SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

105TH LEGISLATIVE DAY

THURSDAY, APRIL 3, 2014

10:36 O'CLOCK A.M.

NO. 105
[April 3, 2014]

SENATE
Daily Journal Index
105th Legislative Day

The Senate met pursuant to adjournment.
Senator Terry Link, Waukegan, Illinois, presiding.
Prayer by Pastor Travis Spencer, The Fields Church, Mattoon, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, April 2, 2014, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Local Government Consolidation Commission Report, April 2, 2014, submitted by the Local Government Consolidation Commission.

Report designating Grand Ridge Energy Storage LLC as an Illinois High Impact Business, submitted by the Department of Commerce and Economic Opportunity.

Safe Routes to School Construction Program Report, submitted by the Department of Transportation.

FY 2015 GAAP Report, submitted by the Commission on Government Forecasting and Accountability.

ICC 2013 Annual Report on Accidents/Incidents Involving Hazardous Materials on Railroads in Illinois, submitted by the Illinois Commerce Commission.

Crossing Safety Improvement Program FY 2015-2019 Plan, submitted by the Illinois Commerce Commission.

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

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. 1 to Senate Bill 121
Senate Floor Amendment No. 1 to Senate Bill 226
Senate Floor Amendment No. 1 to Senate Bill 227
Senate Floor Amendment No. 1 to Senate Bill 505
Senate Floor Amendment No. 1 to Senate Bill 585
Senate Floor Amendment No. 1 to Senate Bill 588
Senate Floor Amendment No. 1 to Senate Bill 643
Senate Floor Amendment No. 1 to Senate Bill 644
Senate Floor Amendment No. 2 to Senate Bill 1999
Senate Floor Amendment No. 1 to Senate Bill 2002
Senate Floor Amendment No. 1 to Senate Bill 2014
Senate Floor Amendment No. 1 to Senate Bill 2015
Senate Floor Amendment No. 4 to Senate Bill 2586
Senate Floor Amendment No. 1 to Senate Bill 2620
Senate Floor Amendment No. 2 to Senate Bill 2628
Senate Floor Amendment No. 1 to Senate Bill 2650
Senate Floor Amendment No. 2 to Senate Bill 2764
Senate Floor Amendment No. 3 to Senate Bill 2846
Senate Floor Amendment No. 3 to Senate Bill 3108

Senate Floor Amendment No. 1 to Senate Bill 3109
Senate Floor Amendment No. 1 to Senate Bill 3144
Senate Floor Amendment No. 2 to Senate Bill 3306
Senate Floor Amendment No. 3 to Senate Bill 3312
Senate Floor Amendment No. 2 to Senate Bill 3433
Senate Floor Amendment No. 1 to Senate Bill 3513

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1071

Offered by Senator Rose and all Senators:
Mourns the death of Roy C. Shuff of Shelbyville.

SENATE RESOLUTION NO. 1072

Offered by Senator Lightford and all Senators:
Mourns the death of Bishop Glaudis Lawrence III.

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

REPORT FROM STANDING COMMITTEE

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **Senate Bills Numbered 3316, 3382 and 3397,** 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. 1 to Senate Bill 219
Senate Amendment No. 1 to Senate Bill 348
Senate Amendment No. 2 to Senate Bill 1740
Senate Amendment No. 1 to Senate Bill 2698
Senate Amendment No. 2 to Senate Bill 3342

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

COMMITTEE REPORT CORRECTION

On April 2, 2014, the Senate Committee on Criminal Law omitted Senate Bill 2651 from its report to the Senate. Senate Bill 2651 is reported to the Senate with a recommendation of "do pass, as amended."

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3251, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3819, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4093, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4223, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4381, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4525, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4663, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5288, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5415, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5491, sponsored by Senator Biss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5682, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5685, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5688, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5755, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5828, sponsored by Senator Rose, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5899, sponsored by Senator McConnaughay, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5935, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5950, sponsored by Senator Murphy, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5990, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Mulroe, **Senate Bill No. 1724** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1724

AMENDMENT NO. 1. Amend Senate Bill 1724 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by adding Section 2-214 as follows:
(735 ILCS 5/2-214 new)
Sec. 2-214. Service of process on parties that use a post office box.
(a) If a person, corporation, or agent or officer of a corporation uses a post office box as a principal mailing address, the court may enter an order allowing service of process by having a person authorized to serve process under Section 2-202 of this Code mail a copy of the process via both regular and certified mail.
(b) Before an order may be entered allowing service of process in the manner provided under this Section:
(1) a petition asking for leave to serve process as provided in this Section shall be filed, and shall have attached to it an affidavit, executed by the person authorized to serve process, confirming that (i) the person, corporation, or agent or officer of the corporation uses a post office box as a principal mailing address; and (ii) the person serving the process has been unable to serve process by other means; and
(2) the court shall consider whether service as provided in this Section will result in substantial justice to the parties, taking into account the following:
(A) evidence of a fraudulent business address of the party to be served;
(B) repeated unsuccessful attempts to locate the party to be served;
(C) repeated unsuccessful attempts to accomplish service of process;
(D) the nature of the case; and
(E) any other factor the court deems relevant.".

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

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1724

AMENDMENT NO. 3. Amend Senate Bill 1724, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Section 3-611 as follows:
(405 ILCS 5/3-611) (from Ch. 91 1/2, par. 3-611)
Sec. 3-611. Within 24 hours, excluding Saturdays, Sundays and holidays, after the respondent's admission under this Article, the facility director of the facility shall file 2 copies of the petition, the first certificate, and proof of service of the petition and statement of rights upon the respondent with the court in the county in which the facility is located. Upon completion of the second certificate, the facility director shall promptly file it with the court and provide a copy to the respondent. The facility director shall make copies of the certificates available to the attorneys for the parties upon request. Upon the filing of the petition and first certificate, the court shall set a hearing to be held within 5 days, excluding Saturdays, Sundays and holidays, after receipt of the petition. The court shall direct that notice of the time and place of the hearing be served upon the respondent, his responsible relatives, and the persons entitled to receive a copy of the petition pursuant to Section 3-609.
(Source: P.A. 80-1414.)

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. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Bertino-Tarrant, **Senate Bill No. 2698** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2698

AMENDMENT NO. 1. Amend Senate Bill 2698 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by adding Section 224 as follows:
(35 ILCS 5/224 new)

Sec. 224. Credit for hiring a long-term unemployed person.

(a) For each taxable year beginning on or after January 1, 2015, each taxpayer who employs a long-term unemployed person during the taxable year is entitled to a credit against the tax imposed by subsections (a) and (b) of Section 201 of this Act as provided in this Section. The amount of the credit is as follows: (1) $500 in the taxable year in which the long-term unemployed person is initially hired by the taxpayer; (2) $750 in the first taxable year after the long-term unemployed person is initially hired by the taxpayer; and (3) $1,250 in the second taxable year after the long-term unemployed person is initially hired by the taxpayer. If the long-term unemployed person is employed by the taxpayer for only part of a taxable year, then the amount of the credit shall be the maximum credit allowed under this subsection (a) for the taxable year, multiplied by a fraction, the numerator of which is the number of weeks during the taxable year in which the person is employed by the taxpayer, and the denominator of which shall be the total number of weeks in the taxable year.

(b) For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

(c) In no event shall a credit under this Section reduce the taxpayer's liability to less than zero. If the amount of the credit exceeds the tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The tax credit shall be applied to the earliest year for which there is a tax liability. If there are credits for more than one year that are available to offset a liability, the earlier credit shall be applied first.

(d) For the purposes of this Section:

"Long-term unemployed person" means an individual who:

(1) was unemployed for a period of at least 27 consecutive weeks ending on the Saturday immediately preceding the date he or she was hired by the taxpayer;

(2) was an Illinois resident on the date he or she was hired by the taxpayer;

(3) is employed by the taxpayer during the taxable year as a full-time employee; and

(4) was not enrolled as a full-time student at a public or private high school, community college, or university at any point during the 27-week period immediately preceding the date he or she was hired by the taxpayer.

"Full-time employee" means an individual who is employed for a wage of at least $10 per hour for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization is a full-time employee if he or she is employed in the service of the taxpayer for a wage of at least $10 per hour for at least 35 hours each week or renders any other standard of service generally accepted by industry custom or practice as full-time employment.

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

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 Morrison, **Senate Bill No. 2731** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Special Committee on Watercraft Safety, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2731

AMENDMENT NO. 1. Amend Senate Bill 2731 as follows:

on page 2, line 13, by deleting "red or"; and

on page 2, line 14, after "displayed" by inserting "at the highest point of the area surrounding the boat's helm".

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 Haine, **Senate Bill No. 3044** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3267** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 3267

AMENDMENT NO. 2. Amend Senate Bill 3267 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 5-6-2 as follows:

(730 ILCS 5/5-6-2) (from Ch. 38, par. 1005-6-2)

Sec. 5-6-2. Incidents of Probation and of Conditional Discharge.

(a) When an offender is sentenced to probation or conditional discharge, the court shall impose a period as provided in Article 4.5 of Chapter V, and shall specify the conditions under Section 5-6-3.

(b) Multiple terms of probation imposed at the same time shall run concurrently.

(c) The court may at any time terminate probation or conditional discharge if warranted by the conduct of the offender and the ends of justice, as provided in Section 5-6-4.

(c-1) An offender shall be entitled to a time credit toward the completion of the offender's probation or conditional discharge as follows:

(1) For obtaining a high school diploma or GED: 90 days.

(2) For obtaining an associate's degree, career certificate, or vocational technical certification: 120 days.

(3) For obtaining a bachelor's degree: 180 days.

An offender's supervising officer shall promptly and as soon as practicable notify the court of the offender's right to time credits under this subsection (c-1). Upon receipt of this notification, the court shall enter an order modifying the offender's remaining period of probation or conditional discharge to reflect the time credit earned. If, before the expiration of the original period or a reduced period of probation or conditional discharge, the court after a hearing under Section 5-6-4, finds that an offender violated one or more conditions of probation or conditional discharge, the court may order that some or all of the time credit to which the offender is entitled under this Section be forfeited.

(d) Upon the expiration or termination of the period of probation or of conditional discharge, the court shall enter an order discharging the offender.

(e) The court may extend any period of probation or conditional discharge beyond the limits set forth in Article 4.5 of Chapter V upon a violation of a condition of the probation or conditional discharge, for the payment of an 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, or for the payment of restitution as provided by an order of restitution under Section 5-5-6 of this Code.

(f) The court may impose a term of probation that is concurrent or consecutive to a term of imprisonment so long as the maximum term imposed does not exceed the maximum term provided under Article 4.5 of Chapter V or Article 8 of this Chapter. The court may provide that probation may commence while an offender is on mandatory supervised release, participating in a day release program, or being monitored by an electronic monitoring device.

(Source: P.A. 94-556, eff. 9-11-05; 95-1052, eff. 7-1-09.)

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

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 Althoff, **Senate Bill No. 3276** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3322** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3322

AMENDMENT NO. 1. Amend Senate Bill 3322 on page 19, by deleting line 9; and

on page 19, line 15, by deleting "155.39,".

AMENDMENT NO. 2 TO SENATE BILL 3322

AMENDMENT NO. 2. Amend Senate Bill 3322 by replacing line 6 on page 2 through line 2 on page 3 with the following:

"The joint insurance pool shall also annually file with the Director a statement of actuarial opinion that conforms to the Actuarial Standards of Practice issued by the Actuarial Standards Board. All statements of actuarial opinion shall be issued by an independent actuary who is an associate or fellow of the Casualty Actuarial Society or of the Society of Actuaries. The statement of actuarial opinion shall include a statement ~~in a casualty actuarial society~~ that the pool's reserves are calculated in accordance with sound loss-reserving standards and adequate for the payment of claims. This opinion shall be filed no later than 150 days after the end of each fiscal year. The joint insurance pool shall be exempt from filing a statement of actuarial opinion by an independent actuary who is an associate or fellow of the Casualty Actuarial Society or of the Society of Actuaries ~~in a casualty actuarial society~~ that the joint insurance pool's reserves are in accordance with sound loss-reserving standards and payment of claims for the primary level of coverage if the joint insurance pool files with the Director, by the reporting deadline, a statement of actuarial opinion from the provider of the joint pool's aggregate coverage, reinsurance, or other similar excess insurance coverage. Any statement of actuarial opinion must be prepared by an actuary who satisfies the qualification standards set forth by the American Academy of Actuaries to issue the opinion in the particular area of actuarial practice.".

