
| Bertino-Tarrant | Forby | Link | Rezin |
| Biss | Frerichs | Luechtefeld | Righter |
| Bivins | Harmon | Manar | Rose |
| Brady | Harris | Martinez | Silverstein |
| Bush | Hastings | McCann | Stadelman |
| Clayborne | Holmes | McCarter | Steans |
| Collins | Hunter | McConaughay | Sullivan |
| Connelly | Hutchinson | McGuire | Syverson |
| Cullerton, T. | Jacobs | Morrison | Van Pelt |
| Cunningham | Jones, E. | Muñoz | Mr. President |
| Delgado | Koehler | Murphy | |
| Dillard | Kotowski | Noland | |

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

[April 17, 2013]

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

On motion of Senator Noland, **Senate Bill No. 492** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS 2.

The following voted in the affirmative:

| | | | |
|-----------------|------------|-------------|---------------|
| Barickman | Forby | Link | Radogno |
| Bertino-Tarrant | Frerichs | Luechtefeld | Raoul |
| Biss | Harmon | Manar | Rezin |
| Bivins | Harris | Martinez | Righter |
| Brady | Hastings | McCann | Rose |
| Bush | Holmes | McConaughay | Silverstein |
| Clayborne | Hunter | McGuire | Stadelman |
| Collins | Hutchinson | Morrison | Steans |
| Connelly | Jacobs | Mulroe | Sullivan |
| Cullerton, T. | Jones, E. | Muñoz | Syverson |
| Cunningham | Koehler | Murphy | Van Pelt |
| Delgado | Kotowski | Noland | Mr. President |
| Duffy | LaHood | Oberweis | |

The following voted in the negative:

Althoff
McCarter

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

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

SENATE BILLS RECALLED

On motion of Senator Bertino-Tarrant, **Senate Bill No. 578** was recalled from the order of third reading to the order of second reading.

Senator Bertino-Tarrant offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 578

AMENDMENT NO. 1. Amend Senate Bill 578 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 1A-4, 10-20.30, 10-21.4, and 34-8 as follows:

(105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)

Sec. 1A-4. Powers and duties of the Board.

A. (Blank).

B. The Board shall determine the qualifications of and appoint a chief education officer, to be known as the State Superintendent of Education, who may be proposed by the Governor and who shall serve at the pleasure of the Board and pursuant to a performance-based contract linked to statewide student performance and academic improvement within Illinois schools. Upon expiration or buyout of the contract of the State Superintendent of Education in office on the effective date of this amendatory Act of the 93rd General Assembly, a State Superintendent of Education shall be appointed by a State Board

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of Education that includes the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly. Thereafter, a State Superintendent of Education must, at a minimum, be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. A performance-based contract issued for the employment of a State Superintendent of Education entered into on or after the effective date of this amendatory Act of the 93rd General Assembly must expire no later than February 1, 2007, and subsequent contracts must expire no later than February 1 each 4 years thereafter. No contract shall be extended or renewed beyond February 1, 2007 and February 1 each 4 years thereafter, but a State Superintendent of Education shall serve until his or her successor is appointed. Each contract entered into on or before January 8, 2007 with a State Superintendent of Education must provide that the State Board of Education may terminate the contract for cause, and the State Board of Education shall not thereafter be liable for further payments under the contract. With regard to this amendatory Act of the 93rd General Assembly, it is the intent of the General Assembly that, beginning with the Governor who takes office on the second Monday of January, 2007, a State Superintendent of Education be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. The State Superintendent of Education shall not serve as a member of the State Board of Education. The Board shall set the compensation of the State Superintendent of Education who shall serve as the Board's chief executive officer. The Board shall also establish the duties, powers and responsibilities of the State Superintendent, which shall be included in the State Superintendent's performance-based contract along with the goals and indicators of student performance and academic improvement used to measure the performance and effectiveness of the State Superintendent. The State Board of Education may delegate to the State Superintendent of Education the authority to act on the Board's behalf, provided such delegation is made pursuant to adopted board policy or the powers delegated are ministerial in nature. The State Board may not delegate authority under this Section to the State Superintendent to (1) nonrecognize school districts, (2) withhold State payments as a penalty, or (3) make final decisions under the contested case provisions of the Illinois Administrative Procedure Act unless otherwise provided by law.

C. The powers and duties of the State Board of Education shall encompass all duties delegated to the Office of Superintendent of Public Instruction on January 12, 1975, except as the law providing for such powers and duties is thereafter amended, and such other powers and duties as the General Assembly shall designate. The Board shall be responsible for the educational policies and guidelines for public schools, pre-school through grade 12 and Vocational Education in the State of Illinois. The Board shall analyze the present and future aims, needs, and requirements of education in the State of Illinois and recommend to the General Assembly the powers which should be exercised by the Board. The Board shall recommend the passage and the legislation necessary to determine the appropriate relationship between the Board and local boards of education and the various State agencies and shall recommend desirable modifications in the laws which affect schools.

D. Two members of the Board shall be appointed by the chairperson to serve on a standing joint Education Committee, 2 others shall be appointed from the Board of Higher Education, 2 others shall be appointed by the chairperson of the Illinois Community College Board, and 2 others shall be appointed by the chairperson of the Human Resource Investment Council. The Committee shall be responsible for making recommendations concerning the submission of any workforce development plan or workforce training program required by federal law or under any block grant authority. The Committee will be responsible for developing policy on matters of mutual concern to elementary, secondary and higher education such as Occupational and Career Education, Teacher Preparation and Certification, Educational Finance, Articulation between Elementary, Secondary and Higher Education and Research and Planning. The joint Education Committee shall meet at least quarterly and submit an annual report of its findings, conclusions, and recommendations to the State Board of Education, the Board of Higher Education, the Illinois Community College Board, the Human Resource Investment Council, the Governor, and the General Assembly. All meetings of this Committee shall be official meetings for reimbursement under this Act. On the effective date of this amendatory Act of the 95th General Assembly, the Joint Education Committee is abolished.

E. Five members of the Board shall constitute a quorum. A majority vote of the members appointed, confirmed and serving on the Board is required to approve any action, except that the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory act of the 93rd General Assembly may vote to approve actions when appointed and serving.

Using the most recently available data, the Board shall prepare and submit to the General Assembly and the Governor on or before January 14, 1976 and annually thereafter a report or reports of its findings

and recommendations. Such annual report shall contain a separate section which provides a critique and analysis of the status of education in Illinois and which identifies its specific problems and recommends express solutions therefor. Such annual report also shall contain the following information for the preceding year ending on June 30: each act or omission of a school district of which the State Board of Education has knowledge as a consequence of scheduled, approved visits and which constituted a failure by the district to comply with applicable State or federal laws or regulations relating to public education, the name of such district, the date or dates on which the State Board of Education notified the school district of such act or omission, and what action, if any, the school district took with respect thereto after being notified thereof by the State Board of Education. ~~The report shall also include the statewide high school dropout rate by grade level, sex and race and the annual student dropout rate of and the number of students who graduate from, transfer from or otherwise leave bilingual programs.~~ The Auditor General shall annually perform a compliance audit of the State Board of Education's performance of the reporting duty imposed by this amendatory Act of 1986. A regular system of communication with other directly related State agencies shall be implemented.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Council, as required by Section 3.1 of the General Assembly Organization Act, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

F. Upon appointment of the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly, the Board shall review all of its current rules in an effort to streamline procedures, improve efficiency, and eliminate unnecessary forms and paperwork.

(Source: P.A. 95-626, eff. 6-1-08; 95-793, eff. 1-1-09.)

(105 ILCS 5/10-20.30)

Sec. 10-20.30. No pass-no play policy. Beginning with the 1998-99 school year, the school board of each school district that maintains any of grades 9 through 12 shall establish, implement, and enforce a uniform and consistent policy under which a student in any of those grades who fails to maintain a specified minimum grade point average or a specified minimum grade in each course in which the student is enrolled or both is suspended from further participation in any school-sponsored or school-supported athletic or extracurricular activities for a specified period or until a specified minimum grade point average or minimum grade or both are earned by the student. Each school board shall adopt a policy as required by this Section not later than one year after the effective date of this amendatory Act of 1997 and shall concurrently file a copy of that policy with the State Board of Education. ~~After the policy has been in effect for one year, the school board shall file a report with the State Board of Education setting forth the number and length of suspensions imposed under the policy during the period covered by the report. If the school board already has a policy that is consistent with the requirements of this Section in effect on the effective date of this amendatory Act of 1997, it shall file a copy of that policy with the State Board of Education within 90 days after the effective date of this amendatory Act and shall file the annual report required under this Section 12 months thereafter.~~

(Source: P.A. 90-548, eff. 1-1-98.)

(105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

Sec. 10-21.4. Superintendent - Duties. Except in districts in which there is only one school with less than four teachers, to employ a superintendent who shall have charge of the administration of the schools under the direction of the board of education. In addition to the administrative duties, the superintendent shall make recommendations to the board concerning the budget, building plans, the locations of sites, the selection, retention and dismissal of teachers and all other employees, the selection of textbooks, instructional material and courses of study. However, in districts under a Financial Oversight Panel pursuant to Section 1A-8 for violating a financial plan, the duties and responsibilities of the superintendent in relation to the financial and business operations of the district shall be approved by the Panel. In the event the Board refuses or fails to follow a directive or comply with an information request of the Panel, the performance of those duties shall be subject to the direction of the Panel. The superintendent shall also notify the State Board of Education, the board and the chief administrative official, other than the alleged perpetrator himself, in the school where the alleged perpetrator serves, that any person who is employed in a school or otherwise comes into frequent contact with children in the school has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act, approved June 26, 1975, as amended. The superintendent shall keep or cause to be kept the records and accounts as directed and required by the board, aid in making reports

required by the board, and perform such other duties as the board may delegate to him.

~~In addition, each year at a time designated by the State Superintendent of Education, each superintendent shall report to the State Board of Education the number of high school students in the district who are enrolled in accredited courses (for which high school credit will be awarded upon successful completion of the courses) at any community college, together with the name and number of the course or courses which each such student is taking.~~

The provisions of this section shall also apply to board of director districts.

Notice of intent not to renew a contract must be given in writing stating the specific reason therefor by April 1 of the contract year unless the contract specifically provides otherwise. Failure to do so will automatically extend the contract for an additional year. Within 10 days after receipt of notice of intent not to renew a contract, the superintendent may request a closed session hearing on the dismissal. At the hearing the superintendent has the privilege of presenting evidence, witnesses and defenses on the grounds for dismissal. The provisions of this paragraph shall not apply to a district under a Financial Oversight Panel pursuant to Section 1A-8 for violating a financial plan.

(Source: P.A. 97-256, eff. 1-1-12.)

(105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

Sec. 34-8. Powers and duties of general superintendent. The general superintendent of schools shall prescribe and control, subject to the approval of the board and to other provisions of this Article, the courses of study mandated by State law, textbooks, educational apparatus and equipment, discipline in and conduct of the schools, and shall perform such other duties as the board may by rule prescribe. The superintendent shall also notify the State Board of Education, the board and the chief administrative official, other than the alleged perpetrator himself, in the school where the alleged perpetrator serves, that any person who is employed in a school or otherwise comes into frequent contact with children in the school has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act, approved June 26, 1975, as amended.

The general superintendent may be granted the authority by the board to hire a specific number of employees to assist in meeting immediate responsibilities. Conditions of employment for such personnel shall not be subject to the provisions of Section 34-85.

The general superintendent may, pursuant to a delegation of authority by the board and Section 34-18, approve contracts and expenditures.

Pursuant to other provisions of this Article, sites shall be selected, schoolhouses located thereon and plans therefor approved, and textbooks and educational apparatus and equipment shall be adopted and purchased by the board only upon the recommendation of the general superintendent of schools or by a majority vote of the full membership of the board and, in the case of textbooks, subject to Article 28 of this Act. The board may furnish free textbooks to pupils and may publish its own textbooks and manufacture its own apparatus, equipment and supplies.

~~In addition, in January of each year, the general superintendent of schools shall report to the State Board of Education the number of high school students in the district who are enrolled in accredited courses (for which high school credit will be awarded upon successful completion of the courses) at any community college, together with the name and number of the course or courses which each such student is taking.~~

The general superintendent shall also have the authority to monitor the performance of attendance centers, to identify and place an attendance center on remediation and probation, and to recommend to the board that the attendance center be placed on intervention and be reconstituted, subject to the provisions of Sections 34-8.3 and 8.4.

The general superintendent, or his or her designee, shall conduct an annual evaluation of each principal in the district pursuant to guidelines promulgated by the Board and the Board approved principal evaluation form. The evaluation shall be based on factors, including the following: (i) student academic improvement, as defined by the school improvement plan; (ii) student absenteeism rates at the school; (iii) instructional leadership; (iv) effective implementation of programs, policies, or strategies to improve student academic achievement; (v) school management; and (vi) other factors, including, without limitation, the principal's communication skills and ability to create and maintain a student-centered learning environment, to develop opportunities for professional development, and to encourage parental involvement and community partnerships to achieve school improvement.

Effective no later than September 1, 2012, the general superintendent or his or her designee shall develop a written principal evaluation plan. The evaluation plan must be in writing and shall supersede the evaluation requirements set forth in this Section. The evaluation plan must do at least all of the following:

- (1) Provide for annual evaluation of all principals employed under a performance

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contract by the general superintendent or his or her designee, no later than July 1st of each year.

- (2) Consider the principal's specific duties, responsibilities, management, and competence as a principal.
- (3) Specify the principal's strengths and weaknesses, with supporting reasons.
- (4) Align with research-based standards.
- (5) Use data and indicators on student growth as a significant factor in rating principal performance.

(Source: P.A. 95-496, eff. 8-28-07; 96-861, eff. 1-15-10.)

(105 ILCS 5/2-3.11 rep.) (105 ILCS 5/2-3.144 rep.) (105 ILCS 5/10-20.25a rep.) (105 ILCS 5/10-20.26 rep.)

Section 10. The School Code is amended by repealing Sections 2-3.11, 2-3.144, 10-20.25a, and 10-20.26.

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 Hunter, **Senate Bill No. 626** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 626

AMENDMENT NO. 1. Amend Senate Bill 626 by replacing everything after the enacting clause with the following:

"Section 5. If and only if Senate Bill 2217 becomes law, the Illinois Insurance Code is amended by adding Section 367m as follows:

(215 ILCS 5/367m new)

Sec. 367m. Early intervention services. Parental consent is not required for the use of private insurance for early intervention services as defined in the Early Intervention Services System Act that are provided in this State pursuant to Part C of the federal Individuals with Disabilities Education Act. A policy of accident and health insurance that provides coverage for early intervention services must conform to the following criteria:

(1) The use of private health insurance to pay for early intervention services under Part C of the federal Individuals with Disabilities Education Act may not count towards or result in a loss of benefits due to annual or lifetime insurance caps for an infant or toddler with a disability, the infant's or toddler's parent, or the infant's or toddler's family members who are covered under that health insurance policy.

(2) The use of private health insurance to pay for early intervention services under Part C of the federal Individuals with Disabilities Education Act may not negatively affect the availability of health insurance to an infant or toddler with a disability, the infant's or toddler's parent, or the infant's or toddler's family members who are covered under that health insurance policy, and health insurance coverage may not be discontinued for these individuals due to the use of the health insurance to pay for services under Part C of the federal Individuals with Disabilities Education Act.

(3) The use of private health insurance to pay for early intervention services under Part C of the federal Individuals with Disabilities Education Act may not be the basis for increasing the health insurance premiums of an infant or toddler with a disability, the infant's or toddler's parent, or the infant's or toddler's family members covered under that health insurance policy.

Section 10. If and only if Senate Bill 2217 becomes law, the Early Intervention Services System Act is amended by changing Sections 11, 13, 13.10, and 13.15 as follows:

(325 ILCS 20/11) (from Ch. 23, par. 4161)

Sec. 11. Individualized Family Service Plans.

(a) Each eligible infant or toddler and that infant's or toddler's family shall receive:

(1) timely, comprehensive, multidisciplinary assessment of the unique strengths and needs of each eligible infant and toddler, and assessment of the concerns and priorities of the families

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to appropriately assist them in meeting their needs and identify supports and services to meet those needs; and

(2) a written Individualized Family Service Plan developed by a multidisciplinary team which includes the parent or guardian. The individualized family service plan shall be based on the multidisciplinary team's assessment of the resources, priorities, and concerns of the family and its identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of the infant or toddler, and shall include the identification of services appropriate to meet those needs, including the frequency, intensity, and method of delivering services. During and as part of the initial development of the individualized family services plan, and any periodic reviews of the plan, the multidisciplinary team may seek consultation from the lead agency's designated experts, if any, to help determine appropriate services and the frequency and intensity of those services. All services in the individualized family services plan must be justified by the multidisciplinary assessment of the unique strengths and needs of the infant or toddler and must be appropriate to meet those needs. At the periodic reviews, the team shall determine whether modification or revision of the outcomes or services is necessary.

(b) The Individualized Family Service Plan shall be evaluated once a year and the family shall be provided a review of the Plan at 6 month intervals or more often where appropriate based on infant or toddler and family needs. The lead agency shall create a quality review process regarding Individualized Family Service Plan development and changes thereto, to monitor and help assure that resources are being used to provide appropriate early intervention services.

(c) The initial evaluation and initial assessment and initial Plan meeting must be held within 45 days after the initial contact with the early intervention services system. The 45-day timeline does not apply for any period when the child or parent is unavailable to complete the initial evaluation, the initial assessments of the child and family, or the initial Plan meeting, due to exceptional family circumstances that are documented in the child's early intervention records, or when the parent has not provided consent for the initial evaluation or the initial assessment of the child despite documented, repeated attempts to obtain parental consent. As soon as exceptional family circumstances no longer exist or parental consent has been obtained, the initial evaluation, the initial assessment, and the initial Plan meeting must be completed as soon as possible. With parental consent, early intervention services may commence before the completion of the comprehensive assessment and development of the Plan.

(d) Parents must be informed that early intervention services shall be provided to each eligible infant and toddler, to the maximum extent appropriate, in the natural environment, which may include the home or other community settings. Parents shall make the final decision to accept or decline early intervention services. A decision to decline such services shall not be a basis for administrative determination of parental fitness, or other findings or sanctions against the parents. Parameters of the Plan shall be set forth in rules.

(e) The regional intake offices shall explain to each family, orally and in writing, all of the following:

(1) That the early intervention program will pay for all early intervention services set forth in the individualized family service plan that are not covered or paid under the family's public or private insurance plan or policy and not eligible for payment through any other third party payor.

(2) That services will not be delayed due to any rules or restrictions under the family's insurance plan or policy.

(3) That the family may request, with appropriate documentation supporting the request, a determination of an exemption from private insurance use under Section 13.25.

(4) That responsibility for co-payments or co-insurance under a family's private insurance plan or policy will be transferred to the lead agency's central billing office.