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 Haine, **Senate Bill No. 3324** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3324

AMENDMENT NO. 1. Amend Senate Bill 3324 on page 1, line 5, by replacing "and 445.4" with "445.1, and 445.4"; and

on page 31, immediately below line 14, by inserting the following:

"(215 ILCS 5/445.1) (from Ch. 73, par. 1057.1)

Sec. 445.1. Surplus Line Association of Illinois. There is hereby created a non-profit association to be known as the Surplus Line Association of Illinois. All surplus line producers shall be and must remain individual members of the Association as a condition of their holding a license as a surplus line producer in this State. The Association must perform its functions under the plan of operation established and approved under Section 445.3 and must exercise its powers through a board of directors established under Section 445.2 of this Code. The Association shall be supervised by the Director and is subject to the applicable provisions of the Illinois Insurance Code. The Association shall be authorized and have the duty to:

(1) receive, record and countersign all surplus line insurance contracts which surplus line producers are required to file with the Association under subsection (5) of Section 445;

(2) prepare monthly reports for the Director on surplus line insurance procured by its members during the preceding month in such form and providing such information as the Director may prescribe;

(3) prepare and deliver to the Director and, at the discretion of the Director, to each licensee ~~and to the Director~~ the reports of surplus line business prescribed in subsection (3) of Section 445;

(4) assess its members for costs of operations in accordance with a schedule adopted by the Board of Directors of the Association and approved by the Director;

(5) employ and retain such persons as are necessary to carry out the duties of the Association;

(6) borrow money as necessary to effect the purposes of the Association;

(7) enter contracts as necessary to effect the purposes of the Association;

(8) perform such other acts as will facilitate and encourage compliance by its members with the surplus line law of this State and rules promulgated thereunder; and

(9) provide such other services to its members as are incidental or related to the purposes of the Association. Nothing in this Act shall be construed as giving the Association any discretionary authority to enforce this Act or to withhold countersignature of insurance contracts which meet the requirements of subsection (5) of Section 445.

(Source: P.A. 83-1300.)".

AMENDMENT NO. 2 TO SENATE BILL 3324

AMENDMENT NO. 2. Amend Senate Bill 3324 as follows:

on page 2, line 21, by replacing "Within" with "For contracts of insurance effective January 1, 2015 or later, within"; and

on page 3, line 6, by replacing "Within" with "For contracts of insurance effective January 1, 2015 or later, within"; and

on page 3, line 13, by replacing "Within" with "For contracts of insurance effective January 1, 2015 or later, within"; and

on page 3, line 21, by replacing "The insured" with "For contracts of insurance effective January 1, 2015 or later, the insured".

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 Brady, **Senate Bill No. 3364** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **Senate Bill No. 3374** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3374

AMENDMENT NO. 1. Amend Senate Bill 3374 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 16-150.1 and 16-203 as follows:

(40 ILCS 5/16-150.1)

Sec. 16-150.1. Return to teaching in subject shortage area.

(a) As used in this Section, "eligible employment" means employment beginning on or after July 1, 2003 and ending no later than June 30, 2018 ~~2013~~, in a subject shortage area at a qualified school, in a position requiring certification under the law governing the certification of teachers.

As used in this Section, "qualified school" means a public elementary or secondary school that meets all of the following requirements:

(1) At the time of hiring a retired teacher under this Section, the school is experiencing a shortage of teachers in the subject shortage area for which the teacher is hired.

(2) The school district to which the school belongs has complied with the requirements of subsection (e), and the regional superintendent has certified that compliance to the System.

(3) If the school district to which the school belongs provides group health benefits for its teachers generally, substantially similar health benefits are made available for teachers participating in the program under this Section, without any limitations based on pre-existing conditions.

(b) An annuitant receiving a retirement annuity under this Article (other than a disability retirement annuity) may engage in eligible employment at a qualified school without impairing his or her retirement status or retirement annuity, subject to the following conditions:

(1) the eligible employment does not begin within the school year during which service was terminated;

(2) the annuitant has not received any early retirement incentive under Section 16-133.3, 16-133.4, or 16-133.5;

(3) if the annuitant retired before age 60 and with less than 34 years of service, the eligible employment does not begin within the year following the effective date of the retirement annuity;

(4) if the annuitant retired at age 60 or above or with 34 or more years of service, the eligible employment does not begin within the 90 days following the effective date of the retirement annuity; and

(5) before the eligible employment begins, the employer notifies the System in writing of the annuitant's desire to participate in the program established under this Section.

(c) An annuitant engaged in eligible employment in accordance with subsection (b) shall be deemed a participant in the program established under this Section for so long as he or she remains employed in eligible employment.

(d) A participant in the program established under this Section continues to be a retirement annuitant, rather than an active teacher, for all of the purposes of this Code, but shall be deemed an active teacher for other purposes, such as inclusion in a collective bargaining unit, eligibility for group health benefits, and compliance with the laws governing the employment, regulation, certification, treatment, and conduct of teachers.

With respect to an annuitant's eligible employment under this Section, neither employee nor employer contributions shall be made to the System and no additional service credit shall be earned. Eligible employment does not affect the annuitant's final average salary or the amount of the retirement annuity.

(e) Before hiring a teacher under this Section, the school district to which the school belongs must do the following:

(1) If the school district to which the school belongs has honorably dismissed, within the calendar year preceding the beginning of the school term for which it seeks to employ a retired teacher under the program established in this Section, any teachers who are legally qualified to hold positions in the subject shortage area and have not yet begun to receive their retirement annuities under this Article, the vacant positions must first be tendered to those teachers.

(2) For a period of at least 90 days during the 6 months preceding the beginning of either the fall or spring term for which it seeks to employ a retired teacher under the program established in this Section, the school district must, on an ongoing basis, both (i) advertise its vacancies in the subject shortage area in a newspaper of general circulation in the area in which the school is located and in employment bulletins published by college and university placement offices located near the school; and (ii) search for teachers legally qualified to fill those vacancies through the Illinois Education Job Bank.

The school district must submit documentation of its compliance with this subsection to the regional superintendent. Upon receiving satisfactory documentation from the school district, the regional superintendent shall certify the district's compliance with this subsection to the System.

(f) This Section applies without regard to whether the annuitant was in service on or after the effective date of this amendatory Act of the 93rd General Assembly.

(Source: P.A. 94-129, eff. 7-7-05; 95-910, eff. 8-26-08.)

(40 ILCS 5/16-203)

(Text of Section before amendment by P.A. 98-599)

Sec. 16-203. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after June 1, 2005 (the effective date of Public Act 94-4). "New benefit increase", however, does not include any benefit increase resulting from the changes made to this Article by Public Act 95-910 or by this amendatory Act of the 98th General Assembly ~~this amendatory Act of the 95th General Assembly~~.

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection. The Commission on Government Forecasting and Accountability shall analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Financial and Professional Regulation. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including without limitation a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.

(Source: P.A. 94-4, eff. 6-1-05; 95-910, eff. 8-26-08.)

(Text of Section after amendment by P.A. 98-599)

Sec. 16-203. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article, that results from an amendment to this Code that takes effect after June 1, 2005 (the effective date of Public Act 94-4). "New benefit increase", however, does not include any benefit increase resulting from the changes made to this Article by Public Acts ~~Act~~ 95-910 or 98-599 or by this amendatory Act of the 98th General Assembly ~~or by this amendatory Act of the 98th General Assembly~~.

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection. The Commission on Government Forecasting and Accountability shall analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Insurance. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including without limitation a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.

(Source: P.A. 98-599, eff. 6-1-14.)

Section 90. The State Mandates Act is amended by adding Section 8.38 as follows:

(30 ILCS 805/8.38 new)

Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 98th General Assembly.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

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

On motion of Senator Haine, **Senate Bill No. 3402** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **Senate Bill No. 3456** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 3503** having been printed, was taken up, read by title a second time.

Senate Committee Amendment No. 1 was postponed in the Committee on Local Government.

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

AMENDMENT NO. 2 TO SENATE BILL 3503

AMENDMENT NO. 2. Amend Senate Bill 3503 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 6-10, 6-60, and 16-55 and by adding Sections 2-85, 4-17, 9-147, 9-163, and 16-86 as follows:

(35 ILCS 200/2-85 new)

Sec. 2-85. Taxpayer entitled to statement of assessment process. In a county with a population of more than 300,000 but less than 3,000,000 inhabitants, the township assessor or chief county assessment officer, when requested, shall deliver to any person a copy of the description or statement of property assessed in his or her name or in which he or she holds ownership interest, and the valuation placed thereon by the assessor for the most recent taxable year. The description shall include the method by which the assessment was derived, comparable properties used to reach the assessment or to substantiate the assessment given, and other information which explains the method in which the assessment was reached. A copy of the statement shall serve as the township assessor's evidence at any appeal the taxpayer brings before the board of review. The assessor may submit further evidence in response to an appeal filed before the board of review. In lieu of a description of the method by which the assessment was derived, the township assessor may include the equalization factors applied to the property and an explanation of how equalization affects the assessment. If the township assessor includes the equalization factors applied to the property and an explanation of how equalization affects the assessment, the person requesting the statement may request an additional statement setting forth the method by which the assessment was derived. A copy of the statement shall serve as the township assessor's initial evidence at any appeal the taxpayer brings before the board of review. The assessor may submit further evidence in response to an appeal filed before the board of review. Notice of the requesting party's right to obtain a statement under this Section shall be included with the assessment notice provided under Sections 12-30 or 12-55.

(35 ILCS 200/4-17 new)

Sec. 4-17. Continuing education. Beginning on January 1, 2016, each of the following officials shall complete a minimum of 15 continuing education hours each year: (i) each supervisor of assessments; (ii) each assessor; (iii) each deputy assessor; and (iv) each member of a board of review. The Department shall designate and approve acceptable courses and specify procedures for certifying the completion of those continuing education hours. If a supervisor of assessments, assessor, deputy assessor, or member of a board of review holds a Certified Illinois Assessing Officer certificate from the Illinois Property

Assessment Institute, or a professional designation by any other appraisal or assessing association approved by the Department that requires at least 15 hours of continuing education as a requirement for maintaining that designation, then that supervisor of assessments, assessor, deputy assessor, or member of a board of review shall be deemed to be in compliance with this Section.

(35 ILCS 200/6-10)

Sec. 6-10. Examination requirement; counties ~~Counties~~ of 100,000 or more. In any county to which Section 6-5 applies and which has 100,000 or more inhabitants, no person may serve on the board of review who has not passed an examination prepared and administered by the Department to determine his or her competence to hold the office. The examination shall be conducted by the Department at some convenient location in the county. The Department may provide by rule the maximum time that the name of a person who has passed the examination will be included on a list of persons eligible for appointment or election. The county board of any other county may, by resolution, impose a like requirement in its county. In counties with less than 100,000 inhabitants, the members of the board of review shall within one year of taking office successfully complete a basic course in assessment practice approved by the Department. In counties with 3,000,000 or more inhabitants, the members of the board of review shall successfully complete a basic course in assessment practice, approved by the Department, within one year after taking office. The county board may, by ordinance or resolution, determine other qualifications a person shall possess prior to their appointment to a board of review above and beyond the requirements of this Section.

(Source: P.A. 88-455; incorporates 88-221; 88-670, eff. 12-2-94; 89-126, eff. 7-11-95; 89-671, eff. 8-14-96.)

(35 ILCS 200/6-60)

Sec. 6-60. Rules and procedures. The board of review in every county with less than 3,000,000 inhabitants must make available to the public a detailed description of the rules and procedures for hearings before the board. This description must include an explanation of any applicable burdens of proof, rules of evidence, timelines, the method by which a member or additional member is assigned to a hearing, and any other procedures that will allow the taxpayer to effectively present his or her case before the board. If a county Internet website exists, the rules and procedures must also be published on that website.

The board of review shall publish guidelines for residential property appeals. Those guidelines shall provide information about the most appropriate types of evidence that may be used to support an appeal, the process and timeline for appeals, and how the board conducts appeals. These guidelines shall be published on the board's website or on the county website if no board of review website exists.

(Source: P.A. 96-122, eff. 1-1-10.)

(35 ILCS 200/9-147 new)

Sec. 9-147. Method of assessment. Township assessors shall inform the supervisor of assessments of the type of software or other method by which assessments are conducted in the township. If a township Internet website exists, this information shall be published on that website. If a township Internet website does not exist and a county Internet website exists, the supervisor of assessments shall publish this information on the county website.

(35 ILCS 200/9-163 new)

Sec. 9-163. Increase in equalized assessed value. Notwithstanding any other provision of law, in a county of more than 300,000 but less than 3,000,000 residents, if the equalized assessed value of any property increases by more than 15% over the equalized assessed value of that property in the previous assessment year, and if that increase is not attributable to new construction or improvements on the property, then the assessor shall include that property on a list maintained by the assessor of all such properties for the taxable year. That list shall be transmitted to the chief county assessment officer with the assessment books for that taxable year.

(35 ILCS 200/16-55)

Sec. 16-55. Complaints.

(a) On written complaint that any property is overassessed or underassessed, the board shall review the assessment, and correct it, as appears to be just, but in no case shall the property be assessed at a higher percentage of fair cash value than other property in the assessment district prior to equalization by the board or the Department.