(5) That families will be responsible for payments of family fees, which will be based on a sliding scale according to the State's definition of ability to pay which is comparing household size and income to the sliding scale and considering out-of-pocket medical or disaster expenses, and that these fees are payable to the central billing office. Families who fail to provide income information shall be charged the maximum amount on the sliding scale.

(f) The individualized family service plan must state whether the family has private insurance coverage and, if the family has such coverage ~~and parental consent has been obtained~~, must have attached to it a copy of the family's insurance identification card or otherwise include all of the following information:

(1) The name, address, and telephone number of the insurance carrier.

(2) The contract number and policy number of the insurance plan.

(3) The name, address, and social security number of the primary insured.

(4) The beginning date of the insurance benefit year.

(g) A copy of the individualized family service plan must be provided to each enrolled provider who is providing early intervention services to the child who is the subject of that plan.

(h) Children receiving services under this Act shall receive a smooth and effective transition by their third birthday consistent with federal regulations adopted pursuant to Sections 1431 through 1444 of Title 20 of the United States Code.

(Source: P.A. 97-902, eff. 8-6-12; 09800SB2217eng.)

(325 ILCS 20/13) (from Ch. 23, par. 4163)

Sec. 13. Funding and Fiscal Responsibility.

(a) The lead agency and every other participating State agency may receive and expend funds appropriated by the General Assembly to implement the early intervention services system as required by this Act.

(b) The lead agency and each participating State agency shall identify and report on an annual basis to the Council the State agency funds utilized for the provision of early intervention services to eligible infants and toddlers.

(c) Funds provided under Section 633 of the Individuals with Disabilities Education Act (20 United States Code 1433) and State funds designated or appropriated for early intervention services or programs may not be used to satisfy a financial commitment for services which would have been paid for from another public or private source but for the enactment of this Act, except whenever considered necessary to prevent delay in receiving appropriate early intervention services by the eligible infant or toddler or family in a timely manner. "Public or private source" includes public and private insurance coverage.

Funds provided under Section 633 of the Individuals with Disabilities Education Act and State funds designated or appropriated for early intervention services or programs may be used by the lead agency to pay the provider of services (A) pending reimbursement from the appropriate State agency or (B) if (i) the claim for payment is denied in whole or in part by a public or private source, or would be denied under the written terms of the public program or plan or private plan, or (ii) use of private insurance for the service has been exempted under Section 13.25 ~~or (iii) parental consent has not been obtained for the use of private insurance.~~ Payment under item (B)(i) may be made based on a pre-determination telephone inquiry supported by written documentation of the denial supplied thereafter by the insurance carrier.

(d) Nothing in this Act shall be construed to permit the State to reduce medical or other assistance available or to alter eligibility under Title V and Title XIX of the Social Security Act relating to the Maternal Child Health Program and Medicaid for eligible infants and toddlers in this State.

(e) The lead agency shall create a central billing office to receive and dispense all relevant State and federal resources, as well as local government or independent resources available, for early intervention services. This office shall assure that maximum federal resources are utilized and that providers receive funds with minimal duplications or interagency reporting and with consolidated audit procedures.

(f) The lead agency shall, by rule, create a system of payments by families, including a schedule of fees. No fees, however, may be charged for: implementing child find, evaluation and assessment, service coordination, administrative and coordination activities related to the development, review, and evaluation of Individualized Family Service Plans, or the implementation of procedural safeguards and other administrative components of the statewide early intervention system.

The system of payments, called family fees, shall be structured on a sliding scale based on the family's ability to pay. The family's coverage or lack of coverage under a public or private insurance plan or policy shall not be a factor in determining the amount of the family fees.

Each family's fee obligation shall be established annually, and shall be paid by families to the central billing office in installments. At the written request of the family, the fee obligation shall be adjusted prospectively at any point during the year upon proof of a change in family income or family size. The inability of the parents of an eligible child to pay family fees due to catastrophic circumstances or extraordinary expenses shall not result in the denial of services to the child or the child's family. A family must document its extraordinary expenses or other catastrophic circumstances by showing one of the following: (i) out-of-pocket medical expenses in excess of 15% of gross income; (ii) a fire, flood, or other disaster causing a direct out-of-pocket loss in excess of 15% of gross income; or (iii) other catastrophic circumstances causing out-of-pocket losses in excess of 15% of gross income. The family must present proof of loss to its service coordinator, who shall document it, and the lead agency shall determine whether the fees shall be reduced, forgiven, or suspended within 10 business days after the family's request.

(g) To ensure that early intervention funds are used as the payor of last resort for early intervention services, the lead agency shall determine at the point of early intervention intake, and again at any periodic review of eligibility thereafter or upon a change in family circumstances, whether the family is

eligible for or enrolled in any program for which payment is made directly or through public or private insurance for any or all of the early intervention services made available under this Act. The lead agency shall establish procedures to ensure that payments are made either directly from these public and private sources, ~~when parental consent has been obtained~~, instead of from State or federal early intervention funds, or as reimbursement for payments previously made from State or federal early intervention funds. (Source: P.A. 91-538, eff. 8-13-99; 92-10, eff. 6-11-01; 92-307, eff. 8-9-01; 92-651, eff. 7-11-02; 09800SB2217.)

(325 ILCS 20/13.10)

Sec. 13.10. Private health insurance; assignment. The lead agency shall determine, at the point of new applications for early intervention services, and for all children enrolled in the early intervention program, at the regional intake offices, whether the child is insured under a private health insurance plan or policy. ~~Parental consent must be obtained when the lead agency or enrolled provider who is providing a family with early intervention services seeks to use the child or parent's private insurance or benefits to pay for the initial provision of early intervention services in the Individualized Family Services Plan and anytime that an increase in frequency, length, duration, or intensity is made to existing services in the child's Individualized Family Services Plan.~~

(Source: P.A. 92-307, eff. 8-9-01; 09800SB2217.)

(325 ILCS 20/13.15)

Sec. 13.15. Billing of insurance carrier.

(a) Subject to the restrictions against private insurance use on the basis of material risk of loss of coverage, as determined under Section 13.25, each enrolled provider who is providing a family with early intervention services shall bill the child's insurance carrier for each unit of early intervention service for which coverage may be available ~~and parental consent has been obtained~~. The lead agency may exempt from the requirement of this paragraph any early intervention service that it has deemed not to be covered by insurance plans. When the service is not exempted, providers who receive a denial of payment on the basis that the service is not covered under any circumstance under the plan are not required to bill that carrier for that service again until the following insurance benefit year. That explanation of benefits denying the claim, once submitted to the central billing office, shall be sufficient to meet the requirements of this paragraph as to subsequent services billed under the same billing code provided to that child during that insurance benefit year. Any time limit on a provider's filing of a claim for payment with the central billing office that is imposed through a policy, procedure, or rule of the lead agency shall be suspended until the provider receives an explanation of benefits or other final determination of the claim it files with the child's insurance carrier.

(b) In all instances when an insurance carrier has been billed for early intervention services, whether paid in full, paid in part, or denied by the carrier, the provider must provide the central billing office, within 90 days after receipt, with a copy of the explanation of benefits form and other information in the manner prescribed by the lead agency.

(c) When the insurance carrier has denied the claim or paid an amount for the early intervention service billed that is less than the current State rate for early intervention services, the provider shall submit the explanation of benefits with a claim for payment, and the lead agency shall pay the provider the difference between the sum actually paid by the insurance carrier for each unit of service provided under the individualized family service plan and the current State rate for early intervention services. The State shall also pay the family's co-payment or co-insurance under its plan, but only to the extent that those payments plus the balance of the claim do not exceed the current State rate for early intervention services. The provider may under no circumstances bill the family for the difference between its charge for services and that which has been paid by the insurance carrier or by the State.

(Source: P.A. 97-813, eff. 7-13-12; 09800SB2217.)

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 Koehler, **Senate Bill No. 925** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

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AMENDMENT NO. 1 TO SENATE BILL 925

AMENDMENT NO. 1. Amend Senate Bill 925 by replacing everything after the enacting clause with the following:

"(625 ILCS 5/11-1419 rep.)

Section 5. The Illinois Vehicle Code is amended by repealing Section 11-1419."

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 Silverstein, **Senate Bill No. 1044** was recalled from the order of third reading to the order of second reading.

Senator Silverstein offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1044

AMENDMENT NO. 1. Amend Senate Bill 1044 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Sections 2-1402, 2-1602, 12-101, and 12-705 as follows:

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

Sec. 2-1402. Supplementary proceedings.

(a) A judgment creditor, or his or her successor in interest when that interest is made to appear of record, is entitled to prosecute supplementary proceedings for the purposes of examining the judgment debtor or any other person to discover assets or income of the debtor not exempt from the enforcement of the judgment, a deduction order or garnishment, and of compelling the application of non-exempt assets or income discovered toward the payment of the amount due under the judgment. A supplementary proceeding shall be commenced by the service of a citation issued by the clerk. The procedure for conducting supplementary proceedings shall be prescribed by rules. It is not a prerequisite to the commencement of a supplementary proceeding that a certified copy of the judgment has been returned wholly or partly unsatisfied. All citations issued by the clerk shall have the following language, or language substantially similar thereto, stated prominently on the front, in capital letters: "IF YOU FAIL TO APPEAR IN COURT AS DIRECTED IN THIS NOTICE, YOU MAY BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL." The court shall not grant a continuance of the supplementary proceeding except upon good cause shown.

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

"CITATION NOTICE

(Name and address of Court)

Name of Case: (Name of Judgment Creditor),

Judgment Creditor v.

(Name of Judgment Debtor),

Judgment Debtor.

Address of Judgment Debtor: (Insert last known address)

Name and address of Attorney for Judgment

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Creditor or of Judgment Creditor (If no attorney is listed): (Insert name and address)
 Amount of Judgment: \$ (Insert amount)
 Name of Person Receiving Citation: (Insert name)
 Court Date and Time: (Insert return date and time specified in citation)

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

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

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

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

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

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

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

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

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

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

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

INCOME AND ASSET FORM

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

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

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

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

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

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

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

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

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

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

I have the following accounts:
Checking account at;
account balance \$.....
Savings account at;
account balance \$.....
Money market or certificate of deposit at.....
Safe deposit box at.....
Other accounts (please identify):.....

I own:
A vehicle (state year, make, model, and VIN):.....
Jewelry (please specify):.....
Other property described as:.....
Stocks/Bonds.....
Personal computer.....
DVD player.....
Television.....
Stove.....
Microwave.....
Work tools.....
Business equipment.....

Farm equipment.....

Other property (please specify):

.....

Signature:.....

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

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

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

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

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

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

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

(6) Authorize the judgment creditor to maintain an action against any person or corporation that, it appears upon proof satisfactory to the court, is indebted to the judgment debtor, for the recovery of the debt, forbid the transfer or other disposition of the debt until an action can be commenced and prosecuted to judgment, direct that the papers or proof in the possession or control of the debtor and necessary in the prosecution of the action be delivered to the creditor or impounded in court, and provide for the disposition of any moneys in excess of the sum required to pay the judgment creditor's judgment and costs allowed by the court.

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

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

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

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

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

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

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

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

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

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

(k) (Blank).

(k-3) The court may enter any order upon or judgment against the respondent cited that could be entered in any garnishment proceeding under Part 7 of Article XII of this Code. This subsection (k-3) shall be construed as being declarative of existing law and not as a new enactment.

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

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

(l) At any citation hearing at which the judgment debtor appears and seeks a declaration that certain of his or her income or assets are exempt, the court shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from judgment. At any time before the return date specified on the citation, the judgment debtor may request, in writing, a hearing to declare exempt certain income and assets by notifying the clerk of the court before that time, using forms as may be provided by the clerk of the court. The clerk of the court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor, or the judgment creditor's attorney, regarding the time and location of the hearing. This notice may be sent by regular first class mail. At the hearing, the court shall immediately, unless for good cause shown that the hearing is to be continued, shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from

judgment. The restraining provisions of subsection (f) shall not apply to any property determined by the court to be exempt.

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

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

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

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

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

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

(o) The changes to this Section made by this amendatory Act of the 97th General Assembly apply only to supplementary proceedings commenced under this Section on or after the effective date of this amendatory Act of the 97th General Assembly. The requirements or limitations set forth in subsections (b-1), (b-5), (b-10), (c-5), and (d-5) do not apply to the enforcement of any order or judgment resulting from an adjudication of a municipal ordinance violation that is subject to Supreme Court Rules 570 through 579, or from an administrative adjudication of such an ordinance violation. (Source: P.A. 97-350, eff. 1-1-12; 97-848, eff. 7-25-12.)

(735 ILCS 5/2-1602)

Sec. 2-1602. Revival of judgment.

(a) A judgment may be revived by filing a petition to revive the judgment in the seventh year after its entry, or in the seventh year after its last revival, or in the twentieth year after its entry, or at any other time within 20 years after its entry if the judgment becomes dormant. The provisions of this amendatory Act of the 96th General Assembly are declarative of existing law.

(b) A petition to revive a judgment shall be filed in the original case in which the judgment was entered. The petition shall include a statement as to the original date and amount of the judgment, court costs expended, accrued interest, and credits to the judgment, if any.

(c) Service of notice of the petition to revive a judgment shall be made in accordance with Supreme Court Rule 106.

(d) An order reviving a judgment shall be for the original amount of the judgment. The plaintiff may recover interest and court costs from the date of the original judgment. Credits to the judgment shall be reflected by the plaintiff in supplemental proceedings or execution.

(e) If a judgment debtor has filed for protection under the United States Bankruptcy Code and failed to successfully adjudicate and remove a lien filed by a judgment creditor, then the judgment may be revived only as to the property to which a lien attached before the filing of the bankruptcy action.

(f) A judgment may be revived as to fewer than all judgment debtors, and such order for revival of judgment shall be final, appealable, and enforceable.

(g) This Section does not apply to a child support judgment or to a judgment recovered in an action for damages for an injury described in Section 13-214.1, which need not be revived as provided in this Section and which may be enforced at any time as provided in Section 12-108.

(h) If a judgment becomes dormant during the pendency of an enforcement proceeding under Part 14 of this Article or under Article XII, the enforcement may continue to conclusion without revival of the underlying judgment so long as the enforcement is done under court supervision and includes a payment, withholding, or turn over order.

(Source: P.A. 96-305, eff. 8-11-09; 97-350, eff. 1-1-12.)

(735 ILCS 5/12-101) (from Ch. 110, par. 12-101)

Sec. 12-101. Lien of judgment. With respect to the creation of liens on real estate by judgments, all real estate in the State of Illinois is divided into 2 classes.

The first class consists of all real property, the title to which is registered under "An Act concerning

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land titles", approved May 1, 1897, as amended.

The second class consists of all real property not registered under "An Act concerning land titles".

As to real estate in class one, a judgment is a lien on the real estate of the person against whom it is entered for the same period as in class two, when Section 85 of "An Act concerning land titles", has been complied with.

As to real estate included within class two, a judgment is a lien on the real estate of the person against whom it is entered in any county in this State, including the county in which it is entered, only from the time a transcript, certified copy or memorandum of the judgment is filed in the office of the recorder in the county in which the real estate is located. The lien may be foreclosed by an action brought in the name of the judgment creditor or its assignee of record under Article XV in the same manner as a mortgage of real property, except that the redemption period shall be 6 months from the date of sale and the real estate homestead exemption under Section 12-901 shall apply. A judgment resulting from the entry of an order requiring child support payments shall be a lien upon the real estate of the person obligated to make the child support payments, but shall not be enforceable in any county of this State until a transcript, certified copy, or memorandum of the lien is filed in the office of the recorder in the county in which the real estate is located. Any lien hereunder arising out of an order for support shall be a lien only as to and from the time that an installment or payment is due under the terms of the order. Further, the order for support shall not be a lien on real estate to the extent of payments made as evidenced by the records of the Clerk of the Circuit Court or State agency receiving payments pursuant to the order. In the event payments made pursuant to that order are not paid to the Clerk of the Circuit Court or a State agency, then each lien imposed by this Section may be released in the following manner:

(a) A Notice of Filing and an affidavit stating that all installments of child support required to be paid pursuant to the order under which the lien or liens were imposed have been paid shall be filed with the office of recorder in each county in which each such lien appears of record, together with proof of service of such notice and affidavit upon the recipient of such payments.

(b) Service of such affidavit shall be by any means authorized under Sections 2-203 and 2-208 of the Code of Civil Procedure or under Supreme Court Rules 11 or 105(b).

(c) The Notice of Filing shall set forth the name and address of the judgment debtor and the judgment creditor, the court file number of the order giving rise to the judgment and, in capital letters, the following statement:

YOU ARE HEREBY NOTIFIED THAT ON (insert date) THE ATTACHED AFFIDAVIT WAS FILED IN THE

OFFICE OF THE RECORDER OF COUNTY, ILLINOIS, WHOSE ADDRESS IS, ILLINOIS. IF, WITHIN 28 DAYS OF THE DATE OF THIS NOTICE, YOU FAIL TO FILE AN AFFIDAVIT OBJECTING TO THE RELEASE OF THE STATED JUDGMENT LIEN OR LIENS, IN THE ABOVE OFFICE, SUCH JUDGMENT LIEN WILL BE DEEMED TO BE RELEASED AND NO LONGER SUBJECT TO FORECLOSURE. THIS RELEASE OF LIEN WILL NOT ACT AS A SATISFACTION OF SUCH JUDGMENT.

(d) If no affidavit objecting to the release of the lien or liens is filed within 28 days of the Notice described in paragraph (c) of this Section such lien or liens shall be deemed to be released and no longer subject to foreclosure.

A judgment is not a lien on real estate for longer than 7 years from the time it is entered or revived, unless the judgment is revived within 7 years after its entry or last revival and a new memorandum of judgment is recorded prior to the judgment and its recorded memorandum of judgment becoming dormant.

When a judgment is revived it is a lien on the real estate of the person against whom it was entered in any county in this State from the time a transcript, certified copy or memorandum of the order of revival is filed in the office of the recorder in the county in which the real estate is located.

A foreign judgment registered or filed pursuant to Sections ~~12-630 12-601~~ through ~~12-672 12-618~~ of this Act is a lien upon the real estate of the person against whom it was entered only from the time (1) a copy of the affidavit required by Section 12-653 with a copy certified copy of the verified petition for registration of the foreign judgment attached showing the filing in a court of this State or (2) a transcript, certified copy or memorandum of ~~a the~~ final judgment of the court of this State entered on an action to enforce a that foreign judgment is filed in the office of the recorder in the county in which the real estate is located. However, no such judgment shall be a lien on any real estate registered under "An Act concerning land titles", as amended, until Section 85 of that Act has been complied with.

The release of any transcript, certified copy or memorandum of judgment or order of revival which has been recorded shall be filed by the person receiving the release in the office of the recorder in which

such judgment or order has been recorded.

Such release shall contain in legible letters a statement as follows:

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OR THE

REGISTRAR OF TITLES IN WHOSE OFFICE THE LIEN WAS FILED.