(b) The board shall include compulsory sales in reviewing and correcting assessments, including, but not limited to, those compulsory sales submitted by the taxpayer, if the board determines that those sales reflect the same property characteristics and condition as those originally used to make the assessment. The board shall also consider whether the compulsory sale would otherwise be considered an arm's length transaction.

(c) If a complaint is filed by an attorney on behalf of a taxpayer, all notices and correspondence from the board relating to the appeal shall be directed to the attorney. The board may require proof of the attorney's authority to represent the taxpayer. If the attorney fails to provide proof of authority within the compliance period granted by the board pursuant to subsection (d), the board may dismiss the complaint. The Board shall send, electronically or by mail, notice of the dismissal to the attorney and taxpayer.

(d) A complaint to affect the assessment for the current year shall be filed on or before 30 calendar days after the date of publication of the assessment list under Section 12-10. Upon receipt of a written complaint that is timely filed under this Section, the board of review shall docket the complaint. If the complaint does not comply with the board of review rules adopted under Section 9-5 entitling the complainant to a hearing, the board shall send, electronically or by mail, notification acknowledging receipt of the complaint. The notification must identify which rules have not been complied with and provide the complainant with not less than 10 business days to bring the complaint into compliance with those rules. If the complainant complies with the board of review rules either upon the initial filing of a complaint or within the time as extended by the board of review for compliance, then the board of review shall send, electronically or by mail, a notice of hearing and the board shall hear the complaint and shall issue and send, electronically or by mail, a decision upon resolution. Except as otherwise provided in subsection (c), if the complainant has not complied with the rules within the time as extended by the board of review, the board shall nonetheless issue and send a decision. The board of review may adopt rules allowing any party to attend and participate in a hearing by telephone or electronically.

(e) The board may also, at any time before its revision of the assessments is completed in every year, increase, reduce or otherwise adjust the assessment of any property, making changes in the valuation as may be just, and shall have full power over the assessment of any person and may do anything in regard thereto that it may deem necessary to make a just assessment, but the property shall not be assessed at a higher percentage of fair cash value than the assessed valuation of other property in the assessment district prior to equalization by the board or the Department.

(f) No assessment shall be increased until the person to be affected has been notified and given an opportunity to be heard, except as provided below.

(g) Before making any reduction in assessments of its own motion, the board of review shall give notice to the assessor or chief county assessment officer who certified the assessment, and give the assessor or chief county assessment officer an opportunity to be heard thereon.

(g-10) Upon request of the assessor or chief county assessment officer who made the original assessment, the board of review shall provide a written explanation to that assessor or chief county assessment officer setting forth the board's reasoning for an assessment reduction for reductions that occur as a result of an appeal.

(h) All complaints of errors in assessments of property shall be in writing, and shall be filed by the complaining party with the board of review, in duplicate. The duplicate shall be filed by the board of review with the assessor or chief county assessment officer who certified the assessment.

(i) In all cases where a change in assessed valuation of $100,000 or more is sought, the board of review shall also serve a copy of the petition on all taxing districts as shown on the last available tax bill at least 14 days prior to the hearing on the complaint. All taxing districts shall have an opportunity to be heard on the complaint.

(j) Complaints shall be classified by townships or taxing districts by the clerk of the board of review. All classes of complaints shall be docketed numerically, each in its own class, in the order in which they are presented, in books kept for that purpose, which books shall be open to public inspection. Complaints shall be considered by townships or taxing districts until all complaints have been heard and passed upon by the board.

(Source: P.A. 97-812, eff. 7-13-12; 98-322, eff. 8-12-13.)

(35 ILCS 200/16-86 new)

Sec. 16-86. List of reduced assessments. At the time of the certification of the assessment books as provided under Section 16-85, the chief county assessment officer shall cause to be published on the county's website a report of all equalized assessed valuations reduced from the township assessor's valuation in the aggregate by class of property, organized by township if the county is so organized.

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

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 Haine, **Senate Bill No. 3504** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **Senate Bill No. 3557** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 3557

AMENDMENT NO. 2. Amend Senate Bill 3557 on page 3 by replacing lines 14 through 22 with the following:

"(e) A person conducting business under an assumed name in a county with more than 4,000,000 inhabitants shall renew the certificate filed under subsection (a) every 5 years after the initial filing. Certificates on record as the effective date of this amendatory Act of the 98th General Assembly shall be renewed within 5 years after that effective date by a date established by the County Clerk of the county in which the certificate is filed. The County Clerk shall notify the person or persons of the renewal date at least 90 days before the renewal date. If the notice sent by the County Clerk is sent to an address set forth in the assumed name certificate, as amended, and the notice is returned as undeliverable at that address, the County Clerk may at his or her discretion cancel that certificate. Failure to renew the certificate before the renewal date shall result in the cancellation of the person's assumed name in the index maintained under Section 3. The county Clerk shall collect a fee of $25 at the time of each renewal. By ordinance of its governing board, a county with fewer than 4,000,000 inhabitants may adopt this subsection, making its provisions applicable to that county as if its population exceeded 4,000,000 inhabitants.".

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 Kotowski, **Senate Bill No. 3563** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3563

AMENDMENT NO. 1. Amend Senate Bill 3563 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 8-11-6a as follows:

(65 ILCS 5/8-11-6a) (from Ch. 24, par. 8-11-6a)

Sec. 8-11-6a. Home rule municipalities; preemption of certain taxes. Except as provided in Sections 8-11-1, 8-11-5, 8-11-6, 8-11-6b, 8-11-6c, and 11-74.3-6 on and after September 1, 1990, no home rule municipality has the authority to impose, pursuant to its home rule authority, a retailer's occupation tax, service occupation tax, use tax, sales tax or other tax on the use, sale or purchase of tangible personal property based on the gross receipts from such sales or the selling or purchase price of said tangible personal property. Notwithstanding the foregoing, this Section does not preempt any home rule imposed tax such as the following: (1) a tax on alcoholic beverages, whether based on gross receipts, volume sold or any other measurement; (2) a tax based on the number of units of cigarettes or tobacco products (provided, however, that a home rule municipality that has not imposed a tax based on the number of units of cigarettes or tobacco products before July 1, 1993, shall not impose such a tax after that date); (3) a tax, however measured, based on the use of a hotel or motel room or similar facility; (4) a tax, however measured, on the sale or transfer of real property; (5) a tax, however measured, on lease receipts; (6) a tax on food prepared for immediate consumption and on alcoholic beverages sold by a business which provides for on premise consumption of said food or alcoholic beverages; or (7) other taxes not based on the selling or purchase price or gross receipts from the use, sale or purchase of tangible personal property. This Section does not preempt a home rule municipality with a population of more than 2,000,000 from imposing a tax, however measured, on the use, for consideration, of a parking lot, garage, or other parking facility. This Section is not intended to affect any existing tax on food and beverages prepared for immediate consumption on the premises where the sale occurs, or any existing tax on alcoholic beverages, or any existing tax imposed on the charge for renting a hotel or motel room, which was in effect January

15, 1988, or any extension of the effective date of such an existing tax by ordinance of the municipality imposing the tax, which extension is hereby authorized, in any non-home rule municipality in which the imposition of such a tax has been upheld by judicial determination, nor is this Section intended to preempt the authority granted by Public Act 85-1006. Nothing in this Section shall be construed as prohibiting a home rule municipality that imposed a tax based on the number of units of cigarettes or tobacco products before July 1, 1993 from imposing a tax on either the number of units of cigarettes or tobacco products, or both, on or after July 1, 1993. The language set forth in this amendatory Act of the 98th General Assembly is intended to be a restatement and clarification of existing law. This Section is a limitation, pursuant to subsection (g) of Section 6 of Article VII of the Illinois Constitution, on the power of home rule units to tax.
(Source: P.A. 97-1168, eff. 3-8-13; 97-1169, eff. 3-8-13.)

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

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

On motion of Senator Trotter, **Senate Bill No. 1740** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1740

AMENDMENT NO. 1. Amend Senate Bill 1740 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 15-174 as follows:
(35 ILCS 200/15-174 new)
Sec. 15-174. Residential foreclosure to affordable housing assessment freeze law.
This Section may be cited as the Residential Foreclosure to Affordable Housing Assessment Freeze Law.
(a) Beginning January 1, 2014 and ending June 30, 2022, the chief county assessment officer shall reduce the assessed value of the improvements to residential real property to 10% of the assessed value of those improvements for 5 taxable years, if and only if all of the following factors have been met:
(1) the improvements are residential;
(2) the parcel was purchased or otherwise conveyed to the taxpayer after January 1 of the taxable year;
(3) the parcel was purchased by the holder of a mortgage on the foreclosed parcel that was the subject of a judicial sale which occurred after January 1, 2008, or the parcel was ordered by a court of competent jurisdiction to be deconverted in accordance with the provisions governing distressed condominiums as provided in the Condominium Property Act;
(4) the transfer from the holder of the prior mortgage to the taxpayer was an arm's length transaction, in that the taxpayer has no legal relationship to the holder of the prior mortgage;
(5) an existing, residential dwelling structure of no more than 6 units in counties with a population of 3,000,000 or more, or 12 units elsewhere in the State, is present on the parcel, and that residential dwelling was unoccupied at the time of conveyance, or the parcel, including any number of units, was ordered by a court of competent jurisdiction to be deconverted in accordance with the provisions governing distressed condominiums as provided in the Condominium Property Act;
(6) the taxpayer does not occupy or intend to occupy the residential dwelling as his or her principal residence;
(7) the taxpayer immediately secures the residential dwelling in accordance with the requirements of this Section;
(8) the rehabilitation completed by the taxpayer is sufficient to bring the improvements into compliance with Housing Quality Standards employed by the U.S. Department of Housing and Urban Development, along with all State and federal requirements, including without limitation lead based paint and asbestos remediation;
(9) rehabilitation is completed within 18 months of conveyance;
(10) the parcel is clear of unreleased liens and has no outstanding tax liabilities attached against it; and

(11) after rehabilitation is complete, the taxpayer charges no more for rent than the fair market rent for the life of the benefit conferred by this Section. "Fair Market Rent" means the annual determination made by the U.S. Department of Housing and Urban Development of the maximum allowable rent in each area that can be charged under its rental assistance programs. The Illinois Housing Development Authority (the "Authority") shall make this information available on its website.

(b) For purposes of this Section, "secure" means that:

(1) all doors and windows are closed and secured using: secure doors; windows without broken or cracked panes; commercial-quality metal security panels filled with like-kind material as the surrounding wall; or plywood installed and secured in accordance with local ordinance; at least one building entrance shall be accessible from the exterior and secured with a door that is locked to allow access only to authorized persons;

(2) all grass and weeds on the vacant residential property are maintained below 10 inches in height, unless a local ordinance imposes a lower height;

(3) debris, trash, and litter on any portion of the exterior of the vacant residential property is removed in compliance with local ordinance;

(4) fences, gates, stairs and steps that lead to the main entrance of the building are maintained in a structurally sound and reasonable manner;

(5) the property is winterized when appropriate;

(6) the exterior of the improvements are reasonably maintained to ensure the safety of passersby; and

(7) vermin and pests are regularly exterminated on the exterior and interior of the property.

(c) In order to be eligible for and receive benefits conferred by this Section, and in addition to any information required in rules promulgated by the Authority, the taxpayer must submit the following information to the Authority for review:

(1) the owner's name and, if the owner is a corporation, limited liability company, or any organization organized under the laws of the State of Illinois, a Certificate of Good Standing issued by the Secretary of State;

(2) the postal address and permanent index number of the parcel;

(3) a Certificate of Sale indicating that the judicial foreclosure sale of the parcel occurred after January 1, 2008;

(4) a deed or other instrument conveying the parcel from the foreclosure sale purchaser to the current owner;

(5) a bid from a licensed, insured, and bonded contractor for the proposed scope of work, and a cost estimate by an unrelated third party;

(6) evidence that the parcel is clear of unreleased liens and has no outstanding tax liabilities attached against it; and

(7) a sworn statement indicating that all conditions of this Section have been met, including that the rent will not exceed fair market rent, as defined in this Section, and that the property will be maintained in keeping with housing quality standards for the life of the assessment freeze period; and

(8) additional information as set forth in rules adopted by the Authority.

The Authority shall notify the taxpayer of whether or not the parcel meets the requirements of this Section. If the parcel does not meet the requirements of this Section, the Authority shall provide written notice of all deficiencies to the taxpayer, who will then have 14 days from the date of notification to provide supplemental information that shows compliance with this Section. If the taxpayer does not exercise this right to cure the deficiency, or if the information submitted, in the sole judgment of the Authority, is insufficient to meet the requirements of this Section, the Authority shall provide a full written explanation of the reasons for denial. A taxpayer may subsequently reapply for the benefit if the deficiencies are cured at a later date.

(d) If a parcel meets the requirements of this Section, the Authority or its authorized agent shall arrange to physically inspect the improvements on the parcel. Only parcels in need of substantial rehabilitation are eligible for the benefit conferred by this Section. "Substantial rehabilitation" must minimally include the replacement or renovation of at least 2 primary building systems. Although the cost of each system may vary, the combined expenditure for the systems must be at least $5 per square foot, adjusted by the Consumer Price Index for All Urban Consumers, as published annually by the U.S. Department of Labor. The following are the primary building systems, together with their related rehabilitations, specifically approved for this program:

(1) Electrical. All electrical work must comply with applicable codes, it may consist of a combination of any of the following alternatives:

(A) installing individual equipment and appliance branch circuits as required by code (the minimum being a kitchen appliance branch circuit);

(B) installing a new emergency service, including emergency lighting with all associated conduit and wiring;

(C) rewiring all existing feeder conduits ("home runs") from the main switchgear to apartment area distribution panels;

(D) installing new in-wall conduit for receptacles, switches, appliances,equipment, and fixtures;

(E) replacing power wiring for receptacles, switches, appliances, equipment and fixtures;

(F) installing new light fixtures throughout the building including closets and central areas;

(G) replacing, adding, or doing work as necessary to bring all receptacles, switches, and other electrical devices into code compliance;

(H) installing a new main service, including conduit, cables into the building, and main disconnect switch;

(I) installing new distribution panels, including all panel wiring, terminals, circuit breakers, and all other panel devices.

(2) Heating. All heating work must comply with applicable codes, it may consist of a combination of any of the following alternatives:

(A) installing a new system to replace one of the following heat distribution systems:

(i) piping and heat radiating units, including new main line venting and radiator venting; or

(ii) duct work, diffusers, and cold air returns; or

(iii) any other type of existing heat distribution and radiation/diffusion components;

(B) installing a new system to replace one of the following heat generating units:

(i) hot water/steam boiler;

(ii) gas furnace; or

(iii) any other type of existing heat generating unit.

(3) Plumbing. All plumbing work must comply with applicable codes. Replace all or a part of the in-wall supply and waste plumbing; however, main supply risers, waste stacks and vents, and code-conforming waste lines need not be replaced.

(4) Roofing. All roofing work must comply with applicable codes, it may consist of a combination of any of the following alternatives:

(A) replacing all rotted roof deck and insulation;

(B) replacing or repairing leaking roof membrane (10% is suggested minimum replacement of membrane); restoration of the entire roof is an acceptable substitute for membrane replacement.

(5) Exterior doors and windows. Replace the exterior doors and windows. Renovation of ornate entry doors is an acceptable substitute for replacement.

(6) Floors, walls, and ceilings. Finishes must be replaced or covered over with new material. The following items define replacement or covering materials acceptable under these guidelines:

(A) floors must have new carpeting, vinyl tile, ceramic, refurbished wood finish, or a similar substitute;

(B) walls must have new drywall, including joint taping and painting;

(C) new ceilings must be either drywall, suspended type, or a similar substitute.

(7) Exterior walls.

(A) replace loose or crumbling mortar and masonry with new material;

(B) replace or paint wall siding and trim as needed;

(C) bring porches and balconies to a sound condition; or

(D) any combination of (A), (B), and (C).

(8) Elevators. Where applicable, at least 4 of the following 7 alternatives must be accomplished:

(A) replace or rebuild the machine room controls and refurbish the elevator machine (or equivalent mechanisms in the case of hydraulic elevators);

(B) replace hoistway electro-mechanical items including: ropes, switches, limits, buffers, levelers, and deflector sheaves (or equivalent mechanisms in the case of hydraulic elevators);

(C) replace hoistway wiring;

(D) replace door operators and linkage;

(E) replace door panels at each opening;

(F) replace hall stations, car stations, and signal fixtures;

(G) rebuild the car shell and refinish the interior.

(9) Health and safety.

(A) install or replace fire suppression systems;

(B) install or replace security systems; and

(C) environmental remediation of lead-based paint, asbestos, leaking underground storage tanks, or radon.

(10) Energy conservation improvements undertaken to limit the amount of solar energy absorbed by a building's roof or to reduce energy use for the property, including any of the following activities:

(A) installing or replacing reflective roof coatings (flat roofs);

(B) installing or replacing R-38 roof insulation;

(C) installing or replacing R-19 perimeter wall insulation;

(D) installing or replacing insulated entry doors;

(E) installing or replacing Low E, insulated windows;

(F) installing or replacing low-flow plumbing fixtures;

(G) installing or replacing 90% sealed combustion heating systems;

(H) installing or replacing direct exhaust hot water heaters

(I) installing or replacing mechanical ventilation to exterior for kitchens and baths;

(J) installing or replacing Energy Star appliances;

(K) installing low VOC interior paints on interior finishes

(L) installing or replacing fluorescent lighting in common areas; or

(M) installing or replacing grading and landscaping to promote on-site water retention.

(e) Parcels approved under this Section shall be inspected by the Authority or its authorized agent again upon written notification by the taxpayer that rehabilitation is complete. The Authority, by rule, may require proof in the form of a contractor's sworn statement or other third party certification that the rehabilitation was completed. Upon such notification, the Authority or its authorized agent shall inspect the parcel to ensure that it meets the minimum requirements of Housing Quality Standards employed by the U.S. Department of Housing and Urban Development. No parcel will be eligible for the benefit conferred by this Section unless:

(1) the Substantial Rehabilitation was completed within 18 months of acquisition; and

(2) the improvements on the parcel for which the benefit conferred by this Section are sought were inspected by the Authority or its authorized agent prior to rehabilitation and the Authority issued written notification from the Authority that it met the requirements of this Section with regard to that inspection;

(3) the improvements on the parcel for which the benefit conferred by this Section are sought were inspected by the Authority or its authorized agent after rehabilitation and the improvements met the requirements of this Section with regard to that inspection, including that the improvements met Housing Quality Standards requirements.

(f) The Authority shall provide notification of the outcome of the final inspection to the owner and the chief county assessor. The reduction outlined in this Section shall be activated when the owner provides notice to the chief county assessment officer and county clerk that rehabilitation is complete and meets the required standards. Additional details on the activation process shall be provided in rules adopted by the Authority.

(g) An owner is eligible to apply for the benefit conferred by this Section beginning 18 months after the effective date of this Section and through December 31, 2017. If approved, the reduction will be effective for the current taxable year, which will be reflected in the tax bill issued in the following taxable year.

(h) The reduction outlined in this Section shall continue for a period of 5 years, and may not be extended or renewed for any additional period.

(i) At the completion of the assessment freeze period described here, the entire parcel will be assessed as otherwise provided in this Code.

(j) The Illinois Housing Development Authority may adopt rules and charge a reasonable application fee in connection with this Section.

(k) The benefit conferred by this Section will be effective in the event of a transfer of ownership during the period of the assessment freeze, so long as all requirements of this Section continue to be met.

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

Senator Trotter offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1740

AMENDMENT NO. 2. Amend Senate Bill 1740, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 15-174 as follows:
(35 ILCS 200/15-174 new)
Sec. 15-174. Community stabilization assessment freeze pilot program.

(a) Beginning January 1, 2015 and ending June 30, 2029 the chief county assessment officer of any county with 3,000,000 or more inhabitants may reduce the assessed value of improvements to residential real property in accordance with subsection (b) for 10 taxable years after the improvements are put in service, if and only if all of the following factors have been met:

(1) the improvements are residential;

(2) the parcel was purchased or otherwise conveyed to the taxpayer after January 1 of the taxable year;

(3) the parcel is located in a targeted area of a county with 3,000,000 or more inhabitants;

(4) for single family homes, the taxpayer occupies the improvements on the parcel as his or her primary residence; for residences of one to 6 units that will not be owner-occupied, the taxpayer replaces 2 primary building systems as outlined in this Section;

(5) the transfer from the holder of the prior mortgage to the taxpayer was an arm's length transaction, in that the taxpayer has no legal relationship to the holder of the prior mortgage;

(6) an existing residential dwelling structure of no more than 6 units on the parcel was unoccupied at the time of conveyance, or the parcel was ordered by a court of competent jurisdiction to be deconverted in accordance with the provisions governing distressed condominiums as provided in the Condominium Property Act; and

(7) the parcel is clear of unreleased liens and has no outstanding tax liabilities attached against it.

To be eligible for the benefit conferred by this Section, residential units must be owner-occupied or in need of substantial rehabilitation. "Substantial rehabilitation" means, at a minimum, compliance with local building codes and the replacement or renovation of at least 2 primary building systems. Although the cost of each primary building system may vary, the combined expenditure for making the building compliant with local codes and replacing primary building systems must be at least $5 per square foot, adjusted by the Consumer Price Index for All Urban Consumers, as published annually by the U.S. Department of Labor. "Primary building systems", together with their related rehabilitations, specifically approved for this program are:

(1) Electrical. All electrical work must comply with applicable codes, it may consist of a combination of any of the following alternatives:

(A) installing individual equipment and appliance branch circuits as required by code (the minimum being a kitchen appliance branch circuit);

(B) installing a new emergency service, including emergency lighting with all associated conduits and wiring;

(C) rewiring all existing feeder conduits ("home runs") from the main switchgear to apartment area distribution panels;

(D) installing new in-wall conduits for receptacles, switches, appliances, equipment, and fixtures;

(E) replacing power wiring for receptacles, switches, appliances, equipment, and fixtures;

(F) installing new light fixtures throughout the building including closets and central areas;

(G) replacing, adding, or doing work as necessary to bring all receptacles, switches, and other electrical devices into code compliance;

(H) installing a new main service, including conduit, cables into the building, and main disconnect switch; and

(I) installing new distribution panels, including all panel wiring, terminals, circuit breakers, and all other panel devices.

(2) Heating. All heating work must comply with applicable codes, it may consist of a combination of any of the following alternatives:

(A) installing a new system to replace one of the following heat distribution systems: (i) piping and heat radiating units, including new main line venting and radiator venting; or (ii) duct work, diffusers, and cold air returns; or (iii) any other type of existing heat distribution and radiation/diffusion components; or

(B) installing a new system to replace one of the following heat generating units: (i) hot water/steam boiler; (ii) gas furnace; or (iii) any other type of existing heat generating unit.

(3) Plumbing. All plumbing work must comply with applicable codes. Replace all or a part of the in-wall supply and waste plumbing; however, main supply risers, waste stacks and vents, and code-conforming waste lines need not be replaced.

(4) Roofing. All roofing work must comply with applicable codes, it may consist of either of the following alternatives, separately or in combination:

(A) replacing all rotted roof decks and insulation; or

(B) replacing or repairing leaking roof membranes (10% is the suggested minimum replacement of membrane); restoration of the entire roof is an acceptable substitute for membrane replacement.

(5) Exterior doors and windows. Replace the exterior doors and windows. Renovation of ornate entry doors is an acceptable substitute for replacement.

(6) Floors, walls, and ceilings. Finishes must be replaced or covered over with new material. Acceptable replacement or covering materials are as follows:

(A) floors must have new carpeting, vinyl tile, ceramic, refurbished wood finish, or a similar substitute;

(B) walls must have new drywall, including joint taping and painting; or

(C) new ceilings must be either drywall, suspended type, or a similar substitute.

(7) Exterior walls.

(A) replace loose or crumbling mortar and masonry with new material;

(B) replace or paint wall siding and trim as needed;

(C) bring porches and balconies to a sound condition; or

(D) any combination of (A), (B), and (C).

(8) Elevators. Where applicable, at least 4 of the following 7 alternatives must be accomplished:

(A) replace or rebuild the machine room controls and refurbish the elevator machine (or equivalent mechanisms in the case of hydraulic elevators);

(B) replace hoistway electro-mechanical items including: ropes, switches, limits, buffers, levelers, and deflector sheaves (or equivalent mechanisms in the case of hydraulic elevators);

(C) replace hoistway wiring;

(D) replace door operators and linkage;

(E) replace door panels at each opening;

(F) replace hall stations, car stations, and signal fixtures; or

(G) rebuild the car shell and refinish the interior.

(9) Health and safety.

(A) install or replace fire suppression systems;

(B) install or replace security systems; or

(C) environmental remediation of lead-based paint, asbestos, leaking underground storage tanks, or radon.

(10) Energy conservation improvements undertaken to limit the amount of solar energy absorbed by a building's roof or to reduce energy use for the property, including any of the following activities:

(A) installing or replacing reflective roof coatings (flat roofs);

(B) installing or replacing R-38 roof insulation;

(C) installing or replacing R-19 perimeter wall insulation;

(D) installing or replacing insulated entry doors;

(E) installing or replacing Low E, insulated windows;

(F) installing or replacing low-flow plumbing fixtures;

(G) installing or replacing 90% sealed combustion heating systems;

(H) installing or replacing direct exhaust hot water heaters;

(I) installing or replacing mechanical ventilation to exterior for kitchens and baths;

(J) installing or replacing Energy Star appliances;

(K) installing low VOC interior paints on interior finishes;

(L) installing or replacing fluorescent lighting in common areas; or

(M) installing or replacing grading and landscaping to promote on-site water retention.