The term "memorandum" as used in this Section means a memorandum or copy of the judgment signed by a judge or a copy attested by the clerk of the court entering it and showing the court in which entered, date, amount, number of the case in which it was entered, name of the party in whose favor and name and last known address of the party against whom entered. If the address of the party against whom the judgment was entered is not known, the memorandum or copy of judgment shall so state.

The term "memorandum" as used in this Section also means a memorandum or copy of a child support order signed by a judge or a copy attested by the clerk of the court entering it or a copy attested by the administrative body entering it.

This Section shall not be construed as showing an intention of the legislature to create a new classification of real estate, but shall be construed as showing an intention of the legislature to continue a classification already existing.

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

(735 ILCS 5/12-705) (from Ch. 110, par. 12-705)

Sec. 12-705. Summons.

(a) Summons shall be returnable not less than 21 nor more than 30 days after the date of issuance. Summons with 4 copies of the interrogatories shall be served and returned as in other civil cases. If the garnishee is served with summons less than 10 days prior to the return date, the court shall continue the case to a new return date 14 days after the return date stated on the summons. The summons shall be in a form consistent with local court rules. The summons shall be accompanied by a copy of the underlying judgment or a certification by the clerk of the court that entered the judgment, or by the attorney for the judgment creditor, setting forth the amount of the judgment, the name of the court and the number of the case and one copy of a garnishment notice in substantially the following form:

"GARNISHMENT NOTICE

(Name and address of Court)

Name of Case: (Name of Judgment Creditor),

Judgment Creditor v.

(Name of Judgment Debtor),

Judgment Debtor.

Address of Judgment Debtor: (Insert last known address)

Name and address of Attorney for Judgment

Creditor or of Judgment Creditor (If no attorney is listed): (Insert name and address)

Amount of Judgment: \$(Insert amount)

Name of Garnishee: (Insert name)

Return Date: (Insert return date specified in summons)

NOTICE: The court has issued a garnishment summons against the garnishee named above for money or property (other than wages) belonging to the judgment debtor or in which the judgment debtor has an interest. The garnishment summons was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above.

The amount of money or property (other than wages) that may be garnished is limited by federal and Illinois law. The judgment debtor has the right to assert statutory exemptions against certain money or property of the judgment debtor which may not be used to satisfy the judgment in the amount stated above.

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

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

The judgment debtor has the right to request a hearing before the court to dispute the garnishment or to declare exempt from garnishment certain money or property or both. To obtain a hearing in counties with a population of 1,000,000 or more, the judgment debtor must notify the Clerk of the Court in person

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and in writing at (insert address of Clerk) before the return date specified above or appear in court on the date and time on that return date. To obtain a hearing in counties with a population of less than 1,000,000, the judgment debtor must notify the Clerk of the Court in writing at (insert address of Clerk) on or before the return date specified above. The Clerk of the Court will provide a hearing date and the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the garnishee regarding the time and location of the hearing. This notice may be sent by regular first class mail."

(b) An officer or other person authorized by law to serve process shall serve the summons, interrogatories and the garnishment notice required by subsection (a) of this Section upon the garnishee and shall, (1) within 2 business days of the service upon the garnishee, mail a copy of the garnishment notice and the summons to the judgment debtor by first class mail at the judgment debtor's address indicated in the garnishment notice and (2) within 4 business days of the service upon the garnishee file with the clerk of the court a certificate of mailing in substantially the following form:

"CERTIFICATE OF MAILING

I hereby certify that, within 2 business days of service upon the garnishee of the garnishment summons, interrogatories and garnishment notice, I served upon the judgment debtor in this cause a copy of the garnishment summons and garnishment notice by first class mail to the judgment debtor's address as indicated in the garnishment notice.

Date:.....

Signature"

In the case of service of the summons for garnishment upon the garnishee by certified or registered mail, as provided in subsection (c) of this Section, no sooner than 2 business days nor later than 4 business days after the date of mailing, the clerk shall mail a copy of the garnishment notice and the summons to the judgment debtor by first class mail at the judgment debtor's address indicated in the garnishment notice, shall prepare the Certificate of Mailing described by this subsection, and shall include the Certificate of Mailing in a permanent record.

(c) In a county with a population of less than 1,000,000, unless otherwise provided by circuit court rule, at the request of the judgment creditor or his or her attorney and instead of personal service, service of a summons for garnishment may be made as follows:

(1) For each garnishee to be served, the judgment creditor or his or her attorney shall pay to the clerk of the court a fee of \$2, plus the cost of mailing, and furnish to the clerk an original and 2 copies of a summons, an original and one copy of the interrogatories, an affidavit setting forth the garnishee's mailing address, an original and 2 copies of the garnishment notice required by subsection (a) of this Section, and a copy of the judgment or certification described in subsection (a) of this Section. The original judgment shall be retained by the clerk.

(2) The clerk shall mail to the garnishee, at the address appearing in the affidavit, the copy of the judgment or certification described in subsection (a) of this Section, the summons, the interrogatories, and the garnishment notice required by subsection (a) of this Section, by certified or registered mail, return receipt requested, showing to whom delivered and the date and address of delivery. This Mailing shall be mailed on a "restricted delivery" basis when service is directed to a natural person. The envelope and return receipt shall bear the return address of the clerk, and the return receipt shall be stamped with the docket number of the case. The receipt for certified or registered mail shall state the name and address of the addressee, the date of the mailing, shall identify the documents mailed, and shall be attached to the original summons.

(3) The return receipt must be attached to the original summons and, if it shows delivery at least 10 days before the day for the return date, shall constitute proof of service of any documents identified on the return receipt as having been mailed.

(4) The clerk shall note the fact of service in a permanent record.

(d) The garnishment summons may be served and returned in the manner provided by Supreme Court Rule for service, otherwise than by publication, of a notice for additional relief upon a party in default.

(Source: P.A. 94-293, eff. 1-1-06.)"

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 Hutchinson, **Senate Bill No. 1043** was recalled from the order of third reading to the order of second reading.

Senator Hutchinson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1043

AMENDMENT NO. 1. Amend Senate Bill 1043 by replacing everything after the enacting clause with the following:

"Section 5. The Manufactured Home Landlord and Tenant Rights Act is amended by changing Sections 3 and 6.5 and by adding Sections 8.6, 8.7, 8.8, and 8.9 as follows:

(765 ILCS 745/3) (from Ch. 80, par. 203)

Sec. 3. Definitions. Unless otherwise expressly defined, all terms in this Act shall be construed to have their ordinarily accepted meanings or such meaning as the context therein requires.

(a) "Person" means any legal entity, including but not limited to, an individual, firm, partnership, association, trust, joint stock company, corporation or successor of any of the foregoing.

(b) "Manufactured home" means a factory-assembled, completely integrated structure designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, and is a movable or portable unit that is (i) 8 body feet or more in width, (ii) 40 body feet or more in length, and (iii) 320 or more square feet, constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is installed and set up according to the manufacturer's instructions and connected to utilities for year-round occupancy for use as a permanent habitation, and designed and situated so as to permit its occupancy as a dwelling place for one or more persons. The term shall include units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The term excludes campers and recreational vehicles.

(c) "Mobile Home Park", "community", "manufactured home community", or "community" ~~or "Park"~~ means a tract of land or 2 contiguous tracts of land that contain sites with the necessary utilities for 5 or more mobile homes or manufactured homes. A mobile home park may be operated either free of charge or for revenue purposes.

(d) "Park Owner" or "community owner" means the owner of a mobile home park and any person authorized to exercise any aspect of the management of the premises, including any person who directly or indirectly receives rents and has no obligation to deliver the whole of such receipts to another person.

(e) "Tenant" means any person who occupies a mobile home rental unit for dwelling purposes or a lot on which he parks a mobile home for an agreed upon consideration.

(f) "Rent" means any money or other consideration given for the right of use, possession and occupancy of property, be it a lot, a mobile home, or both.

(g) "Master antenna television service" means any and all services provided by or through the facilities of any closed circuit coaxial cable communication system, or any microwave or similar transmission services other than a community antenna television system as defined in Section 11-42-11 of the Illinois Municipal Code.

(h) "Manufactured home owner" means the owner of a manufactured home.

(i) "Displaced manufactured home owner" means the owner of a manufactured home which is located on a site in a manufactured home community that is ceasing operation as described in Section 8.6.

(Source: P.A. 96-1477, eff. 1-1-11.)

(765 ILCS 745/6.5)

Sec. 6.5. Disclosure. A park owner must disclose in writing the following with every lease or sale and upon renewal of a lease of a mobile home or lot in a mobile home park:

(1) the rent charged for the mobile home or lot in the past 5 years;

(2) the ~~community park~~ owner's responsibilities with respect to the mobile home or lot;

(3) information regarding any fees imposed in addition to the base rent;

(4) information regarding late payments;

(5) information regarding any privilege tax that is applicable;

(6) information regarding security deposits, including the right to the return of security deposits and interest as provided in Section 18 of this Act; ~~and~~

(7) information on a 3-year rent increase projection which includes the 2 years of the lease and the year immediately following. The basis for such rent increases may be a fixed amount, a "not to exceed" amount, a formula, an applicable index, or a combination of these methodologies as

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elected by the park owner. These increases may be in addition to all the non-controllable expenses including, but not limited to, property taxes, government assessments, utilities, and insurance;

(8) the name, address, and telephone number of the owner and any manager of the manufactured home community; and

(9) information regarding the Manufactured Home Owners Relocation Trust Fund.

The park owner must update the written disclosure at least once per year. The park owner must advise tenants who are renewing a lease of any changes in the disclosure from any prior disclosure.

(Source: P.A. 95-383, eff. 1-1-08.)

(765 ILCS 745/8.6 new)

Sec. 8.6. Cessation of community operation.

(a) The owner of a manufactured home community that is ceasing operation must pay 50% of the following sums to the Manufactured Home Owners Relocation Trust Fund:

(1) the relocation expense allowance under Section 8.8 of this Act; and

(2) at the displaced manufactured home owner's election, the relocation costs to relocate the manufactured home as defined by subsection (b) of this Section, or the payment for an abandoned home as defined by Section 8.8 of this Act.

(b) Relocation costs shall include the costs of disconnecting and moving the home to a different community or other location selected by the displaced manufactured home owner within a 100 mile radius of the community and reconnecting the home with all hook-ups so that it is substantially in the same condition as before the move, with any required and comparable appurtenances.

(c) The appraised value of the manufactured home shall be the fair market value of the home and any existing appurtenances but excluding the value of the underlying land, determined by an independent appraiser agreed to by the community owner and the displaced manufactured home owner. In making the determination, the appraiser shall assess the fair market value based on the price that a willing and able buyer intending to reside in the home would pay for the home and any existing appurtenances, but excluding the value of the underlying land, and shall assume that the home is and will continue to be located on a lot which is leased in a duly licensed manufactured home community, with all hook-ups and existing appurtenances in place for use and occupancy by the resident.

(d) A displaced manufactured home owner shall not be entitled to compensation when:

(1) the community owner moves the manufactured home to another space in the manufactured home community, or to another manufactured home community acceptable to the displaced manufactured home owner, at the community owner's expense;

(2) the displaced manufactured home owner is vacating the premises and has informed the community owner or manager before notice of the change in use has been given; or

(3) the displaced manufactured home owner or the person residing in the manufactured home is the defendant in a pending eviction action for non-payment of lot rent on the mailing date of the notice of community closure; provided that if a judgment for possession of the premises is not entered in favor of the community owner, this exception does not apply.

(e) The owner of a manufactured home community shall notify in writing each tenant and, if a home owners association has been established, the directors of the association, of any application for a change in zoning of all or a portion of the manufactured home community within 5 days after the filing for such a zoning change with the zoning authority. The tenants are entitled to all rights under State and local zoning laws, rules, and regulations that are extended to owners of neighboring land. Any zoning change approved without the notice required by this Section is void.

(f) The closure statement in the community closure notice required by Section 8.5 of this Act must include the following language in a font no smaller than 14-point: "YOU MAY BE ENTITLED TO COMPENSATION FROM THE MANUFACTURED HOME RELOCATION TRUST FUND ADMINISTERED BY THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH."

(765 ILCS 745/8.7 new)

Sec. 8.7. Manufactured Home Owners Relocation Trust Fund.

(a) There is created the Manufactured Home Relocation Trust Fund. The Illinois Department of Public Health shall use the Manufactured Home Owners Relocation Trust Fund to provide assistance for the relocation of displaced manufactured home owners. All interest earned from the investment or deposit of moneys in the Manufactured Home Owners Relocation Trust Fund must be deposited into the Fund.

(b) Moneys in the Manufactured Home Owners Relocation Trust Fund may be used only:

(1) to pay the administrative costs of the Fund, including expenses associated with the annual audit required under subsection (g) of this Section; and

(2) to carry out the objectives of assisting displaced manufactured home owners when the community owner intends to change the use of all or part of the land on which the manufactured home

community is located.

(c) After notifying the tenants in a community owner's manufactured home community that the community owner intends to cease operation of all or part of the community pursuant to Section 8.5 of this Act, if the community owner does not cease operation of all or the designated part of the community within 3 years after the date of the notification, or if the Illinois Department of Public Health finds there is prima facie evidence that the owner did not intend in good faith to change the land use, the community owner shall within 30 days of the date that the Illinois Department of Public Health provides written notice to the community owner of the prima facie evidence determination, reimburse the Manufactured Home Relocation Trust Fund whatever moneys the Department has expended from the Manufactured Home Owners Relocation Trust Fund with respect to that manufactured home community, along with an amount that is equal to 2 times the amount of the interest allowed on a judgment that would have been earned on the moneys expended in the period between the time that the moneys were expended from the Manufactured Home Relocation Trust Fund until the amount is reimbursed. The date of the mailing of the notice of the prima facie evidence determination by the Illinois Department of Public Health is deemed to be the date that a community owner is notified about reimbursing the Manufactured Home Relocation Trust Fund. However, if the community owner, with due diligence, has not been able to complete the change-in-use process within 3 years, the Illinois Department of Public Health may grant a reasonable extension to the community owner to complete the process.

(d) The cap on the Manufactured Home Owners Relocation Trust Fund is \$10 million. The cap may be adjusted, eliminated, or reinstated by the Illinois Department of Public Health.

(e) If the Manufactured Home Owners Relocation Trust Fund ceases to exist, the moneys in the Manufactured Home Owners Relocation Trust Fund held at the time of dissolution must be liquidated by paying the total amount of the Manufactured Home Owners Relocation Trust Fund, on a per capita basis, to the each tenant of a rented lot in a manufactured home community in this State who has occupied the lot for at least the 12 months immediately prior to the time of the dissolution.

(f) Monthly fee.

(1) The Illinois Department of Public Health shall set a \$1 monthly fee for deposit in the Manufactured Home Owners Relocation Trust Fund for each rented lot in a manufactured home community. The Illinois Department of Public Health may adjust, eliminate, or reinstate the assessment, and shall notify community owners and tenants of each adjustment, elimination, or reinstatement pursuant to rules. If the Illinois Department of Public Health adjusts the amount of the assessment upward, it may not exceed \$3 per month.

(2) The community owner shall collect the tenant's portion of the fee on a monthly basis as additional rent. The community owner shall remit to the Manufactured Home Owners Relocation Trust Fund the tenant's fee on a monthly basis. The community owner is responsible for safeguarding all assessments it collects. A fee is not due or collectable for a vacant lot.

(3) If a lot is rented for any portion of a month, the full monthly assessment must be paid to the Manufactured Home Owners Relocation Trust Fund.

(4) If a lease contains or is subject to a capping provision which limits the amount by which rent may be increased, the Manufactured Home Owners Relocation Trust Fund assessment is deemed not to be rent for purposes of rent increases.

(g) The Manufactured Home Owners Relocation Trust Fund must be audited annually. If the State Auditor performs the audit, the Manufactured Home Owners Relocation Trust Fund shall pay to the State from the Fund the cost of the audit. The completed audit must be made available to the public by placing it on a website, by offering it as a hard copy for a fee which reflects reasonable reproduction cost, or in some other manner determined by the Illinois Department of Public Health.

(h) The Illinois Department of Public Health shall make available to the public, at least on a quarterly basis, the amount of the payment from the Manufactured Home Owners Relocation Trust Fund made to each displaced manufactured home owner, along with a description of the property related to the payment and the reason for the payment.

(i) The Illinois Department of Public Health may place a lien against the property of any community owner who is required to make any payment to the Manufactured Home Owners Relocation Trust Fund but fails to do so.

(765 ILCS 745/8.8 new)

Sec. 8.8. Relocation expense payments.

(a) If a community owner elects to cease the operation of either all or a portion of the manufactured home community, each displaced manufactured home owner who is required to relocate and who complies with the requirements of this Act is entitled to:

(1) payment from the Manufactured Home Owners Relocation Trust Fund a relocation expense

allowance in the amount of a \$1,000, to cover the costs of suitable lodging while the manufactured home owner is relocating, and the costs of security deposits and other moving expenses, payable to the displaced manufactured home owner no later than the time of departure of the displaced manufactured home owner from the manufactured home community; and

(2) at the displaced manufactured home owner's election, the displaced manufactured home owner's actual relocation costs as defined by Section 8.6 of this Act, which shall be paid as provided in subsection (e) of this Section, or the amount for an abandoned home provided by subsections (b) and (c) of this Section, which shall be paid as provided in subsection (b) of this Section.

(b) If a displaced manufactured home owner elects not to receive payment of relocation costs under subsection (a) of this Section, the displaced manufactured home owner may abandon the manufactured home in the manufactured home community and receive from the Manufactured Home Owners Relocation Trust Fund the greater of:

(1) the appraised value of the home as defined by Section 8.6 of this Act;

(2) \$3,500 for a single-section home or \$7,500 for a multi-section home; or

(3) the amount necessary to release any security interest in the home that was created in connection with a bona fide financing or refinancing of the home.

To be entitled to payment under paragraphs (1) or (2) of this subsection, the displaced manufactured home owner must deliver to the Illinois Department of Public Health a current title to the manufactured home duly endorsed by the owner or owners of record, valid releases of all liens shown on the title, and a tax release. Payment shall be made directly to the displaced manufactured home owner. When payment is made under paragraph (3) of this subsection, the Illinois Department of Public Health shall make the payment directly to the lien holder and shall make appropriate arrangements to obtain the title endorsed by the owner or owners of record with valid releases of all other liens shown on the title and a tax release. After receiving the title from the home owner, the Illinois Department of Public Health shall turn over title of the abandoned manufactured home to the manufactured home community owner, provided that the community owner has made the payments required by Section 8.6 of this Act. If the Illinois Department of Public Health believes that the home has resale value, it may require the manufactured home community owner to turn over to the Manufactured Home Owners Relocation Trust Fund one-half of the net proceeds from the sale of the home.