(b) For the first 7 years after the improvements are placed in service, those improvements shall be valued at 10% of their assessed value. The chief county assessment officer shall increase the assessed value of the improvements to 35% of the assessed value of those improvements for the eighth taxable year, 65% of the assessed value of those improvements for the ninth taxable year, and 100% of the assessed value of those improvements for the tenth taxable year, if and only if all of the factors in subsection (a) of this Section continue to be met. The benefit will cease after the improvements have been assessed at 100% of the assessed value on the tenth taxable year.

(c) In order to receive benefits under this Section, in addition to any information required by the chief county assessment officer, the taxpayer must also submit the following information to the chief county assessment officer for review:

(1) the owner's name;

(2) the postal address and permanent index number of the parcel;

(3) a deed or other instrument conveying the parcel to the current owner;

(4) certification that the parcel was unoccupied at the time of conveyance to the current owner;

(5) evidence that the parcel is clear of unreleased liens and has no outstanding tax liabilities attached against it; and

(6) any additional information as reasonably required by the chief county assessment officer.

(d) The chief county assessment officer shall notify the taxpayer as to whether or not the parcel meets the requirements of this Section. If the parcel does not meet the requirements of this Section, the chief county assessment officer shall provide written notice of any deficiencies to the taxpayer, who will then have 14 days from the date of notification to provide supplemental information showing compliance with this Section. If the taxpayer does not exercise this right to cure the deficiency, or if the information submitted, in the sole judgment of the chief county assessment officer, is insufficient to meet the requirements of this Section, the chief county assessment officer shall provide a written explanation of the reasons for denial. A taxpayer may subsequently reapply for the benefit if the deficiencies are cured at a later date, but no later than 2019. The chief county assessment officer may charge a reasonable application fee to offset the administrative expenses associated with the program.

(e) The benefit conferred by this Section is limited as follows:

(1) The owner is eligible to apply for the benefit conferred by this Section beginning January 1, 2015 through December 31, 2019. If approved, the reduction will be effective for the current taxable year, which will be reflected in the tax bill issued in the following taxable year.

(2) The reduction outlined in this Section shall continue for a period of 10 years, and may not be extended or renewed for any additional period.

(3) At the completion of the assessment freeze period described here, the entire parcel will be assessed as otherwise provided in this Code.

(4) The benefit conferred by this Section will continue in the event of a transfer of ownership during the period of the assessment freeze, so long as all requirements of this Section continue to be met.

(f) If the taxpayer does not occupy or intend to occupy the residential dwelling as his or her principal residence, the taxpayer must:

(1) immediately secure the residential dwelling in accordance with the requirements of this Section;

(2) complete sufficient rehabilitation to bring the improvements into compliance with local building codes, including, without limitation, regulations concerning leadbased paint and asbestos remediation; and

(3) complete rehabilitation within 18 months of conveyance.

(g) For the purposes of this Section,

"Secure" means that:

(1) all doors and windows are closed and secured using secure doors, windows without broken or cracked panes, commercial-quality metal security panels filled with like-kind material as the surrounding wall, or plywood installed and secured in accordance with local ordinances; at least one building entrance shall be accessible from the exterior and secured with a door that is locked to allow access only to authorized persons;

(2) all grass and weeds on the vacant residential property are maintained below 10 inches in height, unless a local ordinance imposes a lower height;

(3) debris, trash, and litter on any portion of the exterior of the vacant residential property is removed in compliance with local ordinance;

(4) fences, gates, stairs, and steps that lead to the main entrance of the building are maintained in a structurally sound and reasonable manner;

(5) the property is winterized when appropriate;

(6) the exterior of the improvements are reasonably maintained to ensure the safety of passersby; and

(7) vermin and pests are regularly exterminated on the exterior and interior of the property.

"Targeted Area" means a census tract in a county of 3,000,000 or more where more than 10% of the residences have had at least one foreclosure filing since the 2005 calendar year, according to the 2010 federal decennial census.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Hastings, **Senate Bill No. 119** 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:

Althoff	Frerichs	McCann	Righter
Bertino-Tarrant	Haine	McConnaughay	Sandoval
Biss	Harmon	McGuire	Silverstein
Bivins	Hastings	Morrison	Steans
Brady	Holmes	Mulroe	Sullivan
Bush	Hunter	Muñoz	Syverson
Clayborne	Jacobs	Murphy	Trotter
Collins	Koehler	Noland	Mr. President
Cunningham	Kotowski	Oberweis	
Delgado	Link	Radogno	
Duffy	Manar	Raoul	
Forby	Martinez	Rezin	

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

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

SENATE BILL RECALLED

On motion of Senator Hunter, **Senate Bill No. 219** 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 219

AMENDMENT NO. 1. Amend Senate Bill 219 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Lottery Law is amended by changing Sections 2, 9.1, and 20 and by adding Section 21.9 as follows:

(20 ILCS 1605/2) (from Ch. 120, par. 1152)

Sec. 2. This Act is enacted to implement and establish within the State a lottery to be conducted by the State through the Department. The entire net proceeds of the Lottery are to be used for the support of the State's Common School Fund, except as provided in subsection (o) of Section 9.1 and Sections 21.2, 21.5, 21.6, 21.7, ~~and~~ 21.8 , and 21.9. The General Assembly finds that it is in the public interest for the Department to conduct the functions of the Lottery with the assistance of a private manager under a management agreement overseen by the Department. The Department shall be accountable to the General Assembly and the people of the State through a comprehensive system of regulation, audits, reports, and enduring operational oversight. The Department's ongoing conduct of the Lottery through a management agreement with a private manager shall act to promote and ensure the integrity, security, honesty, and fairness of the Lottery's operation and administration. It is the intent of the General Assembly that the Department shall conduct the Lottery with the assistance of a private manager under a management agreement at all times in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1), 1953(b)(4).

(Source: P.A. 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff. 10-11-07; 95-876, eff. 8-21-08; 96-34, eff. 7-13-09.)

(20 ILCS 1605/9.1)

Sec. 9.1. Private manager and management agreement.

(a) As used in this Section:

"Offeror" means a person or group of persons that responds to a request for qualifications under this Section.

"Request for qualifications" means all materials and documents prepared by the Department to solicit the following from offerors:

(1) Statements of qualifications.

(2) Proposals to enter into a management agreement, including the identity of any prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.

"Final offer" means the last proposal submitted by an offeror in response to the request for qualifications, including the identity of any prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.

"Final offeror" means the offeror ultimately selected by the Governor to be the private manager for the Lottery under subsection (h) of this Section.

(b) By September 15, 2010, the Governor shall select a private manager for the total management of the Lottery with integrated functions, such as lottery game design, supply of goods and services, and advertising and as specified in this Section.

(c) Pursuant to the terms of this subsection, the Department shall endeavor to expeditiously terminate the existing contracts in support of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly in connection with the selection of the private manager. As part of its obligation to terminate these contracts and select the private manager, the Department shall establish a mutually agreeable timetable to transfer the functions of existing contractors to the private manager so that existing Lottery operations are not materially diminished or impaired during the transition. To that end, the Department shall do the following:

(1) where such contracts contain a provision authorizing termination upon notice, the Department shall provide notice of termination to occur upon the mutually agreed timetable for transfer of functions;

(2) upon the expiration of any initial term or renewal term of the current Lottery contracts, the Department shall not renew such contract for a term extending beyond the mutually agreed timetable for transfer of functions; or

(3) in the event any current contract provides for termination of that contract upon the implementation of a contract with the private manager, the Department shall perform all necessary actions to terminate the contract on the date that coincides with the mutually agreed timetable for transfer of functions.

If the contracts to support the current operation of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly are not subject to termination as provided for in this subsection (c), then the Department may include a provision in the contract with the private manager specifying a mutually agreeable methodology for incorporation.

(c-5) The Department shall include provisions in the management agreement whereby the private manager shall, for a fee, and pursuant to a contract negotiated with the Department (the "Employee Use Contract"), utilize the services of current Department employees to assist in the administration and operation of the Lottery. The Department shall be the employer of all such bargaining unit employees assigned to perform such work for the private manager, and such employees shall be State employees, as defined by the Personnel Code. Department employees shall operate under the same employment policies, rules, regulations, and procedures, as other employees of the Department. In addition, neither historical representation rights under the Illinois Public Labor Relations Act, nor existing collective bargaining agreements, shall be disturbed by the management agreement with the private manager for the management of the Lottery.

(d) The management agreement with the private manager shall include all of the following:

(1) A term not to exceed 10 years, including any renewals.

(2) A provision specifying that the Department:

(A) shall exercise actual control over all significant business decisions;

(A-5) has the authority to direct or countermand operating decisions by the private manager at any time;

(B) has ready access at any time to information regarding Lottery operations;

(C) has the right to demand and receive information from the private manager concerning any aspect of the Lottery operations at any time; and

(D) retains ownership of all trade names, trademarks, and intellectual property associated with the Lottery.

(3) A provision imposing an affirmative duty on the private manager to provide the Department with material information and with any information the private manager reasonably believes the Department would want to know to enable the Department to conduct the Lottery.

(4) A provision requiring the private manager to provide the Department with advance notice of any operating decision that bears significantly on the public interest, including, but not limited to, decisions on the kinds of games to be offered to the public and decisions affecting the relative risk and reward of the games being offered, so the Department has a reasonable opportunity to evaluate and countermand that decision.

(5) A provision providing for compensation of the private manager that may consist of, among other things, a fee for services and a performance based bonus as consideration for managing the Lottery, including terms that may provide the private manager with an increase in compensation if Lottery revenues grow by a specified percentage in a given year.

(6) (Blank).

(7) A provision requiring the deposit of all Lottery proceeds to be deposited into the State Lottery Fund except as otherwise provided in Section 20 of this Act.

(8) A provision requiring the private manager to locate its principal office within the State.

(8-5) A provision encouraging that at least 20% of the cost of contracts entered into for goods and services by the private manager in connection with its management of the Lottery, other than contracts with sales agents or technical advisors, be awarded to businesses that are a minority owned business, a female owned business, or a business owned by a person with disability, as those terms are defined in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(9) A requirement that so long as the private manager complies with all the conditions of the agreement under the oversight of the Department, the private manager shall have the following duties and obligations with respect to the management of the Lottery:

(A) The right to use equipment and other assets used in the operation of the Lottery.

(B) The rights and obligations under contracts with retailers and vendors.

(C) The implementation of a comprehensive security program by the private manager.

(D) The implementation of a comprehensive system of internal audits.

(E) The implementation of a program by the private manager to curb compulsive gambling by persons playing the Lottery.

(F) A system for determining (i) the type of Lottery games, (ii) the method of selecting winning tickets, (iii) the manner of payment of prizes to holders of winning tickets, (iv) the frequency of drawings of winning tickets, (v) the method to be used in selling tickets, (vi) a system for verifying the validity of tickets claimed to be winning tickets, (vii) the basis upon which retailer commissions are established by the manager, and (viii) minimum payouts.

(10) A requirement that advertising and promotion must be consistent with Section 7.8a of this Act.

(11) A requirement that the private manager market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet as permitted by law.

(12) A code of ethics for the private manager's officers and employees.

(13) A requirement that the Department monitor and oversee the private manager's practices and take action that the Department considers appropriate to ensure that the private manager is in compliance with the terms of the management agreement, while allowing the manager, unless specifically prohibited by law or the management agreement, to negotiate and sign its own contracts with vendors.

(14) A provision requiring the private manager to periodically file, at least on an annual basis, appropriate financial statements in a form and manner acceptable to the Department.

(15) Cash reserves requirements.

(16) Procedural requirements for obtaining the prior approval of the Department when a management agreement or an interest in a management agreement is sold, assigned, transferred, or pledged as collateral to secure financing.

(17) Grounds for the termination of the management agreement by the Department or the private manager.

(18) Procedures for amendment of the agreement.

(19) A provision requiring the private manager to engage in an open and competitive bidding process for any procurement having a cost in excess of $50,000 that is not a part of the private manager's final offer. The process shall favor the selection of a vendor deemed to have submitted a proposal that provides the Lottery with the best overall value. The process shall not be subject to the provisions of the Illinois Procurement Code, unless specifically required by the management agreement.

(20) The transition of rights and obligations, including any associated equipment or

other assets used in the operation of the Lottery, from the manager to any successor manager of the lottery, including the Department, following the termination of or foreclosure upon the management agreement.

(21) Right of use of copyrights, trademarks, and service marks held by the Department in the name of the State. The agreement must provide that any use of them by the manager shall only be for the purpose of fulfilling its obligations under the management agreement during the term of the agreement.

(22) The disclosure of any information requested by the Department to enable it to comply with the reporting requirements and information requests provided for under subsection (p) of this Section.