(c) The figures for single-section and multi-section manufactured homes under paragraph (2) of subsection (b) of this Section shall be adjusted every 3 years, beginning on January 1, 2015, by the percentage change since the figure was last set or adjusted in the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

(d) In order to obtain payment from the Manufactured Home Owners Relocation Trust Fund for the relocation of a manufactured home under paragraph (2) of subsection (a) of this Section, a displaced manufactured home owner must submit to the Illinois Department of Public Health, with a copy to the park owner, an application for payment which includes:

(1) a copy of the community closure notice required by Section 8.5 of this Act; and

(2) a contract with a licensed moving and installer contractor for the moving expenses for the manufactured home.

(e) The Illinois Department of Public Health shall approve or reject payment to a moving or towing contractor within 30 days after receipt of the information required by this Section, and forward a copy of the approval or rejection to the displaced manufactured home owner, with a voucher for payment if payment is approved.

(765 ILCS 745/8.9 new)

Sec. 8.9. Payment of funds to homeowners.

(a) When a payment from the Manufactured Home Owners Relocation Trust Fund to a displaced manufactured home owner is authorized by the Illinois Department of Public Health, the Illinois Department of Public Health shall issue a check in a designated amount to the named displaced manufactured home owner.

(b) If the Manufactured Home Owners Relocation Trust Fund does not have sufficient moneys to make a payment to a displaced manufactured home owner pursuant to this Act, the Illinois Department of Public Health shall issue a written promissory note to the displaced manufactured home owner for funds due and owing. A promissory note may be redeemed in order of issuance of the notes as additional moneys come into the Manufactured Home Owners Relocation Trust Fund.

(c) It is a Class A misdemeanor for a displaced manufactured home owner or his or her agent to file any notice, statement, or other document required under this Act which is false or contains a material misstatement of fact.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Silverstein, **Senate Bill No. 1214** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 35; NAYS 9.

The following voted in the affirmative:

| | | | |
|-----------------|------------|----------|---------------|
| Bertino-Tarrant | Forby | Kotowski | Noland |
| Biss | Frerichs | Link | Radogno |
| Bush | Harmon | Manar | Raoul |
| Clayborne | Harris | Martinez | Silverstein |
| Collins | Holmes | McGuire | Stears |
| Connelly | Hunter | Morrison | Sullivan |
| Cunningham | Hutchinson | Mulroe | Syverson |
| Delgado | Jones, E. | Muñoz | Mr. President |
| Dillard | Koehler | Murphy | |

The following voted in the negative:

| | | |
|--------|-------------|---------|
| Duffy | McCarter | Rezin |
| LaHood | McConaughay | Righter |
| McCann | Oberweis | Rose |

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

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

On motion of Senator Link, **Senate Bill No. 1227** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

| | | | |
|---------------|------------|-------------|-------------|
| Althoff | Frerichs | Luechtefeld | Radogno |
| Biss | Harmon | Manar | Raoul |
| Brady | Harris | Martinez | Rezin |
| Bush | Hastings | McCann | Righter |
| Clayborne | Holmes | McCarter | Rose |
| Collins | Hunter | McConaughay | Silverstein |
| Connelly | Hutchinson | McGuire | Stadelman |
| Cullerton, T. | Jacobs | Morrison | Stears |

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| | | | |
|------------|-----------|----------|---------------|
| Cunningham | Jones, E. | Mulroe | Sullivan |
| Delgado | Koehler | Muñoz | Syverson |
| Dillard | Kotowski | Murphy | Van Pelt |
| Duffy | LaHood | Noland | Mr. President |
| Forby | Link | Oberweis | |

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

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

On motion of Senator Link, **Senate Bill No. 1228** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Forby | Luechtefeld | Raoul |
| Barickman | Frerichs | Manar | Rezin |
| Bertino-Tarrant | Harmon | Martinez | Righter |
| Biss | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Stears |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |
| Duffy | Link | Radogno | |

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

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

On motion of Senator Manar, **Senate Bill No. 1251** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|----------|--------------|-------------|
| Althoff | Duffy | Link | Radogno |
| Barickman | Forby | Luechtefeld | Raoul |
| Bertino-Tarrant | Frerichs | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Stears |

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| | | | |
|---------------|------------|----------|---------------|
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |

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

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

On motion of Senator Manar, **Senate Bill No. 1292** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Duffy | Link | Radogno |
| Barickman | Forby | Luechtefeld | Raoul |
| Bertino-Tarrant | Frerichs | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |

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

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

SENATE BILL RECALLED

On motion of Senator Link, **Senate Bill No. 1474** was recalled from the order of third reading to the order of second reading.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1474

AMENDMENT NO. 2. Amend Senate Bill 1474, AS AMENDED, on page 1, line 13, after the period, by inserting "In the case of a health care facility that is secured by an electronic code box that is in good working order, if the owner of the health care facility provides the fire department with a valid access code, then that health care facility is not required to be accessible by an access or key box. For the purposes of this Section, "health care facility" means: a hospital licensed under the Hospital Licensing Act; a nursing home or long-term care facility licensed under the Nursing Home Care Act; an assisted living establishment, as defined in the Assisted Living and Shared Housing Act; a mental health facility, as defined in the Mental Health and Developmental Disabilities Code; a supportive living facility certified to participate in the supportive living facilities program under Section

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5-5.01a of the Illinois Public Aid Code; or a facility licensed under the Specialized Mental Health Rehabilitation Act."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Muñoz, **Senate Bill No. 1475** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Duffy | Link | Radogno |
| Barickman | Forby | Luechtefeld | Raoul |
| Bertino-Tarrant | Frerichs | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Stears |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |

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

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

On motion of Senator Muñoz, **Senate Bill No. 1523** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|-------------|
| Barickman | Duffy | Link | Radogno |
| Bertino-Tarrant | Forby | Luechtefeld | Raoul |
| Biss | Frerichs | Manar | Rezin |
| Bivins | Harmon | Martinez | Righter |
| Brady | Harris | McCann | Rose |
| Bush | Hastings | McCarter | Silverstein |
| Clayborne | Holmes | McConnaughay | Stadelman |
| Collins | Hunter | McGuire | Stears |
| Connelly | Hutchinson | Morrison | Sullivan |

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| | | | |
|---------------|-----------|--------|---------------|
| Cullerton, T. | Jones, E. | Mulroe | Syverson |
| Cunningham | Koehler | Muñoz | Van Pelt |
| Delgado | Kotowski | Murphy | Mr. President |
| Dillard | LaHood | Noland | |

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

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

SENATE BILL RECALLED

On motion of Senator Rose, **Senate Bill No. 1532** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1532

AMENDMENT NO. 2. Amend Senate Bill 1532, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, line 10, by replacing "a person or entity" with "an animal control facility or animal shelter or an employee thereof."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Biss, **Senate Bill No. 1585** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|-------------|-------------|---------------|
| Barickman | Duffy | Martinez | Rezin |
| Bertino-Tarrant | Forby | McCann | Righter |
| Biss | Harmon | McCarter | Rose |
| Bivins | Harris | McConaughay | Silverstein |
| Brady | Holmes | McGuire | Stadelman |
| Bush | Hunter | Morrison | Steans |
| Clayborne | Hutchinson | Mulroe | Sullivan |
| Collins | Jones, E. | Muñoz | Syverson |
| Connelly | Kotowski | Murphy | Van Pelt |
| Cullerton, T. | LaHood | Noland | Mr. President |
| Cunningham | Link | Oberweis | |
| Delgado | Luechtefeld | Radogno | |
| Dillard | Manar | Raoul | |

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

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

SENATE BILL RECALLED

On motion of Senator Biss, **Senate Bill No. 1587** was recalled from the order of third reading to the order of second reading.

Senator Biss offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1587

AMENDMENT NO. 2. Amend Senate Bill 1587, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, by replacing line 5 with the following: "crime scene and traffic crash scene photography. Crime scene and traffic crash photography must be conducted in a geographically confined and time-limited manner to document specific occurrences. The use of a drone under this paragraph (5) on private property requires either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search. The use of a drone under this paragraph (5) on lands, highways, roadways, or areas belonging to this State or political subdivisions of this State does not require a search warrant or consent to search. Any law enforcement agency operating a drone under this paragraph (5) shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 1592** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|-------------|--------------|---------------|
| Althoff | Frerichs | Manar | Rezin |
| Barickman | Harmon | Martinez | Rose |
| Bertino-Tarrant | Hastings | McCann | Silverstein |
| Biss | Holmes | McCarter | Stadelman |
| Brady | Hunter | McConnaughay | Stears |
| Bush | Hutchinson | McGuire | Sullivan |
| Clayborne | Jacobs | Mulroe | Syverson |
| Collins | Jones, E. | Muñoz | Van Pelt |
| Connelly | Koehler | Murphy | Mr. President |
| Cunningham | Kotowski | Noland | |
| Delgado | LaHood | Oberweis | |
| Dillard | Link | Radogno | |
| Forby | Luechtefeld | Raoul | |

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

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

SENATE BILLS RECALLED

On motion of Senator Noland, **Senate Bill No. 1622** was recalled from the order of third reading to the order of second reading.

[April 17, 2013]

Senator Noland offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1622

AMENDMENT NO. 1. Amend Senate Bill 1622 as follows:

on page 1, line 8, by replacing "There" with "Subject to appropriation, there"; and

on page 1, line 14, by replacing "The" with "Subject to appropriation for the creation of the Office of Education Ombudsman, 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 Steans, **Senate Bill No. 1655** was recalled from the order of third reading to the order of second reading.

Senator Steans offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1655

AMENDMENT NO. 1. Amend Senate Bill 1655 by replacing everything after the enacting clause with the following:

"Section 5. The Developmental Disability and Mental Disability Services Act is amended by adding Article 11 as follows:

(405 ILCS 80/Art. XI heading new)

ARTICLE XI. DEVELOPMENTAL DISABILITIES REGULATORY ADVISORY BOARD

(405 ILCS 80/11-1 new)

Sec. 11-1. Developmental Disabilities Regulatory Advisory Board.

(a) The Director of the Division of Developmental Disabilities within the Department shall appoint a Developmental Disabilities Regulatory Advisory Board, whose members are capable of actively participating on the Advisory Board, to consult with the Department regarding Parts 115, 116, 119, and 120 of Title 59 of the Illinois Administrative Code, as provided in this Section.

(b) The Advisory Board shall be composed of the following persons:

(1) The Director of the Division of Developmental Disabilities, or his or her designee, shall serve as an ex-officio member and shall serve as chairperson of the Advisory Board.

(2) One representative of the Department of Healthcare and Family Services and one representative of the Office of the State Fire Marshal, each of whom shall serve as ex-officio members.

(3) Five persons selected from recommendations of organizations whose membership consists of providers within the developmental disabilities service delivery system.

(4) Two persons who are guardians or family members of persons with developmental disabilities and who do not have responsibility for management or formation of policy regarding the programs subject to review of the Advisory Board.

(5) Two persons who receive developmental disabilities services funded by the Division.

(6) Two persons selected from the recommendations of consumer organizations that engage solely in advocacy or legal representation on behalf of persons with developmental disabilities and their immediate families.

(7) One person who is a representative of a labor organization which represents direct support persons, working within one of the programs subject to review of the Advisory Board.

(c) The Advisory Board shall meet as frequently as the chairperson deems necessary, but not less than once each calendar year. Upon request of 6 or more members, the chairperson shall call a meeting of the Advisory Board. A member of the Advisory Board may designate a replacement to serve at the Advisory Board meeting in place of the member by submitting a letter of designation to the chairperson prior to or at the Advisory Board meeting.

(d) The Advisory Board shall advise the Department of Human Services Division of Developmental Disabilities on the format and content of any amendments to rules referenced in subsection (a) proposed by the Division of Developmental Disabilities. Any of these rules, except emergency rules adopted under

Section 5-45 of the Illinois Administrative Procedure Act, adopted without obtaining the advice of the Advisory Board are null and void. If the Department fails to follow the advice of the Advisory Board on proposed rules, the Department shall, prior to the adoption of the rules, transmit a written explanation of the reason therefor to the Advisory Board.

(e) During its review of proposed rules as requested by the Department, the Advisory Board shall discuss the economic impact of those rules.

(f) If the Advisory Board, having been asked for its advice, fails to advise the Department within 45 days, the rules shall be considered acted upon.

(g) The Department shall provide staff and technical support to the Advisory Board to perform its functions under this Section.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 1664** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|-------------|---------------|
| Althoff | Dillard | LaHood | Oberweis |
| Barickman | Duffy | Link | Radogno |
| Bertino-Tarrant | Forby | Luechtefeld | Raoul |
| Biss | Frerichs | Manar | Rezin |
| Bivins | Harmon | Martinez | Righter |
| Brady | Harris | McCann | Rose |
| Bush | Holmes | McCarter | Silverstein |
| Clayborne | Hunter | McConaughay | Stadelman |
| Collins | Hutchinson | McGuire | Steans |
| Connelly | Jacobs | Morrison | Sullivan |
| Cullerton, T. | Jones, E. | Mulroe | Van Pelt |
| Cunningham | Koehler | Muñoz | Mr. President |
| Delgado | Kotowski | Noland | |

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

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

On motion of Senator Biss, **Senate Bill No. 1687** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 30; NAYS 16; Present 3.

The following voted in the affirmative:

[April 17, 2013]

| | | | |
|-----------------|------------|----------|---------------|
| Bertino-Tarrant | Frerichs | Manar | Righter |
| Biss | Harmon | Martinez | Silverstein |
| Bush | Holmes | McGuire | Stadelman |
| Clayborne | Hunter | Morrison | Steans |
| Collins | Hutchinson | Mulroe | Sullivan |
| Cullerton, T. | Jacobs | Muñoz | Mr. President |
| Cunningham | Koehler | Noland | |
| Forby | Link | Raoul | |

The following voted in the negative:

| | | | |
|-----------|--------------|----------|----------|
| Althoff | Duffy | Murphy | Syverson |
| Barickman | LaHood | Oberweis | |
| Brady | Luechtefeld | Radogno | |
| Connelly | McCarter | Rezin | |
| Dillard | McConnaughay | Rose | |

The following voted present:

Delgado
Hastings
Jones, E.

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

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

On motion of Senator Holmes, **Senate Bill No. 1723** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Forby | Luechtefeld | Raoul |
| Barickman | Frerichs | Manar | Rezin |
| Bertino-Tarrant | Harmon | Martinez | Righter |
| Biss | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |
| Duffy | Link | Radogno | |

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

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

On motion of Senator Mulroe, **Senate Bill No. 1756** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Duffy | Luechtefeld | Raoul |
| Barickman | Forby | Manar | Rezin |
| Bertino-Tarrant | Frerichs | Martinez | Righter |
| Biss | Harmon | McCann | Rose |
| Bivins | Harris | McCarter | Silverstein |
| Brady | Hastings | McConnaughay | Stadelman |
| Bush | Holmes | McGuire | Steans |
| Clayborne | Hunter | Morrison | Sullivan |
| Collins | Hutchinson | Mulroe | Van Pelt |
| Connelly | Jacobs | Muñoz | Mr. President |
| Cullerton, T. | Jones, E. | Murphy | |
| Cunningham | Koehler | Noland | |
| Delgado | LaHood | Oberweis | |
| Dillard | Link | Radogno | |

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

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

On motion of Senator Jacobs, **Senate Bill No. 1787** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Duffy | Link | Radogno |
| Barickman | Forby | Luechtefeld | Raoul |
| Bertino-Tarrant | Frerichs | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |

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

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

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SENATE BILLS RECALLED

On motion of Senator Martinez, **Senate Bill No. 1791** was recalled from the order of third reading to the order of second reading.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1791

AMENDMENT NO. 1. Amend Senate Bill 1791 by replacing everything after the enacting clause with the following:

"Section 3. The State Finance Act is amended by changing Section 5.562 as follows:
(30 ILCS 105/5.562)

Sec. 5.562. The Golden Apple Scholars of Illinois Future Teacher Corps Scholarship Fund.
(Source: P.A. 92-445, eff. 8-17-01; 92-651, eff. 7-11-02.)

Section 5. The Higher Education Student Assistance Act is amended by changing Section 52 as follows:

(110 ILCS 947/52)

Sec. 52. Golden Apple Scholars of Illinois Program; Golden Apple Foundation for Excellence in Teaching.

(a) In this Section, "Foundation" means the Golden Apple Foundation for Excellence in Teaching, a registered, 501(c)(3), not-for-profit corporation.

(a-2) (a) In order to encourage academically talented Illinois students, especially minority students, to pursue teaching careers, especially in teacher shortage disciplines (which shall be defined to include early childhood education) or at hard-to-staff schools (as defined by the Commission in consultation with the State Board of Education), to provide those students with the crucial mentoring, guidance, and in-service support that will significantly increase the likelihood that they will complete their full teaching commitments and elect to continue teaching in targeted disciplines and hard-to-staff schools, and to ensure that students in this State will continue to have access to a pool of highly-qualified teachers, each qualified student shall be awarded a Golden Apple Scholars of Illinois Program scholarship to any Illinois institution of higher learning. The Commission shall administer the Golden Apple Scholars of Illinois Program, which shall be managed by the Foundation pursuant to the terms of a grant agreement meeting the requirements of Section 4 of the Illinois Grant Funds Recovery Act.

(a-3) For purposes of this Section, a qualified student shall be a student who meets the following qualifications:

(1) is a resident of this State and a citizen or eligible noncitizen of the United States;

(2) is a high school graduate or a person who has received a General Educational Development certificate;

(3) is enrolled or accepted, on at least a half-time basis, at an institution of higher learning;

(4) is pursuing a postsecondary course of study leading to initial certification or pursuing additional course work needed to gain State Board of Education approval to teach, including alternative teacher licensure; and

(5) is a participant in programs managed by and is approved to receive a scholarship from the Foundation, the Commission shall combine the best practices and methods and programmatic functions of the Illinois Future Teacher Corps Program and the Golden Apple Foundation for Excellence in Teaching's Golden Apple Scholars of Illinois Program into one program. The consolidated program shall be known as the Golden Apple Scholars of Illinois Program and shall be managed by the Golden Apple Foundation for Excellence in Teaching.

(1) This consolidated program shall be fully operational before July 1, 2012. The existing programs, the Illinois Future Teacher Corps Program and the Golden Apple Scholars Program, shall continue to exist and be governed as they have under this Section before the effective date of this amendatory Act of the 96th General Assembly and any associated administrative rules, but shall also begin a transition period commencing on the first day of the 2010 fiscal year and ending on the last day of the 2013 fiscal year.

(2) During the transition period, the Commission shall, in consultation with the Golden Apple Foundation, establish rules governing the transition period and related fund transfers and to facilitate coordination and implementation of the consolidated program. Eligible students in this State may continue to apply for Illinois Future Teacher Corps scholarships under the current rules governing such

[April 17, 2013]

applications during the transition period. Fiscal Year 2012 shall be the last year that such scholarships are available.

(3) The Commission shall, by March 30, 2010, develop an estimate of General Revenue Funds that it expects will remain unexpended at the end of FY 2010 from the FY 2010 appropriation for the Illinois Future Teacher Corps. No later than April 15, 2010, the Commission shall cause to be transferred funds comprising 85% of this estimated amount to the Golden Apple Foundation for Excellence in Teaching. The Commission shall subsequently transfer funding from the Illinois Future Teacher Corps Program to the Golden Apple Foundation for Excellence in Teaching on the following schedule and in the following amounts:

(A) FY 2011: an amount equal to 58% of the total combined appropriation for the Golden Apple Foundation for Excellence in Teaching and the Illinois Future Teacher Corps Program;

(B) FY 2012: an amount equal to 80% of the combined total appropriation for the Golden Apple Foundation for Excellence in Teaching and the Illinois Future Teacher Corps Program;

(C) FY 2013: the entire appropriation shall be designated for the Golden Apple Foundation for Excellence in Teaching.

(4) Following the consolidation of the 2 programs, at least 30% of Golden Apple Scholars of Illinois Program scholarships available each year shall be awarded to students residing in counties having a population of less than 500,000.

(5) Following the consolidation of the 2 programs, the Auditor General shall prepare an annual audit of the operations and finances of the Golden Apple Scholars of Illinois Program. This audit shall be provided to the Governor and the General Assembly.

(a-5) (Blank). The Commission shall, each year until Fiscal Year 2011, receive and consider applications for scholarship assistance under this Section. An applicant is eligible for an Illinois Future Teacher Corps scholarship under this Section when the Commission finds that the applicant is:

(1) a United States citizen or eligible noncitizen;

(2) a resident of Illinois;

(3) a high school graduate or a person who has received a General Educational Development Certificate;

(4) enrolled or accepted for enrollment at or above the junior level, on at least a half-time basis, at an Illinois institution of higher learning; and

(5) pursuing a postsecondary course of study leading to initial certification or pursuing additional course work needed to gain State Board of Education approval to teach, including alternative teacher certification.

(b) (Blank). Recipients shall be selected from among applicants qualified pursuant to subsection (a) based on a combination of the following criteria as set forth by the Commission until Fiscal Year 2011: (1) academic excellence; (2) status as a minority student as defined in Section 50; and (3) financial need. Preference may be given to previous recipients of assistance under this Section, provided they continue to maintain eligibility and maintain satisfactory academic progress as determined by the institution of higher learning at which they enroll.

In each year until the consolidation of the 2 programs under subsection (a) of this Section has been completed, to support mentoring, guidance, and in-service support for teaching candidates in order to increase the likelihood that they will complete their full teaching commitments and elect to continue teaching in targeted disciplines and hard-to-staff schools, a minimum of 200 awards shall be allocated to participants in the Golden Apple Scholars of Illinois program.

(b-5) Funds designated for the Golden Apple Scholars of Illinois Program shall be used by the Commission for the payment of scholarship assistance under this Section or for the award of grant funds, subject to the Illinois Grant Funds Recovery Act, to the Foundation. Subject to appropriation, awards of grant funds to the Foundation shall be made on an annual basis and following an application for grant funds by the Foundation.

(b-10) Each year, the Foundation shall include in its application to the Commission for grant funds an estimate of the amount of scholarship assistance to be provided to qualified students during the grant period. Any amount of appropriated funds exceeding the estimated amount of scholarship assistance may be awarded by the Commission to the Foundation for management expenses expected to be incurred by the Foundation in providing the mentoring, guidance, and in-service supports that will increase the likelihood that qualified students will complete their teaching commitments and elect to continue teaching in hard-to-staff schools. If the estimate of the amount of scholarship assistance described in the Foundation's application is less than the actual amount required for the award of scholarship assistance to qualified students, the Foundation shall be responsible for using awarded grant funds to ensure all qualified students receive scholarship assistance under this Section.

(b-15) All grant funds not expended or legally obligated within the time specified in a grant agreement between the Foundation and the Commission shall be returned to the Commission within 45 days. Any funds legally obligated by the end of a grant agreement shall be liquidated within 45 days or otherwise returned to the Commission within 90 days after the end of the grant agreement that resulted in the award of grant funds.

(c) Each scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of \$5,000; except that in the case of a recipient who does not reside on-campus at the institution of higher learning at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of \$5,000. ~~All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of recipients. For recipients who agree to teach in a teacher shortage discipline or at a hard-to-staff school under subsection (i) of this Section, the Commission may, by rule and subject to appropriation, increase the annual maximum amount to \$10,000. If a recipient agrees to teach in both a teacher shortage discipline and at a hard-to-staff school under subsection (i) of this Section, the Commission may increase the amount of the scholarship awarded by up to an additional \$5,000.~~

(d) The total amount of scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the institution of higher learning at which the student is enrolled. In any academic year for which a qualified student under this Section accepts financial assistance through any other teacher scholarship program administered by the Commission, a qualified student shall not be eligible for scholarship assistance awarded under this Section.

(e) A recipient may receive up to ~~8~~ 4 semesters or ~~12~~ 6 quarters of scholarship assistance under this Section. Scholarship funds are applicable toward ~~2~~ semesters or ~~3~~ quarters of enrollment each academic year.

(f) All applications for scholarship assistance to be awarded under this Section shall be made to the Foundation in a form determined by the Foundation. Each year, the Foundation shall notify the Commission of the individuals awarded scholarship assistance under this Section. Each year, at least 30% of the Golden Apple Scholars of Illinois Program scholarships shall be awarded to students residing in counties having a population of less than 500,000. Commission in a form as set forth by the Commission. The form of application and the information required to be set forth therein shall be determined by the Commission, and the Commission shall require eligible applicants to submit with their applications such supporting documents as the Commission deems necessary. Notwithstanding any other provision of this Act, following the completion of the transition of funding of the Illinois Future Teacher Corps to the Golden Apple Foundation for Excellence in Teaching, all applications for scholarship assistance under this Section shall be in a form determined by the Golden Apple Foundation for Excellence in Teaching.

(g) ~~(Blank). Subject to a separate appropriation made for such purposes, payment of any scholarship awarded under this Section shall be determined by the Commission. There shall be a separate appropriation made for scholarships awarded to recipients who agree to teach in a teacher shortage discipline or at a hard-to-staff school under subsection (i) of this Section. The Commission may use for scholarship assistance under this Section (i) all funds appropriated for scholarships under this Section that were formerly known as ITEACH Teacher Shortage Scholarships and (ii) all funds appropriated for scholarships under Section 65.65 of this Act (repealed by this amendatory Act of the 93rd General Assembly), formerly known as Illinois Future Teacher Corps Scholarships.~~

All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of the recipients. Scholarship funds are applicable toward 2 semesters or 3 quarters of enrollment within an academic year.

(h) The Commission shall administer the payment of scholarship assistance provided through the Golden Apple Scholars of Illinois program program established by this Section and shall make all necessary and proper rules not inconsistent with this Section for the its effective implementation of this Section.

(i) Prior to receiving scholarship assistance for any academic year, each recipient of a scholarship awarded under this Section shall be required by the Foundation Commission to sign an agreement under which the recipient pledges that, within the 2-year ~~one-year~~ period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient: (i) shall begin teaching for a period of not less than 5 years, (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool or an Illinois public elementary or secondary school that

qualifies for teacher loan cancellation under Section 465(a)(2)(A) of the federal Higher Education Act of 1965 (20 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools deemed eligible for fulfilling the teaching commitment as designated by the Foundation, and (iii) shall, upon request of the Foundation Commission, provide the Foundation Commission with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection. Upon request, the Foundation shall provide evidence of teacher fulfillment to the Commission.

(j) If a recipient of a scholarship awarded under this Section fails to fulfill the teaching obligation set forth in subsection (i) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, plus interest at a rate of 5% and if applicable, reasonable collection fees. ~~The Commission is authorized to establish rules relating to its collection activities for repayment of scholarships under this Section.~~ Payments received by the Commission under this subsection (j) shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(k) A recipient of a scholarship awarded by the ~~Foundation Commission~~ under this Section shall not be ~~considered to have failed to fulfill the teaching obligations in violation~~ of the agreement entered into pursuant to subsection (i) if the recipient (i) enrolls on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning; (ii) is serving as a member of the armed services of the United States; (iii) is temporarily totally disabled, as established by sworn affidavit of a qualified physician; (iv) is seeking and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (i) and is able to provide evidence of that fact; (v) is taking additional courses, on at least a half-time basis, needed to obtain certification as a teacher in Illinois; ~~or~~ (vi) is fulfilling teaching requirements associated with other programs administered by the Commission and cannot concurrently fulfill them under this Section in a period of time equal to the length of the teaching obligation ; ~~or (vii) is participating in a program established under Executive Order 10924 of the President of the United States or the federal National Community Service Act of 1990 (42 U.S.C. 12501 et seq.).~~ Any such extension of the period during which the teaching requirement must be fulfilled shall be subject to limitations of duration as established by the Commission.

(l) A recipient who fails to fulfill the teaching obligations of the agreement entered into pursuant to subsection (i) of this Section shall repay the amount of scholarship assistance awarded to them under this Section within 10 years.

(m) Annually, at a time determined by the Commission in consultation with the Foundation, the Foundation shall submit a report to assist the Commission in monitoring the Foundation's performance of grant activities. The report shall describe the following:

- (1) the Foundation's anticipated expenditures for the next fiscal year;
- (2) the number of qualified students receiving scholarship assistance at each institution of higher learning where a qualified student was enrolled under this Section during the previous fiscal year;
- (3) the total monetary value of scholarship funds paid to each institution of higher learning at which a qualified student was enrolled during the previous fiscal year;
- (4) the number of scholarship recipients who completed a baccalaureate degree during the previous fiscal year;
- (5) the number of scholarship recipients who fulfilled their teaching obligation during the previous fiscal year;
- (6) the number of scholarship recipients who failed to fulfill their teaching obligation during the previous fiscal year;
- (7) the number of scholarship recipients granted an extension described in subsection (k) of this Section during the previous fiscal year;
- (8) the number of scholarship recipients required to repay scholarship assistance in accordance with subsection (j) of this Section during the previous fiscal year;
- (9) the number of scholarship recipients who successfully repaid scholarship assistance in full during the previous fiscal year;
- (10) the number of scholarship recipients who defaulted on their obligation to repay scholarship assistance during the previous fiscal year;
- (11) the amount of scholarship assistance subject to collection in accordance with subsection (j) of this Section at the end of the previous fiscal year;
- (12) the amount of collected funds to be remitted to the Comptroller in accordance with subsection (j) of this Section at the end of the previous fiscal year; and

(13) other information that the Commission may reasonably request.

(n) Nothing in this Section shall affect the rights of the Commission to collect moneys owed to it by recipients of scholarship assistance through the Illinois Future Teacher Corps Program, repealed by this amendatory Act of the 98th General Assembly.

(o) The Auditor General shall prepare an annual audit of the operations and finances of the Golden Apple Scholars of Illinois Program. This audit shall be provided to the Governor, General Assembly, and the Commission.

(p) The suspension of grant making authority found in Section 4.2 of the Illinois Grant Funds Recovery Act shall not apply to grants made pursuant to this Section.

(Source: P.A. 95-939, eff. 1-1-09; 96-411, eff. 8-13-09.)

Section 10. The Illinois Vehicle Code is amended by changing Section 3-648 as follows:

(625 ILCS 5/3-648)

Sec. 3-648. Education license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Education license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates shall be determined by a contest that every elementary school pupil in the State of Illinois is eligible to enter. The designs submitted for the contest shall be judged on September 30, 2002, and the winning design shall be selected by a committee composed of the Secretary, the Director of State Police, 2 members of the Senate, one member chosen by the President of the Senate and one member chosen by the Senate Minority Leader, and 2 members of the House of Representatives, one member chosen by the Speaker of the House and one member chosen by the House Minority Leader. The Secretary may allow the plates to be issued as vanity or personalized plates under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance, in addition to the appropriate registration fee. Of this \$40 additional original issuance fee, \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs, and \$25 shall be deposited into the Golden Apple Scholars of Illinois Future Teacher Corps Scholarship Fund. For each registration renewal period, a \$40 fee, in addition to the appropriate registration fee, shall be charged. Of this \$40 additional renewal fee, \$2 shall be deposited into the Secretary of State Special License Plate Fund and \$38 shall be deposited into the Golden Apple Scholars of Illinois Future Teacher Corps Scholarship Fund. Each fiscal year, once deposits from the additional original issuance and renewal fees into the Secretary of State Special License Plate Fund have reached \$500,000, all the amounts received for the additional fees for the balance of the fiscal year shall be deposited into the Golden Apple Scholars of Illinois Future Teacher Corps Scholarship Fund.

(d) The Golden Apple Scholars of Illinois Future Teacher Corps Scholarship Fund is created as a special fund in the State treasury. ~~All Ninety-five percent of the moneys in the Golden Apple Scholars of Illinois Future Teacher Corps Scholarship Fund shall be appropriated to the Illinois Student Assistance Commission for scholarships under Section 52 of the Higher Education Student Assistance Act, and 5% of the moneys in the Illinois Future Teacher Corps Scholarship Fund shall be appropriated to the State Board of Education for grants to the Golden Apple Foundation for Excellence in Teaching, a recognized charitable organization that meets the requirements of Title 26, Section 501(c)(3) of the United States Code. Notwithstanding the other provisions of this subsection (d), beginning in the 2010 fiscal year, funds for the Illinois Future Teacher Corps Program and the Golden Apple Foundation for Excellence in Teaching shall be apportioned according to Section 52 of the Higher Education Student Assistance Act.~~ (Source: P.A. 95-331, eff. 8-21-07; 96-411, eff. 8-13-09.)

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.

[April 17, 2013]

On motion of Senator Rose, **Senate Bill No. 1817** was recalled from the order of third reading to the order of second reading.

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

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1817

AMENDMENT NO. 2. Amend Senate Bill 1817 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 3-707 as follows:

(625 ILCS 5/3-707) (from Ch. 95 1/2, par. 3-707)

Sec. 3-707. Operation of uninsured motor vehicle - penalty.

(a) No person shall operate a motor vehicle unless the motor vehicle is covered by a liability insurance policy in accordance with Section 7-601 of this Code.

(a-5) A person commits the offense of operation of uninsured motor vehicle causing bodily harm when the person:

(1) operates a motor vehicle in violation of Section 7-601 of this Code; and

(2) causes, as a proximate result of the person's operation of the motor vehicle, bodily harm to another person.

(a-6) Uninsured operation of a motor vehicle under subsection (a-5) is a Class A misdemeanor. If a person convicted of the offense of operation of a motor vehicle under subsection (a-5) has previously been convicted of 2 or more violations of subsection (a-5) of this Section or of Section 7-601 of this Code, a fine of \$2,500, in addition to any sentence of incarceration, must be imposed.

(b) Any person who fails to comply with a request by a law enforcement officer for display of evidence of insurance, as required under Section 7-602 of this Code, shall be deemed to be operating an uninsured motor vehicle.

(c) Except as provided in subsections (a-6) and (c-5), any operator of a motor vehicle subject to registration under this Code who is convicted of violating this Section is guilty of a business offense and shall be required to pay a fine in excess of \$500, but not more than \$1,000, except a person convicted of a third or subsequent violation of this Section shall be required to pay a fine of \$1,000. However, no person charged with violating this Section shall be convicted if such person produces in court satisfactory evidence that at the time of the arrest the motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of this Code. The chief judge of each circuit may designate an officer of the court to review the documentation demonstrating that at the time of arrest the motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of this Code.

(c-1) A person convicted of violating this Section shall also have his or her driver's license, permit, or privileges suspended for 3 months. After the expiration of the 3 months, the person's driver's license, permit, or privileges shall not be reinstated until he or she has paid a reinstatement fee of \$100. If a person violates this Section while his or her driver's license, permit, or privileges are suspended under this subsection (c-1), his or her driver's license, permit, or privileges shall be suspended for an additional 6 months and until he or she pays the reinstatement fee.

(c-5) A person who (i) has not previously been convicted of or received a disposition of court supervision for violating this Section and (ii) produces at his or her court appearance satisfactory evidence that the motor vehicle is covered, as of the date of the court appearance, by a liability insurance policy in accordance with Section 7-601 of this Code shall, for a violation of this Section, other than a violation of subsection (a-5), pay a fine of \$100 and receive a disposition of court supervision. The person must, on the date that the period of court supervision is scheduled to terminate, produce satisfactory evidence that the vehicle was covered by the required liability insurance policy during the entire period of court supervision.

An officer of the court designated under subsection (c) may also review liability insurance documentation under this subsection (c-5) to determine if the motor vehicle is, as of the date of the court appearance, covered by a liability insurance policy in accordance with Section 7-601 of this Code. The officer of the court shall also determine, on the date the period of court supervision is scheduled to terminate, whether the vehicle was covered by the required policy during the entire period of court supervision.

(d) A person convicted a third or subsequent time of violating this Section or a similar provision of a local ordinance must give proof to the Secretary of State of the person's financial responsibility as defined in Section 7-315. The person must maintain the proof in a manner satisfactory to the Secretary

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for a minimum period of 3 years after the date the proof is first filed. The Secretary must suspend the driver's license of any person determined by the Secretary not to have provided adequate proof of financial responsibility as required by this subsection. This subsection shall not apply to a person given court supervision under subsection (c-5) of this Section. Within 90 days of the effective date of this amendatory Act of the 98th General Assembly, a person who is currently required to maintain proof of financial responsibility as described in this subsection may petition the Secretary of State to be removed from the requirement of maintaining proof of financial responsibility as required in this subsection, if this person received court supervision under subsection (c-5) of this Section and does not have a subsequent conviction under this Section. The person petitioning the Secretary must provide proof that he or she received court supervision under subsection (c-5) of this Section and satisfactorily completed the terms of the court supervision. Once the person has provided this proof to the Secretary and the Secretary determines the person does not have a subsequent conviction under this Section, the Secretary shall terminate the requirement that the person maintain proof of financial responsibility as required in this Section.

(Source: P.A. 96-143, eff. 1-1-10; 97-407, eff. 1-1-12.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-6-3.1 as follows:
(730 ILCS 5/5-6-3.1) (from Ch. 38, par. 1005-6-3.1)

Sec. 5-6-3.1. Incidents and Conditions of Supervision.

(a) When a defendant is placed on supervision, the court shall enter an order for supervision specifying the period of such supervision, and shall defer further proceedings in the case until the conclusion of the period.

(b) The period of supervision shall be reasonable under all of the circumstances of the case, but may not be longer than 2 years, unless the defendant has failed to pay the assessment required by Section 10.3 of the Cannabis Control Act, Section 411.2 of the Illinois Controlled Substances Act, or Section 80 of the Methamphetamine Control and Community Protection Act, in which case the court may extend supervision beyond 2 years. Additionally, the court shall order the defendant to perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, when the offense (1) was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang; or (2) is a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012 where a disposition of supervision is not prohibited by Section 5-6-1 of this Code. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damages to property located within the municipality or county in which the violation occurred. Where possible and reasonable, the community service should be performed in the offender's neighborhood.