(e) Notwithstanding any other law to the contrary, the Department shall select a private manager through a competitive request for qualifications process consistent with Section 20-35 of the Illinois Procurement Code, which shall take into account:

(1) the offeror's ability to market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet;

(2) the offeror's ability to address the State's concern with the social effects of gambling on those who can least afford to do so;

(3) the offeror's ability to provide the most successful management of the Lottery for the benefit of the people of the State based on current and past business practices or plans of the offeror; and

(4) the offeror's poor or inadequate past performance in servicing, equipping, operating or managing a lottery on behalf of Illinois, another State or foreign government and attracting persons who are not currently regular players of a lottery.

(f) The Department may retain the services of an advisor or advisors with significant experience in financial services or the management, operation, and procurement of goods, services, and equipment for a government-run lottery to assist in the preparation of the terms of the request for qualifications and selection of the private manager. Any prospective advisor seeking to provide services under this subsection (f) shall disclose any material business or financial relationship during the past 3 years with any potential offeror, or with a contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery. The Department shall evaluate the material business or financial relationship of each prospective advisor. The Department shall not select any prospective advisor with a substantial business or financial relationship that the Department deems to impair the objectivity of the services to be provided by the prospective advisor. During the course of the advisor's engagement by the Department, and for a period of one year thereafter, the advisor shall not enter into any business or financial relationship with any offeror or any vendor identified to assist an offeror in performing its obligations under the management agreement. Any advisor retained by the Department shall be disqualified from being an offeror. The Department shall not include terms in the request for qualifications that provide a material advantage whether directly or indirectly to any potential offeror, or any contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery, including terms contained in previous responses to requests for proposals or qualifications submitted to Illinois, another State or foreign government when those terms are uniquely associated with a particular potential offeror, contractor, or subcontractor. The request for proposals offered by the Department on December 22, 2008 as "LOT08GAMESYS" and reference number "22016176" is declared void.

(g) The Department shall select at least 2 offerors as finalists to potentially serve as the private manager no later than August 9, 2010. Upon making preliminary selections, the Department shall schedule a public hearing on the finalists' proposals and provide public notice of the hearing at least 7 calendar days before the hearing. The notice must include all of the following:

(1) The date, time, and place of the hearing.

(2) The subject matter of the hearing.

(3) A brief description of the management agreement to be awarded.

(4) The identity of the offerors that have been selected as finalists to serve as the private manager.

(5) The address and telephone number of the Department.

(h) At the public hearing, the Department shall (i) provide sufficient time for each finalist to present and explain its proposal to the Department and the Governor or the Governor's designee, including an opportunity to respond to questions posed by the Department, Governor, or designee and (ii) allow the public and non-selected offerors to comment on the presentations. The Governor or a designee shall attend the public hearing. After the public hearing, the Department shall have 14 calendar days to recommend to

the Governor whether a management agreement should be entered into with a particular finalist. After reviewing the Department's recommendation, the Governor may accept or reject the Department's recommendation, and shall select a final offeror as the private manager by publication of a notice in the Illinois Procurement Bulletin on or before September 15, 2010. The Governor shall include in the notice a detailed explanation and the reasons why the final offeror is superior to other offerors and will provide management services in a manner that best achieves the objectives of this Section. The Governor shall also sign the management agreement with the private manager.

(i) Any action to contest the private manager selected by the Governor under this Section must be brought within 7 calendar days after the publication of the notice of the designation of the private manager as provided in subsection (h) of this Section.

(j) The Lottery shall remain, for so long as a private manager manages the Lottery in accordance with provisions of this Act, a Lottery conducted by the State, and the State shall not be authorized to sell or transfer the Lottery to a third party.

(k) Any tangible personal property used exclusively in connection with the lottery that is owned by the Department and leased to the private manager shall be owned by the Department in the name of the State and shall be considered to be public property devoted to an essential public and governmental function.

(l) The Department may exercise any of its powers under this Section or any other law as necessary or desirable for the execution of the Department's powers under this Section.

(m) Neither this Section nor any management agreement entered into under this Section prohibits the General Assembly from authorizing forms of gambling that are not in direct competition with the Lottery.

(n) The private manager shall be subject to a complete investigation in the third, seventh, and tenth years of the agreement (if the agreement is for a 10-year term) by the Department in cooperation with the Auditor General to determine whether the private manager has complied with this Section and the management agreement. The private manager shall bear the cost of an investigation or reinvestigation of the private manager under this subsection.

(o) The powers conferred by this Section are in addition and supplemental to the powers conferred by any other law. If any other law or rule is inconsistent with this Section, including, but not limited to, provisions of the Illinois Procurement Code, then this Section controls as to any management agreement entered into under this Section. This Section and any rules adopted under this Section contain full and complete authority for a management agreement between the Department and a private manager. No law, procedure, proceeding, publication, notice, consent, approval, order, or act by the Department or any other officer, Department, agency, or instrumentality of the State or any political subdivision is required for the Department to enter into a management agreement under this Section. This Section contains full and complete authority for the Department to approve any contracts entered into by a private manager with a vendor providing goods, services, or both goods and services to the private manager under the terms of the management agreement, including subcontractors of such vendors.

Upon receipt of a written request from the Chief Procurement Officer, the Department shall provide to the Chief Procurement Officer a complete and un-redacted copy of the management agreement or any contract that is subject to the Department's approval authority under this subsection (o). The Department shall provide a copy of the agreement or contract to the Chief Procurement Officer in the time specified by the Chief Procurement Officer in his or her written request, but no later than 5 business days after the request is received by the Department. The Chief Procurement Officer must retain any portions of the management agreement or of any contract designated by the Department as confidential, proprietary, or trade secret information in complete confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act. The Department shall also provide the Chief Procurement Officer with reasonable advance written notice of any contract that is pending Department approval.

Notwithstanding any other provision of this Section to the contrary, the Chief Procurement Officer shall adopt administrative rules, including emergency rules, to establish a procurement process to select a successor private manager if a private management agreement has been terminated. The selection process shall at a minimum take into account the criteria set forth in items (1) through (4) of subsection (e) of this Section and may include provisions consistent with subsections (f), (g), (h), and (i) of this Section. The Chief Procurement Officer shall also implement and administer the adopted selection process upon the termination of a private management agreement. The Department, after the Chief Procurement Officer certifies that the procurement process has been followed in accordance with the rules adopted under this subsection (o), shall select a final offeror as the private manager and sign the management agreement with the private manager.

Except as provided in Sections 21.2, 21.5, 21.6, 21.7, ~~and~~ 21.8, and 21.9, the Department shall distribute all proceeds of lottery tickets and shares sold in the following priority and manner:

(1) The payment of prizes and retailer bonuses.

(2) The payment of costs incurred in the operation and administration of the Lottery, including the payment of sums due to the private manager under the management agreement with the Department.

(3) On the last day of each month or as soon thereafter as possible, the State Comptroller shall direct and the State Treasurer shall transfer from the State Lottery Fund to the Common School Fund an amount that is equal to the proceeds transferred in the corresponding month of fiscal year 2009, as adjusted for inflation, to the Common School Fund.

(4) On or before the last day of each fiscal year, deposit any remaining proceeds, subject to payments under items (1), (2), and (3) into the Capital Projects Fund each fiscal year.

(p) The Department shall be subject to the following reporting and information request requirements:

(1) the Department shall submit written quarterly reports to the Governor and the General Assembly on the activities and actions of the private manager selected under this Section;

(2) upon request of the Chief Procurement Officer, the Department shall promptly produce information related to the procurement activities of the Department and the private manager requested by the Chief Procurement Officer; the Chief Procurement Officer must retain confidential, proprietary, or trade secret information designated by the Department in complete confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act; and

(3) at least 30 days prior to the beginning of the Department's fiscal year, the Department shall prepare an annual written report on the activities of the private manager selected under this Section and deliver that report to the Governor and General Assembly.

(Source: P.A. 97-464, eff. 8-19-11; 98-463, eff. 8-16-13.)

(20 ILCS 1605/20) (from Ch. 120, par. 1170)

Sec. 20. State Lottery Fund.

(a) There is created in the State Treasury a special fund to be known as the "State Lottery Fund". Such fund shall consist of all revenues received from (1) the sale of lottery tickets or shares, (net of commissions, fees representing those expenses that are directly proportionate to the sale of tickets or shares at the agent location, and prizes of less than $600 which have been validly paid at the agent level), (2) application fees, and (3) all other sources including moneys credited or transferred thereto from any other fund or source pursuant to law. Interest earnings of the State Lottery Fund shall be credited to the Common School Fund.

(b) The receipt and distribution of moneys under Section 21.5 of this Act shall be in accordance with Section 21.5.

(c) The receipt and distribution of moneys under Section 21.6 of this Act shall be in accordance with Section 21.6.

(d) The receipt and distribution of moneys under Section 21.7 of this Act shall be in accordance with Section 21.7.

(e) The receipt and distribution of moneys under Section 21.8 of this Act shall be in accordance with Section 21.8.

(f) The receipt and distribution of moneys under Section 21.9 of this Act shall be in accordance with Section 21.9.

(Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05; 95-331, eff. 8-21-07; 95-673, eff. 10-11-07; 95-674, eff. 10-11-07; 95-876, eff. 8-21-08.)

(20 ILCS 1605/21.9 new)

Sec. 21.9. Go For The Gold scratch-off game.

(a) The Department shall offer a special instant scratch-off game with the title of "Go For The Gold". The game must commence on July 1, 2014 or as soon thereafter, at the discretion of the Director, as is reasonably practical. The operation of the game is governed by this Act and by any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The net revenue from the Go For The Gold special instant scratch-off game must be deposited into the Special Olympics Illinois Fund for appropriation by the General Assembly solely to the Department of Human Services, which must distribute the moneys to Special Olympics Illinois to support the statewide training, competitions, and programs for present and future Special Olympics athletes. The moneys may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and gifts, grants, and awards from any public or private entity, must be deposited into the Special Olympics Illinois Fund. Any interest earned on moneys in the Special Olympics Illinois Fund must be deposited into the Special Olympics Illinois Fund.

For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and the actual administrative expenses of the Department solely related to the Go For The Gold game.

(c) During the time that tickets are sold for the Go For The Gold game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of 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 Hastings, **Senate Bill No. 345** 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	Haine	Martinez	Rezin
Bertino-Tarrant	Harmon	McCann	Righter
Biss	Harris	McCarter	Rose
Bivins	Hastings	McConnaughay	Sandoval
Brady	Holmes	McGuire	Silverstein
Bush	Hunter	Morrison	Stadelman
Clayborne	Koehler	Mulroe	Steans
Collins	Kotowski	Muñoz	Sullivan
Connelly	LaHood	Murphy	Syverson
Cullerton, T.	Landek	Noland	Trotter
Cunningham	Link	Oberweis	Van Pelt
Delgado	Luechtefeld	Radogno	Mr. President
Forby	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.

On motion of Senator Koehler, **Senate Bill No. 498** 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	Forby	Luechtefeld	Rose
Bertino-Tarrant	Frerichs	McCann	Sandoval
Biss	Haine	McCarter	Silverstein

Bivins	Harmon	McConnaughay	Stadelman
Brady	Harris	McGuire	Steans
Bush	Holmes	Morrison	Sullivan
Clayborne	Hunter	Mulroe	Syverson
Collins	Jacobs	Murphy	Trotter
Connelly	Koehler	Noland	Mr. President
Cullerton, T.	Kotowski	Oberweis	
Cunningham	LaHood	Raoul	
Delgado	Landek	Rezin	
Duffy	Link	Righter	

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

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

SENATE BILL RECALLED

On motion of Senator Steans, **Senate Bill No. 798** 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 Human Services..

Senator Steans offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 798

AMENDMENT NO. 2. Amend Senate Bill 798 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by changing Section 4.04 as follows:

(20 ILCS 105/4.04) (from Ch. 23, par. 6104.04)

Sec. 4.04. Long Term Care Ombudsman Program. The purpose of the Long Term Care Ombudsman Program is to ensure that older persons and persons with disabilities receive quality services. This is accomplished by providing advocacy services for residents of long term care facilities and participants receiving home care and community-based care. Managed care is increasingly becoming the vehicle for delivering health and long-term services and supports to seniors and persons with disabilities, including dual eligible participants. The additional ombudsman authority will allow advocacy services to be provided to Illinois participants for the first time and will produce a cost savings for the State of Illinois by supporting the rebalancing efforts of the Patient Protection and Affordable Care Act.

(a) Long Term Care Ombudsman Program. The Department shall establish a Long Term Care Ombudsman Program, through the Office of State Long Term Care Ombudsman ("the Office"), in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended. The Long Term Care Ombudsman Program is authorized, subject to sufficient appropriations, to advocate on behalf of older persons and persons with disabilities residing in their own homes or community-based settings, relating to matters which may adversely affect the health, safety, welfare, or rights of such individuals.