For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(c) The court may in addition to other reasonable conditions relating to the nature of the offense or the rehabilitation of the defendant as determined for each defendant in the proper discretion of the court require that the person:

- (1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of supervision;
- (2) pay a fine and costs;
- (3) work or pursue a course of study or vocational training;
- (4) undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism;
- (5) attend or reside in a facility established for the instruction or residence of defendants on probation;
- (6) support his dependents;
- (7) refrain from possessing a firearm or other dangerous weapon;
- (8) and in addition, if a minor:
 - (i) reside with his parents or in a foster home;
 - (ii) attend school;
 - (iii) attend a non-residential program for youth;
 - (iv) contribute to his own support at home or in a foster home; or
 - (v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is placed

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on supervision for a crime of violence as defined in Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;

(9) make restitution or reparation in an amount not to exceed actual loss or damage to property and pecuniary loss or make restitution under Section 5-5-6 to a domestic violence shelter. The court shall determine the amount and conditions of payment;

(10) perform some reasonable public or community service;

(11) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986 or an order of protection issued by the court of another state, tribe, or United States territory. If the court has ordered the defendant to make a report and appear in person under paragraph (1) of this subsection, a copy of the order of protection shall be transmitted to the person or agency so designated by the court;

(12) reimburse any "local anti-crime program" as defined in Section 7 of the Anti-Crime Advisory Council Act for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced;

(13) contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced, (i) to a "local anti-crime program", as defined in Section 7 of the Anti-Crime Advisory Council Act, or (ii) for offenses under the jurisdiction of the Department of Natural Resources, to the fund established by the Department of Natural Resources for the purchase of evidence for investigation purposes and to conduct investigations as outlined in Section 805-105 of the Department of Natural Resources (Conservation) Law;

(14) refrain from entering into a designated geographic area except upon such terms as the court finds appropriate. Such terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the defendant, and advance approval by a probation officer;

(15) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of person, including but not limited to members of street gangs and drug users or dealers;

(16) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(17) refrain from operating any motor vehicle not equipped with an ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code; under this condition the court may allow a defendant who is not self-employed to operate a vehicle owned by the defendant's employer that is not equipped with an ignition interlock device in the course and scope of the defendant's employment; and

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

(d) The court shall defer entering any judgment on the charges until the conclusion of the supervision.

(e) At the conclusion of the period of supervision, if the court determines that the defendant has successfully complied with all of the conditions of supervision, the court shall discharge the defendant and enter a judgment dismissing the charges.

(f) Discharge and dismissal upon a successful conclusion of a disposition of supervision shall be deemed without adjudication of guilt and shall not be termed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime. Two years after the discharge and dismissal under this Section, unless the disposition of supervision was for a violation of Sections 3-707, 3-708, 3-710, 5-401.3, or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, or for a violation of Sections 12-3.2, 16-25, or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which case it shall be 5 years after discharge and dismissal, a person may have his record of arrest sealed or expunged as may be provided by law. However, any defendant placed on supervision before January 1, 1980, may move for sealing or expungement of his arrest record, as provided by law, at any time after discharge and dismissal under this Section. A person placed on supervision for a sexual offense committed against a minor as defined in clause (a)(1)(L) of Section 5.2

of the Criminal Identification Act or for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not have his or her record of arrest sealed or expunged.

(g) A defendant placed on supervision and who during the period of supervision undergoes mandatory drug or alcohol testing, or both, or is assigned to be placed on an approved electronic monitoring device, shall be ordered to pay the costs incidental to such mandatory drug or alcohol testing, or both, and costs incidental to such approved electronic monitoring in accordance with the defendant's ability to pay those costs. The county board with the concurrence of the Chief Judge of the judicial circuit in which the county is located shall establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing, or both, and all costs incidental to approved electronic monitoring, of all defendants placed on supervision. The concurrence of the Chief Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be.

(h) A disposition of supervision is a final order for the purposes of appeal.

(i) The court shall impose upon a defendant placed on supervision after January 1, 1992 or to community service under the supervision of a probation or court services department after January 1, 2004, as a condition of supervision or supervised community service, a fee of \$50 for each month of supervision or supervised community service ordered by the court, unless after determining the inability of the person placed on supervision or supervised community service to pay the fee, the court assesses a lesser fee. The court may not impose the fee on a minor who is made a ward of the State under the Juvenile Court Act of 1987 while the minor is in placement. The fee shall be imposed only upon a defendant who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund pursuant to Section 15.1 of the Probation and Probation Officers Act.

A circuit court may not impose a probation fee in excess of \$25 per month unless the circuit court has adopted, by administrative order issued by the chief judge, a standard probation fee guide determining an offender's ability to pay. Of the amount collected as a probation fee, not to exceed \$5 of that fee collected per month may be used to provide services to crime victims and their families.

The Court may only waive probation fees based on an offender's ability to pay. The probation department may re-evaluate an offender's ability to pay every 6 months, and, with the approval of the Director of Court Services or the Chief Probation Officer, adjust the monthly fee amount. An offender may elect to pay probation fees due in a lump sum. Any offender that has been assigned to the supervision of a probation department, or has been transferred either under subsection (h) of this Section or under any interstate compact, shall be required to pay probation fees to the department supervising the offender, based on the offender's ability to pay.

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under Section 27.5 of the Clerks of Courts Act.

(k) A defendant at least 17 years of age who is placed on supervision for a misdemeanor in a county of 3,000,000 or more inhabitants and who has not been previously convicted of a misdemeanor or felony may as a condition of his or her supervision be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing the high school level Test of General Educational Development (GED) or to work toward completing a vocational training program approved by the court. The defendant placed on supervision must attend a public institution of education to obtain the educational or vocational training required by this subsection (k). The defendant placed on supervision shall be required to pay for the cost of the educational courses or GED test, if a fee is charged for those courses or test. The court shall revoke the supervision of a person who wilfully fails to comply with this subsection (k). The court shall resentence the defendant upon revocation of supervision as provided in Section 5-6-4. This subsection (k) does not apply to a defendant who has a high school diploma or has successfully passed the GED test. This subsection (k) does not apply to a defendant who is determined by the court to be developmentally disabled or otherwise mentally incapable of completing the educational or vocational program.

(l) The court shall require a defendant placed on supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control

and Community Protection Act after a previous conviction or disposition of supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act or a sentence of probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act and after a finding by the court that the person is addicted, to undergo treatment at a substance abuse program approved by the court.

(m) Except in the case of a person placed on court supervision for a violation of subsection (c-5) of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance, the The Secretary of State shall require anyone placed on court supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance to give proof of his or her financial responsibility as defined in Section 7-315 of the Illinois Vehicle Code. The proof shall be maintained by the individual in a manner satisfactory to the Secretary of State for a minimum period of 3 years after the date the proof is first filed. The proof shall be limited to a single action per arrest and may not be affected by any post-sentence disposition. The Secretary of State shall suspend the driver's license of any person determined by the Secretary to be in violation of this subsection.

(n) Any offender placed on supervision for any offense that the court or probation department has determined to be sexually motivated as defined in the Sex Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

(o) An offender placed on supervision for a sex offense as defined in the Sex Offender Management Board Act shall refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense. The provisions of this subsection (o) do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders.

(p) An offender placed on supervision for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012 shall refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age. For purposes of this subsection (p), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused.

(q) An offender placed on supervision for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012 shall, if so ordered by the court, refrain from communicating with or contacting, by means of the Internet, a person who is related to the accused and whom the accused reasonably believes to be under 18 years of age. For purposes of this subsection (q), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is related to the accused if the person is: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused.

(r) An offender placed on supervision for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after the effective date of this amendatory Act of the 95th General Assembly shall:

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the court, except in connection with the offender's employment or search for employment with the prior approval of the court;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the court.

(s) An offender placed on supervision for an offense that is a sex offense as defined in Section 2 of the Sex Offender Registration Act that is committed on or after January 1, 2010 (the effective date of Public Act 96-362) that requires the person to register as a sex offender under that Act, may not knowingly use any computer scrub software on any computer that the sex offender uses.

(t) An offender placed on supervision for a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262) shall refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012.

(u) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. The probation department within the circuit to which jurisdiction has been transferred may impose probation fees upon receiving the transferred offender, as provided in subsection (i). The probation department from the original sentencing court shall retain all probation fees collected prior to the transfer.

(Source: P.A. 96-262, eff. 1-1-10; 96-362, eff. 1-1-10; 96-409, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1414, eff. 1-1-11; 96-1551, Article 2, Section 1065, eff. 7-1-11; 96-1551, Article 10, Section 10-150, eff. 7-1-11; 97-454, eff. 1-1-12; 97-597, eff. 1-1-12; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 99. Effective date. This Act takes effect January 1, 2014."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Barickman, **Senate Bill No. 1822** was recalled from the order of third reading to the order of second reading.

Senator Barickman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1822

AMENDMENT NO. 1. Amend Senate Bill 1822 as follows:

on page 1, by replacing line 5 with "Sections 1.05 and 4 as follows:"; and

on page 6, lines 3 and 15, by replacing "the Illinois Association of Park Districts" each time it appears with "an organization within which membership is authorized under Section 8-17 of the Park District Code"; and

on page 6, immediately below line 20, by inserting the following:

"(5 ILCS 120/4) (from Ch. 102, par. 44)

Sec. 4. Any person violating any of the provisions of this Act, except subsection (b), (c), (d), ~~or~~ (e) or (f) of Section 1.05, shall be guilty of a Class C misdemeanor.

(Source: P.A. 97-504, eff. 1-1-12; 97-1153, eff. 1-25-13.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Mulroe, **Senate Bill No. 1841** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 41; NAYS 9.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Harmon | Luechtefeld | Raoul |
| Bertino-Tarrant | Harris | Manar | Rezin |
| Bush | Hastings | Martinez | Silverstein |
| Clayborne | Holmes | McCann | Stadelman |
| Collins | Hunter | McConnaughay | Steans |
| Connelly | Hutchinson | McGuire | Sullivan |
| Cullerton, T. | Jacobs | Morrison | Van Pelt |
| Cunningham | Jones, E. | Mulroe | Mr. President |
| Delgado | Koehler | Muñoz | |
| Forby | Kotowski | Noland | |
| Frerichs | Link | Radogno | |

The following voted in the negative:

| | | |
|---------|----------|----------|
| Bivins | LaHood | Righter |
| Dillard | McCarter | Rose |
| Duffy | Oberweis | Syverson |

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

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

On motion of Senator Bivins, **Senate Bill No. 1854** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Forby | Luechtefeld | Raoul |
| Barickman | Frerichs | Manar | Rezin |
| Bertino-Tarrant | Harmon | Martinez | Righter |
| Biss | Harris | McCann | Rose |
| Bivins | Hastings | McCarter | Silverstein |
| Brady | Holmes | McConnaughay | Stadelman |
| Bush | Hunter | McGuire | Steans |
| Clayborne | Hutchinson | Morrison | Sullivan |
| Collins | Jacobs | Mulroe | Syverson |
| Connelly | Jones, E. | Muñoz | Van Pelt |
| Cullerton, T. | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |
| Duffy | Link | Radogno | |

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

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

[April 17, 2013]

On motion of Senator Noland, **Senate Bill No. 1917** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Barickman | Duffy | Link | Radogno |
| Bertino-Tarrant | Forby | Luechtefeld | Raoul |
| Biss | Frerichs | Manar | Rezin |
| Bivins | Harmon | Martinez | Righter |
| Brady | Harris | McCann | Rose |
| Bush | Hastings | McCarter | Silverstein |
| Clayborne | Hunter | McConnaughay | Stadelman |
| Collins | Hutchinson | McGuire | Sullivan |
| Connelly | Jacobs | Morrison | Syverson |
| Cullerton, T. | Jones, E. | Mulroe | Van Pelt |
| Cunningham | Koehler | Muñoz | Mr. President |
| Delgado | LaHood | Murphy | |
| Dillard | Landek | Noland | |

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

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

On motion of Senator Harris, **Senate Bill No. 1929** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None; Present 1.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Duffy | Link | Radogno |
| Barickman | Forby | Luechtefeld | Raoul |
| Bertino-Tarrant | Frerichs | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Koehler | Muñoz | Van Pelt |
| Cunningham | Kotowski | Murphy | Mr. President |
| Delgado | LaHood | Noland | |
| Dillard | Landek | Oberweis | |

The following voted present:

Jones, E.

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

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

On motion of Senator Althoff, **Senate Bill No. 1950** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|-------------|--------------|---------------|
| Althoff | Forby | Manar | Rezin |
| Barickman | Frerichs | Martinez | Righter |
| Bertino-Tarrant | Harmon | McCann | Rose |
| Bivins | Harris | McCarter | Silverstein |
| Brady | Hastings | McConnaughay | Stadelman |
| Bush | Hunter | McGuire | Steans |
| Clayborne | Hutchinson | Morrison | Sullivan |
| Collins | Jacobs | Mulroe | Syverson |
| Connelly | Jones, E. | Muñoz | Van Pelt |
| Cullerton, T. | Koehler | Murphy | Mr. President |
| Cunningham | LaHood | Noland | |
| Delgado | Landek | Oberweis | |
| Dillard | Link | Radogno | |
| Duffy | Luechtefeld | Raoul | |

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

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

On motion of Senator Link, **Senate Bill No. 1955** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 32; NAYS 18.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Bertino-Tarrant | Hastings | Martinez | Stadelman |
| Bush | Hunter | McConnaughay | Steans |
| Cullerton, T. | Hutchinson | McGuire | Sullivan |
| Cunningham | Jacobs | Morrison | Van Pelt |
| Delgado | Jones, E. | Mulroe | Mr. President |
| Forby | Koehler | Muñoz | |
| Frerichs | Landek | Noland | |
| Haine | Link | Raoul | |
| Harris | Manar | Silverstein | |

The following voted in the negative:

| | | | |
|-----------|----------|----------|---------|
| Althoff | Connelly | McCarter | Righter |
| Barickman | Duffy | Murphy | Rose |

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Bivins
Brady
Collins

LaHood
Luechtefeld
McCann

Oberweis
Radogno
Rezin

Syverson

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

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

SENATE BILLS RECALLED

On motion of Senator Barickman, **Senate Bill No. 1968** was recalled from the order of third reading to the order of second reading.

Senator Barickman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1968

AMENDMENT NO. 1. Amend Senate Bill 1968 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 115-5 as follows:

(725 ILCS 5/115-5) (from Ch. 38, par. 115-5)

Sec. 115-5. Business records as evidence.

(a) Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence, or event, shall be admissible as evidence of such act, transaction, occurrence, or event, if made in regular course of any business, and if it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter.

All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect its weight, but such circumstances shall not affect its admissibility.

The term "business," as used in this Section, includes business, profession, occupation, and calling of every kind.

(b) If any business, institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity has kept or recorded any memorandum, writing, entry, print, representation or combination thereof, of any act, transaction, occurrence, or event, and in the regular course of business has caused any or all of the same to be recorded, copied, or reproduced by any photographic, photostatic, microfilm, micro-card, miniature photographic, optical imaging, or other process which accurately reproduces or forms a medium for so reproducing the original, the original may be destroyed in the regular course of business unless its preservation is required by law. Such reproduction, when satisfactorily identified, is as admissible in evidence as the original itself in any proceeding whether the original is in existence or not and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of court. The introduction of a reproduced record, enlargement, or facsimile does not preclude admission of the original. This Section shall not be construed to exclude from evidence any document or copy thereof which is otherwise admissible under the rules of evidence.

(c) No writing or record made in the regular course of any business shall become admissible as evidence by the application of this Section if:

(1) Such writing or record has been made by anyone in the regular course of any form of hospital or medical business; or

(2) Such writing or record has been made by anyone during an investigation of an alleged offense or during any investigation relating to pending or anticipated litigation of any kind, except during a hearing to revoke a sentence of probation or conditional discharge or an order of court supervision that is based on a technical violation of a sentencing order when the hearing involves a probationer or defendant who has transferred or moved from the county having jurisdiction over the original charge or sentence. For the purposes of this subsection (c), "technical violation" means a breach of a sentencing order but does not include an allegation of a subsequent criminal act asserted in a formal criminal charge.

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(d) Upon request of the moving party and with reasonable notice given to the opposing party, in a criminal prosecution in which the defendant is accused of an offense under Article 16 or 17 of the Criminal Code of 1961 or the Criminal Code of 2012, the court may, for good cause and upon appropriate safeguards, permit foundational testimony business records as evidence in open court by means of a contemporaneous audio and video transmission from a different location.
(Source: P.A. 91-548, eff. 1-1-00.)".

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 Barickman, **Senate Bill No. 2101** was recalled from the order of third reading to the order of second reading.

Senator Barickman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2101

AMENDMENT NO. 1. Amend Senate Bill 2101 by replacing everything after the enacting clause with the following:

"Section 5. The Mobile Home Park Act is amended by changing Section 9 and by adding Section 9.16 as follows:

(210 ILCS 115/9) (from Ch. 111 1/2, par. 719)

Sec. 9. Each mobile home park licensed or to be constructed under the provisions of this Act shall be operated and maintained in accordance with the requirements of Sections 9.1 to 9.16 ~~9-15~~, inclusive, of this Act.

(Source: P.A. 91-357, eff. 7-29-99.)