(b) Definitions. As used in this Section, unless the context requires otherwise:

(1) "Access" ~~has the same meaning as in Section 1-104 of the Nursing Home Care Act, as now or hereafter amended; that is, it~~ means the right to:

(i) Enter any long term care facility or assisted living or shared housing establishment or supportive living facility;

(ii) Communicate privately and without restriction with any resident, regardless of age, who consents to the communication;

(iii) Seek consent to communicate privately and without restriction with any participant or resident, regardless of age;

(iv) Inspect the clinical and other records of a participant or resident, regardless of age, with the express written consent of the participant or resident;

(v) Observe all areas of the long term care facility or supportive living facilities, assisted living or shared housing establishment except the living area of any resident who protests the observation; and

(vi) Subject to permission of the participant or resident requesting services or his or her representative, enter a home or community-based setting.

(2) "Long Term Care Facility" means (i) any facility as defined by Section 1-113 of the Nursing Home Care Act, as now or hereafter amended; and (ii) any skilled nursing facility or a nursing facility which meets the requirements of Section 1819(a), (b), (c), and (d) or Section 1919(a), (b), (c), and (d) of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3(a), (b), (c), and (d) and 42 U.S.C. 1396r(a), (b), (c), and (d)); and any facility as defined by Section 1-113 of the MR/DD Community Care Act, as now or hereafter amended.

(2.5) "Assisted living establishment" and "shared housing establishment" have the meanings given those terms in Section 10 of the Assisted Living and Shared Housing Act.

(2.7) "Supportive living facility" means a facility established under Section 5-5.01a of the Illinois Public Aid Code.

(2.8) "Community-based setting" means any place of abode other than an individual's private home.

(3) "State Long Term Care Ombudsman" means any person employed by the Department to fulfill the requirements of the Office of State Long Term Care Ombudsman as required under the Older Americans Act of 1965, as now or hereafter amended, and Departmental policy.

(3.1) "Ombudsman" means any designated representative of the State Long Term Care Ombudsman Program; provided that the representative, whether he is paid for or volunteers his ombudsman services, shall be qualified and designated by the Office to perform the duties of an ombudsman as specified by the Department in rules and in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended.

(4) "Participant" means an older person aged 60 or over or an adult with a disability aged 18 through 59 who is ~~or persons with disabilities who are~~ eligible for services under any of the following:

(i) A medical assistance waiver administered by the State.

(ii) A managed care organization providing care coordination and other services to seniors and persons with disabilities.

(5) "Resident" means an older person aged 60 or over or an adult with a disability aged 18 through 59 ~~individual~~ who resides in a long-term care facility.

(c) Ombudsman; rules. The Office of State Long Term Care Ombudsman shall be composed of at least one full-time ombudsman and shall include a system of designated regional long term care ombudsman programs. Each regional program shall be designated by the State Long Term Care Ombudsman as a subdivision of the Office and any representative of a regional program shall be treated as a representative of the Office.

The Department, in consultation with the Office, shall promulgate administrative rules in accordance with the provisions of the Older Americans Act of 1965, as now or hereafter amended, to establish the responsibilities of the Department and the Office of State Long Term Care Ombudsman and the designated regional Ombudsman programs. The administrative rules shall include the responsibility of the Office and designated regional programs to investigate and resolve complaints made by or on behalf of residents of long term care facilities, supportive living facilities, and assisted living and shared housing establishments, and participants residing in their own homes or community-based settings, including the option to serve residents and participants under the age of 60, relating to actions, inaction, or decisions of providers, or their representatives, of such facilities and establishments, of public agencies, or of social services agencies, which may adversely affect the health, safety, welfare, or rights of such residents and participants. The Office and designated regional programs may represent all residents and participants, but are not required by this Act to represent persons under 60 years of age, except to the extent required by federal law. When necessary and appropriate, representatives of the Office shall refer complaints to the appropriate regulatory State agency. The Department, in consultation with the Office, shall cooperate with the Department of Human Services and other State agencies in providing information and training to designated regional long term care ombudsman programs about the appropriate assessment and treatment (including information about appropriate supportive services, treatment options, and assessment of rehabilitation potential) of the participants they serve.

The State Long Term Care Ombudsman and all other ombudsmen, as defined in paragraph (3.1) of subsection (b) must submit to background checks under the Health Care Worker Background Check Act and receive training, as prescribed by the Illinois Department on Aging, before visiting facilities, private homes, or community-based settings. The training must include information specific to assisted living establishments, supportive living facilities, shared housing establishments, private homes, and

community-based settings and to the rights of residents and participants guaranteed under the corresponding Acts and administrative rules.

(c-5) Consumer Choice Information Reports. The Office shall:

(1) In collaboration with the Attorney General, create a Consumer Choice Information Report form to be completed by all licensed long term care facilities to aid Illinoisans and their families in making informed choices about long term care. The Office shall create a Consumer Choice Information Report for each type of licensed long term care facility. The Office shall collaborate with the Attorney General and the Department of Human Services to create a Consumer Choice Information Report form for facilities licensed under the MR/DD Community Care Act.

(2) Develop a database of Consumer Choice Information Reports completed by licensed long term care facilities that includes information in the following consumer categories:

(A) Medical Care, Services, and Treatment.

(B) Special Services and Amenities.

(C) Staffing.

(D) Facility Statistics and Resident Demographics.

(E) Ownership and Administration.

(F) Safety and Security.

(G) Meals and Nutrition.

(H) Rooms, Furnishings, and Equipment.

(I) Family, Volunteer, and Visitation Provisions.

(3) Make this information accessible to the public, including on the Internet by means of a hyperlink labeled "Resident's Right to Know" on the Office's World Wide Web home page. Information about facilities licensed under the MR/DD Community Care Act shall be made accessible to the public by the Department of Human Services, including on the Internet by means of a hyperlink labeled "Resident's and Families' Right to Know" on the Department of Human Services' "For Customers" website.

(4) Have the authority, with the Attorney General, to verify that information provided by a facility is accurate.

(5) Request a new report from any licensed facility whenever it deems necessary.

(6) Include in the Office's Consumer Choice Information Report for each type of licensed long term care facility additional information on each licensed long term care facility in the State of Illinois, including information regarding each facility's compliance with the relevant State and federal statutes, rules, and standards; customer satisfaction surveys; and information generated from quality measures developed by the Centers for Medicare and Medicaid Services.

(d) Access and visitation rights.

(1) In accordance with subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1819 and subparagraphs (A) and (E) of paragraph (3) of subsection (c) of Section 1919 of the Social Security Act, as now or hereafter amended (42 U.S.C. 1395i-3 (c)(3)(A) and (E) and 42 U.S.C. 1396r (c)(3)(A) and (E)), and Section 712 of the Older Americans Act of 1965, as now or hereafter amended (42 U.S.C. 3058f), a long term care facility, supportive living facility, assisted living establishment, and shared housing establishment must:

(i) permit immediate access to any resident, regardless of age, by a designated ombudsman; ~~and~~

(ii) permit representatives of the Office, with the permission of the resident's legal representative or legal guardian, to examine a resident's clinical and other records, regardless of the age of the resident, and if a resident is unable to consent to such review, and has no legal guardian, permit representatives of the Office appropriate access, as defined by the Department, in consultation with the Office, in administrative rules, to the resident's records; and ~~.~~

(iii) permit a representative of the Program to communicate privately and without restriction with any participant who consents to the communication regardless of the consent of, or withholding of consent by, a legal guardian or an agent named in a power of attorney executed by the participant.

(2) Each long term care facility, supportive living facility, assisted living establishment, and shared housing establishment shall display, in multiple, conspicuous public places within the facility accessible to both visitors and residents and in an easily readable format, the address and phone number of the Office of the Long Term Care Ombudsman, in a manner prescribed by the Office.

(e) Immunity. An ombudsman or any representative of the Office participating in the good faith performance of his or her official duties shall have immunity from any liability (civil, criminal or

otherwise) in any proceedings (civil, criminal or otherwise) brought as a consequence of the performance of his official duties.

(f) Business offenses.

(1) No person shall:

(i) Intentionally prevent, interfere with, or attempt to impede in any way any representative of the Office in the performance of his official duties under this Act and the Older Americans Act of 1965; or

(ii) Intentionally retaliate, discriminate against, or effect reprisals against any long term care facility resident or employee for contacting or providing information to any representative of the Office.

(2) A violation of this Section is a business offense, punishable by a fine not to exceed $501.

(3) The State Long Term Care Ombudsman ~~Director of Aging, in consultation with the Office,~~ shall notify the State's Attorney of the county in which the long term care facility, supportive living facility, or assisted living or shared housing establishment is located, or the Attorney General, of any violations of this Section.

(g) Confidentiality of records and identities. The Department shall establish procedures for the disclosure by the State Ombudsman or the regional ombudsmen entities of files maintained by the program. The procedures shall provide that the files and records may be disclosed only at the discretion of the State Long Term Care Ombudsman or the person designated by the State Ombudsman to disclose the files and records, and the procedures shall prohibit the disclosure of the identity of any complainant, resident, participant, witness, or employee of a long term care provider unless:

(1) the complainant, resident, participant, witness, or employee of a long term care provider or his or her legal representative consents to the disclosure and the consent is in writing;

(2) the complainant, resident, participant, witness, or employee of a long term care provider gives consent orally; and the consent is documented contemporaneously in writing in accordance with such requirements as the Department shall establish; or

(3) the disclosure is required by court order.

(h) Legal representation. The Attorney General shall provide legal representation to any representative of the Office against whom suit or other legal action is brought in connection with the performance of the representative's official duties, in accordance with the State Employee Indemnification Act.

(i) Treatment by prayer and spiritual means. Nothing in this Act shall be construed to authorize or require the medical supervision, regulation or control of remedial care or treatment of any resident in a long term care facility operated exclusively by and for members or adherents of any church or religious denomination the tenets and practices of which include reliance solely upon spiritual means through prayer for healing.

(j) The Long Term Care Ombudsman Fund is created as a special fund in the State treasury to receive moneys for the express purposes of this Section. All interest earned on moneys in the fund shall be credited to the fund. Moneys contained in the fund shall be used to support the purposes of this Section.

(k) Each Regional Ombudsman may, in accordance with rules promulgated by the Office, establish a multi-disciplinary team to act in an advisory role for the purpose of providing professional knowledge and expertise in handling complex abuse, neglect, and advocacy issues involving participants. Each multi-disciplinary team may consist of one or more volunteer representatives from any combination of at least 7 members from the following professions: banking or finance; disability care; health care; pharmacology; law; law enforcement; emergency responder; mental health care; clergy; coroner or medical examiner; substance abuse; domestic violence; sexual assault; or other related fields. To support multi-disciplinary teams in this role, law enforcement agencies and coroners or medical examiners shall supply records as may be requested in particular cases. The Regional Ombudsman, or his or her designee, of the area in which the multi-disciplinary team is created shall be the facilitator of the multi-disciplinary team.

(Source: P.A. 97-38, eff. 6-28-11; 98-380, eff. 8-16-13.)

Section 99. Effective date. This Act takes effect January 1, 2015.".

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 Hastings, **Senate Bill No. 822** 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	Frerichs	Manar	Rezin
Bertino-Tarrant	Haine	Martinez	Righter
Biss	Harmon	McCann	Rose
Bivins	Harris	McCarter	Sandoval
Brady	Hastings	McConnaughay	Silverstein
Bush	Holmes	McGuire	Stadelman
Clayborne	Hunter	Morrison	Steans
Collins	Jacobs	Mulroe	Sullivan
Connelly	Koehler	Muñoz	Syverson
Cullerton, T.	Kotowski	Murphy	Trotter
Cunningham	LaHood	Noland	Mr. President
Delgado	Landek	Oberweis	
Duffy	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.

Senator Althoff asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 11:29 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 11:53 o'clock a.m., the Senate resumed consideration of business.

Senator Link, presiding.