(210 ILCS 115/9.16 new)

Sec. 9.16. Disclosure of the manufacture of methamphetamine in a mobile home. If the licensee or owner or employee thereof of a mobile home park has actual knowledge that one of the mobile homes in the mobile home park has been used for the manufacture of methamphetamine as defined in Section 10 of the Methamphetamine Control and Community Protection Act, then the licensee or owner or employee thereof of the mobile home park must disclose his or her knowledge of the manufacture of methamphetamine within the mobile home to a potential buyer of the mobile home."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cunningham, **Senate Bill No. 2154** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|----------|----------|-------------|
| Althoff | Forby | Landek | Radogno |
| Barickman | Frerichs | Link | Raoul |
| Bertino-Tarrant | Haine | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |

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| | | | |
|---------------|------------|--------------|---------------|
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | Kotowski | Noland | |
| Duffy | LaHood | Oberweis | |

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

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

On motion of Senator Harmon, **Senate Bill No. 2183** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Forby | Link | Radogno |
| Barickman | Frerichs | Luechtefeld | Raoul |
| Bertino-Tarrant | Haine | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | LaHood | Noland | |
| Duffy | Landek | Oberweis | |

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

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

On motion of Senator Harmon, **Senate Bill No. 2185** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|----------|-------------|---------|
| Althoff | Forby | Link | Radogno |
| Barickman | Frerichs | Luechtefeld | Raoul |
| Bertino-Tarrant | Haine | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |

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| | | | |
|---------------|------------|--------------|---------------|
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Collins | Hutchinson | Morrison | Sullivan |
| Connelly | Jacobs | Mulroe | Syverson |
| Cullerton, T. | Jones, E. | Muñoz | Van Pelt |
| Cunningham | Koehler | Murphy | Mr. President |
| Delgado | LaHood | Noland | |
| Duffy | Landek | Oberweis | |

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

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

On motion of Senator Jacobs, **Senate Bill No. 2193** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Forby | Link | Radogno |
| Barickman | Frerichs | Luechtefeld | Raoul |
| Bertino-Tarrant | Haine | Manar | Rezin |
| Biss | Harmon | Martinez | Righter |
| Bivins | Harris | McCann | Rose |
| Brady | Hastings | McCarter | Silverstein |
| Bush | Holmes | McConnaughay | Stadelman |
| Clayborne | Hunter | McGuire | Steans |
| Connelly | Hutchinson | Morrison | Sullivan |
| Cullerton, T. | Jacobs | Mulroe | Syverson |
| Cunningham | Jones, E. | Muñoz | Van Pelt |
| Delgado | Koehler | Murphy | Mr. President |
| Dillard | LaHood | Noland | |
| Duffy | Landek | Oberweis | |

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

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

On motion of Senator Muñoz, **Senate Bill No. 2195** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|----------|-------------|---------|
| Althoff | Forby | Link | Raoul |
| Barickman | Frerichs | Luechtefeld | Rezin |
| Bertino-Tarrant | Haine | Manar | Righter |
| Biss | Harmon | Martinez | Rose |

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| | | | |
|---------------|------------|--------------|---------------|
| Bivins | Harris | McCann | Silverstein |
| Brady | Hastings | McCarter | Stadelman |
| Bush | Holmes | McConnaughay | Steans |
| Clayborne | Hunter | McGuire | Sullivan |
| Collins | Hutchinson | Morrison | Syverson |
| Connelly | Jacobs | Mulroe | Van Pelt |
| Cullerton, T. | Jones, E. | Muñoz | Mr. President |
| Cunningham | Koehler | Murphy | |
| Delgado | Kotowski | Noland | |
| Dillard | LaHood | Oberweis | |
| Duffy | Landek | Radogno | |

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

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

On motion of Senator Muñoz, **Senate Bill No. 2196** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None; Present 1.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Althoff | Duffy | Landek | Oberweis |
| Barickman | Forby | Link | Radogno |
| Bertino-Tarrant | Frerichs | Luechtefeld | Raoul |
| Biss | Haine | Manar | Rezin |
| Bivins | Harmon | Martinez | Righter |
| Brady | Hastings | McCann | Rose |
| Bush | Holmes | McCarter | Silverstein |
| Clayborne | Hunter | McConnaughay | Stadelman |
| Collins | Hutchinson | McGuire | Steans |
| Connelly | Jacobs | Morrison | Sullivan |
| Cullerton, T. | Jones, E. | Mulroe | Syverson |
| Cunningham | Koehler | Muñoz | Mr. President |
| Delgado | Kotowski | Murphy | |
| Dillard | LaHood | Noland | |

The following voted present:

Van Pelt

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

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

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 2 to Senate Bill 2345
Senate Floor Amendment No. 3 to Senate Bill 2350

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

Senate Floor Amendment No. 1 to Senate Resolution 218

At the hour of 2:26 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 2:42 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 17, 2013 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Education: **Senate Joint Resolution No. 32.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 17, 2013 meeting, reported the following House Bill has been assigned to the indicated Standing Committee of the Senate:

Judiciary: **House Bill No. 2269.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 17, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations I: **Senate Floor Amendment No. 1 to Senate Bill 1984.**

Criminal Law: **Senate Floor Amendment No. 1 to Senate Bill 1004.**

Energy: **Senate Floor Amendment No. 1 to Senate Bill 1458; Senate Floor Amendment No. 2 to Senate Bill 1469; Senate Floor Amendment No. 2 to Senate Bill 2350; Senate Floor Amendment No. 1 to Senate Bill 2365; Senate Floor Amendment No. 2 to Senate Bill 2365.**

Environment: **Senate Floor Amendment No. 1 to Senate Bill 850; Senate Floor Amendment No. 1 to Senate Bill 1704; Senate Floor Amendment No. 1 to Senate Bill 1961; Senate Floor Amendment No. 2 to Senate Bill 1961.**

Executive: **Senate Committee Amendment No. 2 to Senate Bill 34; Senate Committee Amendment No. 1 to Senate Bill 41; 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 722; Senate Floor Amendment No. 1 to Senate Bill 723; Senate Floor Amendment No. 1 to Senate Bill 724; Senate Committee Amendment No. 1 to Senate Bill 923; Senate Floor Amendment No. 2 to Senate Bill 1003; Senate Floor Amendment No. 1 to Senate Bill 1194; Senate Committee Amendment No. 3 to Senate Bill 1354; Senate Floor Amendment No. 1 to Senate Bill 1415; Senate Committee Amendment No. 1 to Senate Bill 1476; Senate Floor Amendment No. 2 to Senate Bill 1514; Senate Committee Amendment No. 2 to Senate Bill 1635; Senate Committee Amendment No. 2 to Senate Bill 1639; Senate Floor Amendment No. 2 to Senate Bill 1640; Senate Floor Amendment No. 1 to Senate Bill 1657; Senate Floor Amendment No. 2 to Senate Bill 1738; Senate Floor Amendment No. 3 to Senate Bill 1738; Senate Floor Amendment No. 1 to Senate Bill 1820;**

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Senate Floor Amendment No. 1 to Senate Bill 1991; Senate Floor Amendment No. 1 to Senate Bill 2026; Senate Floor Amendment No. 2 to Senate Bill 2244; Senate Floor Amendment No. 1 to Senate Bill 2306; Senate Committee Amendment No. 2 to Senate Bill 2352; Senate Committee Amendment No. 1 to Senate Joint Resolution 27.

Insurance: Senate Committee Amendment No. 2 to Senate Bill 1411; Senate Floor Amendment No. 3 to Senate Bill 1630; Senate Floor Amendment No. 2 to Senate Bill 1718; Senate Floor Amendment No. 1 to Senate Bill 1775; Senate Floor Amendment No. 1 to Senate Bill 1873; Senate Floor Amendment No. 2 to Senate Bill 2339; Senate Floor Amendment No. 3 to Senate Bill 2339; Senate Floor Amendment No. 3 to Senate Bill 2366.

Judiciary: Senate Floor Amendment No. 1 to Senate Bill 2043.

Licensed Activities and Pensions: Senate Floor Amendment No. 1 to Senate Bill 92; Senate Floor Amendment No. 1 to Senate Bill 849; Senate Floor Amendment No. 1 to Senate Bill 2218.

Public Health: Senate Floor Amendment No. 1 to Senate Bill 2187.

Revenue: Senate Floor Amendment No. 2 to Senate Bill 333; Senate Floor Amendment No. 2 to Senate Bill 336; 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 1403; Senate Floor Amendment No. 1 to Senate Bill 1404; Senate Floor Amendment No. 2 to Senate Bill 1448; Senate Floor Amendment No. 1 to Senate Bill 1545; Senate Committee Amendment No. 1 to Senate Bill 1743; Senate Floor Amendment No. 1 to Senate Bill 1951; Senate Committee Amendment No. 1 to Senate Bill 2169; Senate Committee Amendment No. 2 to Senate Bill 2169; Senate Floor Amendment No. 2 to Senate Bill 2194; Senate Floor Amendment No. 1 to Senate Bill 2243; Senate Floor Amendment No. 2 to Senate Bill 2256; Senate Committee Amendment No. 1 to House Bill 2327.

State Government and Veterans Affairs: Senate Floor Amendment No. 1 to Senate Bill 205; Senate Floor Amendment No. 1 to Senate Bill 206; Senate Floor Amendment No. 3 to Senate Bill 1323; Senate Floor Amendment No. 4 to Senate Bill 1323; Senate Floor Amendment No. 5 to Senate Bill 1868; Senate Floor Amendment No. 1 to Senate Bill 1988; 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 2197; Senate Floor Amendment No. 1 to Senate Bill 2221; Senate Floor Amendment No. 2 to Senate Bill 2226; Senate Floor Amendment No. 3 to Senate Bill 2226; Senate Floor Amendment No. 1 to Senate Bill 2381.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 17, 2013 meeting, to which was referred **Senate Bill No. 1983** on April 16, 2013, reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 1983** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 17, 2013 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution 218.

The foregoing resolution was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 17, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 17, 2013 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Floor Amendment No. 1 to Senate Resolution 218

The foregoing floor amendment was placed on the Secretary's Desk.

At the hour of 2:47 o'clock p.m., Senator Harmon, presiding.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 3:50 o'clock p.m.:

Executive in Room 212
Licensed Activities and Pensions in Room 400
State Government and Veterans Affairs in Room 409

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

Insurance in Room 400
Revenue in Room 409

COMMITTEE MEETING ANNOUNCEMENTS FOR APRIL 18, 2013

The Chair announced the following committees to meet at 10:30 o'clock a.m.:

Energy in Room 212
Environment in Room 409

SENATE BILLS RECALLED

On motion of Senator Righter, **Senate Bill No. 2245** was recalled from the order of third reading to the order of second reading.

Senator Righter offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2245

AMENDMENT NO. 2. Amend Senate Bill 2245, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The University of Illinois Act is amended by adding Section 85 as follows:
(110 ILCS 305/85 new)

Sec. 85. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an

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honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board of Trustees shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 10. The Southern Illinois University Management Act is amended by adding Section 70 as follows:

(110 ILCS 520/70 new)

Sec. 70. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 15. The Chicago State University Law is amended by adding Section 5-180 as follows:

(110 ILCS 660/5-180 new)

Sec. 5-180. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 20. The Eastern Illinois University Law is amended by adding Section 10-180 as follows:

(110 ILCS 665/10-180 new)

Sec. 10-180. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 25. The Governors State University Law is amended by adding Section 15-180 as follows:

(110 ILCS 670/15-180 new)

Sec. 15-180. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 30. The Illinois State University Law is amended by adding Section 20-185 as follows:

(110 ILCS 675/20-185 new)

Sec. 20-185. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 35. The Northeastern Illinois University Law is amended by adding Section 25-180 as follows:

(110 ILCS 680/25-180 new)

Sec. 25-180. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 40. The Northern Illinois University Law is amended by adding Section 30-190 as follows:

(110 ILCS 685/30-190 new)

Sec. 30-190. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree

and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 45. The Western Illinois University Law is amended by adding Section 35-185 as follows:

(110 ILCS 690/35-185 new)

Sec. 35-185. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) The Board shall give the earliest possible enrollment opportunity that the University offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by the University after the student's eligibility to receive benefits has been verified by the University.

Section 50. The Public Community College Act is amended by adding Section 3-29.10 as follows:

(110 ILCS 805/3-29.10 new)

Sec. 3-29.10. Priority enrollment; service member or veteran.

(a) For the purposes of this Section:

"Service member" means a resident of this State who is a member of any component of the U.S. Armed Forces, including any reserve component, or the National Guard of any state, the District of Columbia, a commonwealth, or a territory of the United States and who is eligible to receive military educational benefits.

"Veteran" means a resident of this State who was a service member and who has received an honorable discharge, a general discharge, or an other than honorable discharge.

(b) A board shall give the earliest possible enrollment opportunity that a community college offers to a service member or veteran.

(c) The priority enrollment provided pursuant to this Section shall apply to enrollment for all degree and certificate programs offered by a community college after the student's eligibility to receive benefits has been verified by the community college."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Barickman, **Senate Bill No. 2270** was recalled from the order of third reading to the order of second reading.

Senator Barickman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2270

AMENDMENT NO. 1. Amend Senate Bill 2270 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 2012 is amended by changing Section 36-1 as follows:

(720 ILCS 5/36-1) (from Ch. 38, par. 36-1)

Sec. 36-1. Seizure. Any vessel, vehicle or aircraft used with the knowledge and consent of the owner in the commission of, or in the attempt to commit as defined in Section 8-4 of this Code, an offense prohibited by (a) Section 9-1, 9-3, 10-2, 11-1.20, 11-1.30, 11-1.40, 11-6, 11-14.4 except for keeping a place of juvenile prostitution, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.6, 12-7.3, 12-7.4, 12-13, 12-14, 16-1 if the theft is of precious metal or of scrap metal, 18-2, 19-1, 19-2, 19-3, 20-1, 20-2, 24-1.2, 24-1.2-5, 24-1.5, 28-1, or 29D-15.2 of this Code, subdivision (a)(1), (a)(2), (a)(4), (b)(1), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5), (e)(6), or (e)(7) of Section 12-3.05, paragraph (a) of Section 12-4 of this Code, paragraph (a) of Section 11-1.50, paragraph (a) of

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Section 12-15, paragraph (a), (c), or (d) of Section 11-1.60, or paragraphs (a), (c) or (d) of Section 12-16 of this Code, or paragraph (a)(6) or (a)(7) of Section 24-1 of this Code; (b) Section 21, 22, 23, 24 or 26 of the Cigarette Tax Act if the vessel, vehicle or aircraft contains more than 10 cartons of such cigarettes; (c) Section 28, 29 or 30 of the Cigarette Use Tax Act if the vessel, vehicle or aircraft contains more than 10 cartons of such cigarettes; (d) Section 44 of the Environmental Protection Act; (e) 11-204.1 of the Illinois Vehicle Code; (f) (1) driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof, Section 11-501.1, paragraph (b) of Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012; (2) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof and has been previously convicted of reckless homicide or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted of committing a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof and was involved in a motor vehicle accident that resulted in death, great bodily harm, or permanent disability or disfigurement to another, when the violation was a proximate cause of the death or injuries; (3) the person committed a violation of driving under the influence of alcohol or other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision for the third or subsequent time; (4) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit or a monitoring device driving permit; or (5) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy; (g) an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code; or (h) an offense described in subsection (e) of Section 6-101 of the Illinois Vehicle Code; may be seized and delivered forthwith to the sheriff of the county of seizure.

Any vehicle used with the knowledge and consent of the owner in the commission of, or in the attempt to commit as defined in Section 8-4 of this Code, two or more instances, within 90 days, of aggravated home repair fraud, as defined in Section 5 of the Home Repair Fraud Act, may be seized and delivered forthwith to the sheriff of the county of seizure.

Within 15 days after such delivery the sheriff shall give notice of seizure to each person according to the following method: Upon each such person whose right, title or interest is of record in the office of the Secretary of State, the Secretary of Transportation, the Administrator of the Federal Aviation Agency, or any other Department of this State, or any other state of the United States if such vessel, vehicle or aircraft is required to be so registered, as the case may be, by mailing a copy of the notice by certified mail to the address as given upon the records of the Secretary of State, the Department of Aeronautics, Department of Public Works and Buildings or any other Department of this State or the United States if such vessel, vehicle or aircraft is required to be so registered. Within that 15 day period the sheriff shall also notify the State's Attorney of the county of seizure about the seizure.

In addition, any mobile or portable equipment used in the commission of an act which is in violation of Section 7g of the Metropolitan Water Reclamation District Act shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vessels, vehicles and aircraft, and any such equipment shall be deemed a vessel, vehicle or aircraft for purposes of this Article.

When a person discharges a firearm at another individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm to that individual and as a result causes death or great bodily harm to that individual, the vehicle shall be subject to seizure and forfeiture under the same procedures provided in this Article for the seizure and forfeiture of vehicles used in violations of clauses (a), (b), (c), or (d) of this Section.

If the spouse of the owner of a vehicle seized for an offense described in subsection (g) of Section 6-303 of the Illinois Vehicle Code, a violation of subdivision (d)(1)(A), (d)(1)(D), (d)(1)(G), (d)(1)(H), or (d)(1)(I) of Section 11-501 of the Illinois Vehicle Code, or Section 9-3 of this Code makes a showing that the seized vehicle is the only source of transportation and it is determined that the financial hardship to the family as a result of the seizure outweighs the benefit to the State from the seizure, the vehicle may be forfeited to the spouse or family member and the title to the vehicle shall be transferred to the spouse or family member who is properly licensed and who requires the use of the vehicle for

employment or family transportation purposes. A written declaration of forfeiture of a vehicle under this Section shall be sufficient cause for the title to be transferred to the spouse or family member. The provisions of this paragraph shall apply only to one forfeiture per vehicle. If the vehicle is the subject of a subsequent forfeiture proceeding by virtue of a subsequent conviction of either spouse or the family member, the spouse or family member to whom the vehicle was forfeited under the first forfeiture proceeding may not utilize the provisions of this paragraph in another forfeiture proceeding. If the owner of the vehicle seized owns more than one vehicle, the procedure set out in this paragraph may be used for only one vehicle.

Property declared contraband under Section 40 of the Illinois Streetgang Terrorism Omnibus Prevention Act may be seized and forfeited under this Article.

(Source: P.A. 96-313, eff. 1-1-10; 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1267, eff. 7-26-10; 96-1289, eff. 1-1-11; 96-1551, Article 1, Section 960, eff. 7-1-11; 96-1551, Article 2, Section 1035, eff. 7-1-11; 97-333, eff. 8-12-11; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13.)".

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.

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. 226

A bill for AN ACT concerning elections.

HOUSE BILL NO. 490

A bill for AN ACT concerning education.

HOUSE BILL NO. 494

A bill for AN ACT concerning education.

HOUSE BILL NO. 513

A bill for AN ACT concerning education.

HOUSE BILL NO. 630

A bill for AN ACT concerning liquor.

HOUSE BILL NO. 806

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1604

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 1810

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 2716

A bill for AN ACT concerning local government.

HOUSE BILL NO. 2856

A bill for AN ACT concerning local government.

Passed the House, April 17, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 226, 490, 494, 513, 630, 806, 1604, 1810, 2716 and 2856** 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:

[April 17, 2013]

HOUSE BILL NO. 1217
 A bill for AN ACT concerning regulation.
 HOUSE BILL NO. 1648
 A bill for AN ACT concerning animals.
 HOUSE BILL NO. 1650
 A bill for AN ACT concerning fish.
 HOUSE BILL NO. 1815
 A bill for AN ACT concerning transportation.
 HOUSE BILL NO. 3006
 A bill for AN ACT concerning local government.
 HOUSE BILL NO. 3207
 A bill for AN ACT concerning local government.
 Passed the House, April 17, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1217, 1648, 1650, 1815, 3006 and 3207** were taken up, ordered printed and placed on first reading.

SENATE BILL RECALLED

On motion of Senator Steans, **Senate Bill No. 2353** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendment No. 1 was postponed in the Committee on Public Health.

Senator Steans offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2353

AMENDMENT NO. 2. Amend Senate Bill 2353 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing Home Care Act is amended by changing Sections 3-208 and 3-304.1 as follows:

(210 ILCS 45/3-208) (from Ch. 111 1/2, par. 4153-208)

Sec. 3-208. (a) Each licensee shall file annually, or more often as the Director shall by rule prescribe, an attested financial statement. The Director may order an audited financial statement of a particular facility by an auditor of the Director's choice, provided the cost of such audit is paid by the Department.

(b) No public funds shall be expended for the maintenance of any resident in a facility which has failed to file the financial statement required under this Section and no public funds shall be paid to or on behalf of a facility which has failed to file a statement.

(c) The Director of Public Health and the Director of Healthcare and Family Services shall promulgate under Sections 3-801 and 3-802, one set of regulations for the filing of these financial statements, and shall provide in these regulations for forms, required information, intervals and dates of filing and such other provisions as they may deem necessary.

(c-5) A facility which is owned by a chain organization as defined by the Centers for Medicare and Medicaid Services shall submit annually to the Department a copy of the Home Office Cost Statement required to be submitted by the home office of the chain to the United States Department of Health and Human Services. This Home Office Cost Statement contains proprietary, privileged, and confidential information that shall not be placed on the World Wide Web. Any request from the public received by any public agency to disclose this Home Office Cost Statement shall be subject to the provisions of the Freedom of Information Act.

(d) The Director of Public Health and the Director of Healthcare and Family Services shall seek the advice and comments of other State and federal agencies which require the submission of financial data from facilities licensed under this Act and shall incorporate the information requirements of these agencies so as to impose the least possible burden on licensees. No other State agency may require submission of financial data except as expressly authorized by law or as necessary to meet requirements of federal statutes or regulations. Information obtained under this Section shall be made available, upon request, by the Department to any other State agency or legislative commission to which such information is necessary for investigations or required for the purposes of State or federal law or

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regulation.

(Source: P.A. 95-331, eff. 8-21-07.)

(210 ILCS 45/3-304.1)

Sec. 3-304.1. Public computer access to information.

(a) The Department must make information regarding nursing homes in the State available to the public in electronic form on the World Wide Web, including all of the following information:

(1) who regulates nursing homes;

(2) information in the possession of the Department that is listed in Sections 3-210 and 3-304;

(3) deficiencies and plans of correction;

(4) enforcement remedies;

(5) penalty letters;

(6) designation of penalty monies;

(7) the U.S. Department of Health and Human Services' Health Care Financing Administration special projects or federally required inspections;

(8) advisory standards;

(9) deficiency-free surveys;

(10) enforcement actions and enforcement summaries; and

(11) distressed facilities; -

(12) a link to the most recent facility cost report filed with the Department of Healthcare and Family Services;

(13) a link to the most recent Consumer Choice Information Report filed with the Department on Aging;

(14) whether the facility is part of a chain; the facility shall be deemed part of a chain if it meets criteria established by the United States Department of Health and Human Services that identify it as owned by a chain organization;

(15) whether the facility is a for-profit or not-for-profit facility; and

(16) whether the facility is or is part of a continuing care retirement community.

(b) No fee or other charge may be imposed by the Department as a condition of accessing the information.

(c) The electronic public access provided through the World Wide Web shall be in addition to any other electronic or print distribution of the information.

(d) The information shall be made available as provided in this Section in the shortest practicable time after it is publicly available in any other form.

(Source: P.A. 96-1372, eff. 7-29-10)."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Steans, **Senate Bill No. 2359** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff

Forby

Link

Radogno

Barickman

Frerichs

Luechtefeld

Raoul

Bertino-Tarrant

Haine

Manar

Rezin

Bivins

Harmon

Martinez

Righter

Brady

Harris

McCann

Rose

Bush

Hastings

McCarter

Silverstein

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| | | | |
|---------------|------------|--------------|---------------|
| Clayborne | Holmes | McConnaughay | Stadelman |
| Collins | Hunter | McGuire | Stans |
| Connelly | Hutchinson | Morrison | Sullivan |
| Cullerton, T. | Jacobs | Mulroe | Syverson |
| Cunningham | Jones, E. | Muñoz | Van Pelt |
| Delgado | Koehler | Murphy | Mr. President |
| Dillard | Kotowski | Noland | |
| Duffy | LaHood | Oberweis | |

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

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

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator McCann, **Senate Bill No. 1294** 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 1294

AMENDMENT NO. 1. Amend Senate Bill 1294 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 1-100 as follows:
(625 ILCS 5/1-100) (from Ch. 95 1/2, par. 1-100)
Sec. 1-100. Short Title. This Act may be cited as the ~~the~~ Illinois Vehicle Code.
Portions of this Act may likewise be cited by a short title as follows:
Chapters 2, 3, 4 and 5: the Illinois Vehicle Title & Registration Law.
Chapter 6: the Illinois Driver Licensing Law.
Chapter 7: the Illinois Safety and Family Financial Responsibility Law.
Chapter 11: the Illinois Rules of the Road.
Chapter 12: the Illinois Vehicle Equipment Law.
Chapter 13: the Illinois Vehicle Inspection Law.
Chapter 14: the Illinois Vehicle Equipment Safety Compact.
Chapter 15: the Illinois Size and Weight Law.
Chapter 17: the Illinois Highway Safety Law.
Chapter 18a: the Illinois Commercial Relocation of Trespassing Vehicles Law.
Chapter 18b: the Illinois Motor Carrier Safety Law.
Chapter 18c: the Illinois Commercial Transportation Law.
Chapter 18d: The Illinois Commercial Safety Towing Law.
(Source: P.A. 95-562, eff. 7-1-08.)".

Senator McCann offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1294

AMENDMENT NO. 2. Amend Senate Bill 1294, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 13-111 as follows:
(625 ILCS 5/13-111) (from Ch. 95 1/2, par. 13-111)
Sec. 13-111. Operation without certificate of safety attached; Effective date of certificate.
(a) Except as provided for in Chapter 13, no person shall operate any vehicle required to be inspected by this Chapter upon the highways of this State unless there is affixed to that vehicle a certificate of safety then in effect. The Secretary of State, State Police, and other police officers shall enforce this Section. The Department shall determine the expiration date of the certificate of safety.
The certificates, all forms and records, reports of tests and retests, and the full procedure and methods

[April 17, 2013]

of making the tests and retests, shall be in the form prescribed by the Department.

(b) Every person convicted of violating this Section is guilty of a petty offense with a minimum fine of \$95 and a maximum fine of \$250; unless the violation is contemporaneous with a motor vehicle accident, in which case the person is guilty of a Class C misdemeanor.

(Source: P.A. 88-415.)".

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 Hunter, **Senate Bill No. 1323** was recalled from the order of third reading to the order of second reading.

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

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1323

AMENDMENT NO. 2. Amend Senate Bill 1323 as follows:

on page 1, line 10, by replacing "Natural Resources" with "Commerce and Economic Opportunity".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senate Floor Amendment Nos. 3 and 4 were referred to the Committee on State Government and Veterans Affairs earlier today.

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

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. 1

A bill for AN ACT concerning alternative treatment for serious diseases causing chronic pain and debilitating conditions.

HOUSE BILL NO. 1814

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 2675

A bill for AN ACT concerning education.

Passed the House, April 17, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1, 1814 and 2675** were taken up, ordered printed and placed on first reading.

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 17, 2013]

April 17, 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 Kwame Raoul to temporarily replace Senator Kimberly Lightford as a member of the Senate Executive Committee. This appointment will automatically expire upon adjournment of the Senate Executive 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 17, 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 Donne Trotter as a member of the Senate Executive Committee. This appointment will automatically expire upon adjournment of the Senate Executive Committee.

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

cc: Senate Minority Leader Christine Radogno

At the hour of 3:03 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 7:07 o'clock p.m., the Senate resumed consideration of business.
Senator Silverstein, presiding.

REPORTS FROM STANDING COMMITTEES

[April 17, 2013]

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1229
Senate Amendment No. 1 to Senate Bill 2218

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

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Bill No. 2**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

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

Senate Amendment No. 1 to Senate Bill 205
Senate Amendment No. 3 to Senate Bill 1323
Senate Amendment No. 4 to Senate Bill 1323
Senate Amendment No. 1 to Senate Bill 1988
Senate Amendment No. 1 to Senate Bill 2105
Senate Amendment No. 1 to Senate Bill 2106
Senate Amendment No. 2 to Senate Bill 2197
Senate Amendment No. 1 to Senate Bill 2221
Senate Amendment No. 1 to Senate Bill 2381

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

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bill No. 1462**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Haine, Chairperson of the Committee on Insurance, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1718
Senate Amendment No. 1 to Senate Bill 1775
Senate Amendment No. 2 to Senate Bill 2339
Senate Amendment No. 3 to Senate Bill 2339

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Bill No. 1689**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Bills Numbered 41, 923, 1354 and 2352**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

[April 17, 2013]

Senate Amendment No. 2 to Senate Bill 494
 Senate Amendment No. 1 to Senate Bill 722
 Senate Amendment No. 1 to Senate Bill 723
 Senate Amendment No. 1 to Senate Bill 724
 Senate Amendment No. 1 to Senate Bill 1415
 Senate Amendment No. 2 to Senate Bill 1640
 Senate Amendment No. 3 to Senate Bill 1738
 Senate Amendment No. 1 to Senate Bill 1820
 Senate Amendment No. 2 to Senate Bill 2244
 Senate Amendment No. 1 to Senate Bill 2306

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

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **Senate Bills Numbered 1743 and 2169**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 333
 Senate Amendment No. 2 to Senate Bill 336
 Senate Amendment No. 1 to Senate Bill 337
 Senate Amendment No. 1 to Senate Bill 338
 Senate Amendment No. 1 to Senate Bill 1404
 Senate Amendment No. 1 to Senate Bill 1545
 Senate Amendment No. 1 to Senate Bill 1951
 Senate Amendment No. 1 to Senate Bill 2243
 Senate Amendment No. 2 to Senate Bill 2256

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

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 233

Offered by Senator Frerichs and all Senators:
 Mourns the death of Roger Ebert.

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

Senator J. Cullerton offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 232

WHEREAS, The Executive Board of the International Olympic Committee has proposed eliminating the sport of wrestling from the Summer Olympic Games beginning in 2020; and

WHEREAS, The proposal remains to be approved or disapproved by the full committee at its September 2013 general assembly; and

WHEREAS, Wrestling was one of the original sports of the ancient Greek Olympic Games in 708
 [April 17, 2013]

B.C. and of the first modern Olympic Games in 1896; it may be the world's oldest sport; and

WHEREAS, Wrestling has been a traditional strength of the United States Olympic team, with 124 medals having been awarded to the United States throughout history; and

WHEREAS, The sport of wrestling builds great strength, not only of body, but also of character, including the virtues of self-confidence, self-discipline, courage, and sportsmanship; and

WHEREAS, Wrestling has produced many outstanding national leaders, including presidents, United States supreme court justices, members of congress, and business and military leaders, as well as many outstanding leaders in Illinois; and

WHEREAS, Wrestling provides mainstream opportunities to athletes of all physical builds and body sizes, including the visually impaired, hearing impaired, and otherwise physically challenged student athletes who may not otherwise have the opportunity to participate in athletics; and

WHEREAS, Illinois has the second most high school wrestlers of any state in the nation with 17,112 high school boys and girls wrestling in the 2011-12 year; the Illinois Kids Wrestling Federation, USA Wrestling's state association in Illinois, has the largest membership in the nation within USA Wrestling, with almost 19,000 members ages 5-14 last year and a complete program of events and opportunities for wrestlers of all levels in the State; and

WHEREAS, Many of these young Illinoisians dream of representing the United States on the international stage at the Olympic Games; Illinois has produced numerous Olympic team members including Ellis Coleman, T.C. Dantzler, Jim Gruenwald, Joe Williams, Kevin Bracken, Derrick Waldroup, Michial Foy, Rob Eiter, Mike Farina, and others plus world medalists and team members in all 3 styles; and

WHEREAS, Illinois is also active in college wrestling, with 18 college programs including Division I universities Northern Illinois, Northwestern, Southern Illinois University at Edwardsville, and the University of Illinois; Division II McKendree University; Division III universities Augustana College, Elmhurst College, Knox College, North Central College, the University of Chicago, Wheaton College, and junior college programs Kennedy-King College, Lincoln College, Rend Lake College, Triton College, Waubonsee CC, Wilbur Wright College, and William Rainey Harper College; former Speaker of the House Dennis Hastert of Illinois was a college wrestler at Wheaton College and successful high school coach before entering public service; and

WHEREAS, Wrestling is so ingrained in the life and history of the United States and the State of Illinois that even the 16th U.S. president, Abraham Lincoln, was an accomplished wrestler; his prowess as a grappler earned him enshrinement in the National Wrestling Hall of Fame and he is noted to have only one defeat in approximately 300 matches over 12 years; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request that the International Olympic Committee reinstate wrestling as a core sport of the Summer Olympic Games and that the United States Olympic Committee continue to support wrestling and work actively toward the reinstatement of Olympic wrestling; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the International Olympic Committee and to the United States Olympic Committee.

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. 595

[April 17, 2013]

A bill for AN ACT concerning regulation.
HOUSE BILL NO. 827
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1344
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 1571
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 1773
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 2843
A bill for AN ACT concerning support.
HOUSE BILL NO. 3111
A bill for AN ACT concerning legal assistance.
Passed the House, April 17, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 595, 827, 1344, 1571, 1773, 2843 and 3111** 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. 1562
A bill for AN ACT concerning local government.
HOUSE BILL NO. 2453
A bill for AN ACT concerning local government.
HOUSE BILL NO. 2585
A bill for AN ACT concerning transportation.
Passed the House, April 17, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1562, 2453 and 2585** 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. 1652
A bill for AN ACT concerning wildlife.
HOUSE BILL NO. 1694
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 2762
A bill for AN ACT regarding education.
HOUSE BILL NO. 3133
A bill for AN ACT concerning education.
HOUSE BILL NO. 3260
A bill for AN ACT concerning State government.
Passed the House, April 17, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1652, 1694, 2762, 3133 and 3260** were taken up, ordered printed and placed on first reading.

[April 17, 2013]

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 25

Concurred in by the House, April 17, 2013.

TIMOTHY D. MAPES, Clerk of the House

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 724** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 724

AMENDMENT NO. 1. Amend Senate Bill 724 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Sections 4-2 and 6-2 as follows:
(235 ILCS 5/4-2) (from Ch. 43, par. 111)

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

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

Notwithstanding any other provision of this Section to the contrary, the mayor of a city with a population of 55,000 ~~50,000~~ or less or the president of a village with a population of 55,000 ~~50,000~~ or less that has an interest in the manufacture, sale, or distribution of alcoholic liquor must direct the council or board over which he or she presides to appoint, by majority vote, a person other than him or her to serve as the local liquor control commissioner. The appointment must be made within 30 days from the day on which the mayor or president takes office, and the mayor or president cannot make nominations or serve any other role in the appointment. To prevent any conflict of interest, the mayor or president with the interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Further, the appointee (i) shall be an attorney with an active license to practice law in the State of Illinois, (ii) shall not legally represent liquor license applicants or holders before the jurisdiction over which he or she presides as local liquor control commissioner or before an adjacent jurisdiction, (iii) shall not have an interest in the manufacture, sale, or distribution of alcoholic liquor, and (iv) shall not be appointed to a term to exceed the term of the mayor, president, or members of the council or board.

(Source: P.A. 97-1059, eff. 8-24-12.)

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

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

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

(1) A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.

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- (2) A person who is not of good character and reputation in the community in which he resides.
- (3) A person who is not a citizen of the United States.
- (4) A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.
- (5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.
- (6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.
- (7) A person whose license issued under this Act has been revoked for cause.
- (8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.
- (9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political subdivision, unless residency is required by local ordinance.
- (10) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.
- (10a) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois. The Commission shall permit and accept from an applicant for a license under this Act proof prepared from the Secretary of State's website that the corporation or limited liability company is in good standing and is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois.
- (11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.
- (12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.
- (13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.
- (14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall have a direct interest in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 55,000 ~~50,000~~ or less, to any alderman, member of a city council, or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected. Notwithstanding any provision of this paragraph (14) to the contrary, an alderman or member of a city council or commission, a member of a village board of trustees other than the president of the village board of trustees, or a member of a county board other than the president of a county board may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Furthermore, the mayor of a city

with a population of ~~55,000~~ ~~50,000~~ or less or the president of a village with a population of ~~55,000~~ ~~50,000~~ or less may have an interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board over which he or she presides has made a local liquor control commissioner appointment that complies with the requirements of Section 4-2 of this Act.

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

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the Criminal Code of 2012, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.

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

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

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

(Source: P.A. 96-1551, eff. 7-1-11; 97-1059, eff. 8-24-12; 97-1150, eff. 1-25-13.)

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.

APPOINTMENT MESSAGES

Appointment Message No. 0192

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

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

Title of Office: Executive Inspector General

Agency or Other Body: Office of the Secretary of State

Start Date: July 1, 2013

End Date: July 1, 2018

Name: Nathan Maddox

Residence: 2605 Manchester Dr., Springfield, IL 62704

Annual Compensation: \$115,584

[April 17, 2013]

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0193

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

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

Title of Office: Member

Agency or Other Body: Illinois State Medical Disciplinary Board

Start Date: April 15, 2013

End Date: January 1, 2015

Name: Tariq Butt

Residence: 1322 S. Plymouth Court, Chicago, IL 60605

Annual Compensation: Expenses

Per diem: Determined by the Secretary

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0194

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

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

Title of Office: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 15, 2013

End Date: December 31, 2018

Name: Richard Craig Sautter

Residence: 7658 N. Rogers Ave., Chicago, IL 60626

[April 17, 2013]

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Heather A. Steans

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0195

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

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

Title of Office: Member

Agency or Other Body: Illinois Workforce Investment Board

Start Date: April 15, 2013

End Date: July 1, 2013

Name: Teresa M. Payne

Residence: 110 Stieren Street, Farmersville, IL 62533

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Andy Manar

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0196

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

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

Title of Office: Member

Agency or Other Body: Illinois Workforce Investment Board

Start Date: April 15, 2013

End Date: July 1, 2014

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Name: Janet Payne

Residence: 518 Indiana Ave., Westville, IL 61883

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Michael W. Frerichs

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0197

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

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

Title of Office: Member

Agency or Other Body: Illinois Workforce Investment Board

Start Date: April 15, 2013

End Date: July 1, 2014

Name: Barbara Oilschlager

Residence: 818 Jeanne Court, Grayslake, IL 60030

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Melinda Bush

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0198

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

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

Title of Office: Member

Agency or Other Body: Illinois Workforce Investment Board

Start Date: April 15, 2013

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End Date: July 1, 2014

Name: Lawrence M. Walsh

Residence: 18801 W. Brown Rd., Elwood, IL 60421

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Pat McGuire

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

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

At the hour of 7:17 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, April 18, 2013, at 12:30 o'clock p.m.

[April 17, 2013]