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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 86

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the service of the State of Illinois; and

WHEREAS, Edgar County Deputy Sheriff John Dean Landrum gave his life in the line of duty on February 15, 1989 while responding to a domestic disturbance; and

WHEREAS, Deputy Sheriff Landrum was born January 12, 1937 in Centralia to John Paul and Irene B. (nee Wayman) Landrum; he married his loving wife, Kay Hamlin on June 26, 1958; and

WHEREAS, Deputy Sheriff Landrum graduated from Centralia High School in 1955 and from Kaskaskia Community College in 1957, where he earned a degree in drafting; and

WHEREAS, After earning his degree, Deputy Sheriff Landrum worked for the Seiger heating company in Centralia in 1957, for McDonald-Douglas in 1958 as a draftsman, and at TrailMobile in Charleston in the late 1970's; and

WHEREAS, Deputy Sheriff Landrum went to Lincoln Christian College where he earned a bachelor's degree in ministry in 1966; he served as a minister for one year at Keenes Christian Church in Keenes in 1966, as a house parent at Ladoga Children's home in Ladoga, Indiana in 1967-1970, at Edgar County Children's Home in Paris, Illinois from 1970 until 1975, and as a minister at Pleasant Hill Christian Church in Kansas, Illinois from 1975-1986; and

WHEREAS, Deputy Sheriff Landrum served as an Auxiliary Deputy in the early 1970's for the Edgar County Sheriff's Department, and attended the police academy in Springfield from January 8th - February 15, 1979, graduating from class 258-08 as class president; and

WHEREAS, Deputy Sheriff Landrum served as Chief of police of Kansas, Illinois from 1977-1982; and

WHEREAS, Deputy Sheriff Landrum became a part-time deputy at Edgar County Sheriff's Department in 1982 and began serving full-time in 1987; and

WHEREAS, Deputy Sheriff Landrum's death left behind his wife, Kay (nee Hamlin) Landrum; his daughters, Cheryl Clark and Lisa Weilhammer; his sons, John W. Landrum, Curtis Landrum, and Chad Landrum; his 15 grandchildren; and his 5 great-grandchildren; and

WHEREAS, Deputy Sheriff Landrum courage will be remembered fondly by his loving family, his fellow officers, and all who knew him, and it is therefore fitting that we not forget Deputy Sheriff John Dean Landrum's sacrifice; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of US Route 150 from Paris, Illinois to the Indiana border as the "Deputy Sheriff John D. Landrum Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Deputy Sheriff John D. Landrum and the Secretary of the Illinois Department of Transportation, Ann L. Schneider.

Adopted by the House, April 3, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 86 was referred to the Committee on Assignments.

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. 4090

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4286

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4734

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5592

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 5853

A bill for AN ACT concerning State government.

Passed the House, April 3, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4090, 4286, 4734, 5592 and 5853** were taken up, ordered printed and placed on first reading.

SENATE BILL RECALLED

On motion of Senator Clayborne, **Senate Bill No. 902** was recalled from the order of third reading to the order of second reading.

Senator Clayborne offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 902

AMENDMENT NO. 1. Amend Senate Bill 902 by replacing everything after the enacting clause with the following:

"ARTICLE 1. GENERAL PROVISIONS

Section 1-1. Short title. This Act may be cited as the Herptiles-Herps Act.

Section 1-5. Purpose. For purposes of this Act, reptiles and amphibians shall be exempt from the definition of "aquatic life" under Section 1-20 of the Fish and Aquatic Life Code. All rules and enforcement actions under the Illinois Conservation Law and the dangerous animals provisions in Section 48-10 of the Criminal Code of 2012 related to reptiles and amphibians shall be covered exclusively by this Act.

Section 1-10. Administrative agency. This Act shall be administered and under the direction of the Department of Natural Resources.

Section 1-15. Definitions. For the purposes of this Act, unless the context clearly requires otherwise, the following terms are defined as:

"Administrative rule" means a regulatory measure issued by the Director under this Act.

"Authorized law enforcement officer" means all sworn members of the Law Enforcement Division of the Department and those persons specifically granted law enforcement authorization by the Director.

"Bona fide scientific or educational institution" means confirming educational or scientific tax-exemption, from the federal Internal Revenue Service or the applicant's national, state, or local tax authority, or a statement of accreditation or recognition as an educational institution.

"Contraband" means all reptile or amphibian life or any part of reptile or amphibian life taken, bought, sold or bartered, shipped, or held in possession or any conveyance, vehicle, watercraft, or other means of transportation whatsoever, except sealed railroad cars or other sealed common carriers, used to transport or ship any reptile or amphibian life or any part of reptile or amphibian life taken, contrary to this Act, including administrative rules, or used to transport, contrary to this Act, including administrative rules, any of the specified species when taken illegally.

"Culling" means picking out from others and removing rejected members because of inferior quality.

"Department" means the Illinois Department of Natural Resources.

"Director" means the Director of the Illinois Department of Natural Resources.

"Educational program" means a program of organized instruction or study for providing education intended to meet a public need.

"Endangered or threatened species" means any species listed as endangered or threatened to the species level on either the Illinois List of Endangered and Threatened Fauna or the federal U.S. Fish and Wildlife Service List of Threatened and Endangered Species.

"Herptile" means collectively any amphibian or reptile taxon, whether indigenous to this State or not.

"Indigenous or native taxa" means those amphibians and reptiles to the subspecies level that can be found naturally in this State.

"Individual" means a natural person.

"Medically significant" means a venomous or poisonous species whose venom or toxin can cause death or serious illness or injury in humans that may require emergency room care or the immediate care of a physician. These species are categorized as being "medically significant" or "medically important".

"Owner" means an individual who has a legal right to the possession of a herptile.

"Person" means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, or group.

"Possession limit" means the maximum number or amount of herptiles that can be lawfully held or possessed by one person at any time.

"Possessor" means any person who possesses, keeps, harbors, brings into the State, cares for, acts as a custodian for, has in his or her custody or control, or holds a property right to a herptile.

"Reptile show" means any event open to the public, for a fee or without a fee, that is not a licensed pet store, where herptiles or herptiles together with other animals are exhibited, displayed, sold, bought, traded, or otherwise made available for public display.

"Resident" means a person who in good faith makes application for any license or permit and verifies by statement that he or she has maintained his or her permanent abode in this State for a period of at least 30 consecutive days immediately preceding the person's application, and who does not maintain permanent abode or claim residency in another state for the purposes of obtaining any of the same or similar licenses or permits under this Act. A person's permanent abode is his or her fixed and permanent dwelling place, as distinguished from a temporary or transient place of residence. Domiciliary intent is required to establish that the person is maintaining his or her permanent abode in this State. Evidence of domiciliary intent includes, but is not limited to, the location where the person votes, pays personal income tax, or obtains a drivers license. Any person on active duty in the Armed Forces shall be considered a resident of Illinois during his or her period of military duty.

"Special use herptile" means any taxon of amphibian or reptile for which a Herptile Special Use permit is required.

"Take" means possess, collect, catch, detain, hunt, shoot, pursue, lure, kill, destroy, capture, gig or spear, trap or ensnare, harass, or an attempt to do so.

"Transport" or "ship" means to convey by parcel post, express, freight, baggage, or shipment by common carrier or any description; by automobile, motorcycle, or other vehicle of any kind; by water or aircraft of any kind; or by any other means of transportation.

"Turtle farming" means the act of breeding, hatching, raising, selling turtles, or any combination commercially for the purpose of providing turtles, turtle eggs, or turtle parts to pet suppliers, exporters, and food industries.

"Wildlife sanctuary" means any non-profit organization that: (1) is exempt from taxation under the federal Internal Revenue Code and is currently confirmed as tax exempt by the federal Internal Revenue Service; (2) operates a place of refuge where wild animals are provided care for their lifetime or released back to their natural range; (3) does not conduct activities on animals in its possession that are not inherent to the animal's nature; (4) does not use animals in its possession for entertainment; (5) does not sell, trade, or barter animals in its possession or parts of those animals; and (6) does not breed animals in its possession.

ARTICLE 5. INDIGENOUS OR NATIVE HERPTILE TAXA

Section 5-5. Possession limits.

(a) The possession limit for indigenous amphibian and reptile taxa (excluding common snapping turtles and bullfrogs) is 8 total collectively with no more than 4 per species. Young of gravid wild-collected amphibians and reptiles shall be returned to the site of adult capture after birth.

(b) Only residents may possess herptiles collected from the wild within this State under a valid sport fishing license; non-residents may not possess herptiles collected from the wild within this State except for scientific purposes, with a Herptile Scientific Collection permit.

(c) All herptile species (other than bullfrogs and common snapping turtles) may be captured by hand. This shall not restrict the use of legally taken herptiles as bait by anglers. Any captured herptiles that are not to be retained in the possession of the captor shall be immediately released at the site of capture, unless taken with a lethal method such as bow and arrow, gig, spear, or pitchfork which does not permit release without harm. All common snapping turtles and bullfrogs taken for personal consumption must be kept and counted in the daily catch creel or bag. No culling of these 2 species for personal consumption is permitted.

(d) The trier of fact may infer that a person is collecting from the wild within this State if he or she possesses indigenous reptiles or amphibians, in whole or in part, if no documentation exists stating that the animals were legally collected from the wild outside of this State.

(e) Residents may possess a total of 8 native herp specimens collectively, with no more than 4 per species, without obtaining and possessing either a Herptile Scientific Collection permit or Herpetoculture permit from the Department, regardless of the origin of the species. A sport fishing license is required for residents to legally collect any native herp taxon on private land, with the landowner's permission. Collecting herptiles on public lands shall require additional permits.

(f) Any resident wishing to possess more than his or her allowed possession limit shall first apply to the Department for a Herptile Scientific Collection permit or Herpetoculture permit to do so. Issuance, modification, or denial of any and all of these permits shall be at the sole discretion of the Department.

(g) Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the Department, or its agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable, and shall be included in an individual's overall possession limit.

Section 5-10. Commercialization; herpetoculture.

(a) It is unlawful to take, possess, buy, sell, offer to buy or sell or barter any reptile, amphibian, or their eggs, any resulting offspring, or parts taken from the wild in this State for commercial purposes unless otherwise authorized by law.

(b) The trier of fact may infer that a person is collecting from the wild within this State for commercial purposes if he or she possesses indigenous reptiles or amphibians, in whole or in part, for which no documentation exists stating that the animals were legally collected from the wild outside this State.

(c) Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the Department, or its agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable, and shall be included in an individual's overall possession limit.

(d) A valid, Department-issued Herpetoculture permit shall apply only to indigenous herp taxa. A Herpetoculture permit shall not be required in order to commercialize non-indigenous herp taxa except as otherwise prohibited or regulated under this Act.

(e) Indigenous herp taxa collected from the wild in this State may not be bred unless otherwise authorized by the Department for research or recovery purposes.

Section 5-15. Protection of habitat. Habitat features that are disturbed in the course of searching for reptiles and amphibians shall be returned to as near its original position and condition as possible, for example overturned stones and logs shall be restored to their original locations.

Section 5-20. Taking of endangered or threatened species.

(a) No person shall take or possess any of the herptiles listed in the Illinois Endangered Species Protection Act or subsequent administrative rules, except as provided by that Act.

(b) Any Department-permitted threatened or endangered (T/E) herptile species shall be exempt from an individual's overall possession under the permitting system set forth in this Act. However, any and all T/E specimens shall be officially recorded with the Department's Endangered Species Conservation Program. Any species occurring on the federal T/E list also requires a Department permit for possession, propagation, sale, or offer for sale unless otherwise permitted through the Department.

(c) Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the

Department, or agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable, and shall be included in an individual's overall possession limit.

(d) Federally licensed exhibits shall not be exempt from the Illinois Endangered Species Protection Act.

(e) Any changes in T/E permit numbers for herptiles by current, existing permit holders shall be reported to the Department in writing no later than the first business day after that change occurred. Requests for permits by any resident acquiring a T/E species who is not permitted shall not be issued after-the-fact.

(f) Annual reports are due by January 31 of each year for the preceding year's activities. Failure to submit the annual report by the due date shall result in a permit violation.

(g) An annual fee for herptile T/E species permits, per permittee, shall be set by administrative rule. All fees for herptile T/E species permits shall be deposited into the Wildlife Preservation Fund.

(h) Procedures for acquisition, breeding, and sales of T/E herptile species shall be set forth in administrative rule.

(i) Record keeping requirements for T/E herptile species shall be set forth in administrative rule.

Section 5-25. Taking of snakes. Unless otherwise provided in this Act, any non-threatened or non-endangered snake may be taken by the owners or bona fide tenants of lands actually residing on the lands and their children, parents, brothers, and sisters permanently residing with them.

Section 5-30. Taking of turtles or bullfrogs; illegal devices.

(a) No person shall take turtles or bullfrogs by commercial fishing devices, including dip nets, hoop nets, traps, or seines, or by the use of firearms, airguns, or gas guns. Turtles may be taken only by hand or means of hook and line.

(b) Bullfrog; common snapping turtle; open season.

(1) All individuals taking bullfrogs shall possess a valid sport fishing license and may take bullfrogs only during the open season to be specified by administrative rule. Bullfrogs may only be taken by hook and line, gig, pitchfork, spear, bow and arrow, hand, or landing net.

(2) The daily catch limit and total possession limit for all properly licensed persons shall be specified by administrative rule.

(3) All persons taking common snapping turtles shall possess a valid sport fishing license and may take common snapping turtles only during the open season to be specified by administrative rule. Common snapping turtles (Chelydra serpentina) may be taken only by hand, hook and line, or bow and arrow, except in the counties listed in Section 5-35 where bowfishing for common snapping turtles is not allowed.

(4) The daily catch limit and total possession limit for all properly licensed persons shall be specified by administrative rule.

(c) The alligator snapping turtle (Macrochelys temminckii) is protected and may not be taken by any method including, but not limited to, any sport fishing method.

Section 5-35. Areas closed to the taking of reptiles and amphibians.

(a) Unless otherwise allowed by law or administrative rule, the taking of reptiles and amphibians at any time and by any method is prohibited in the following areas:

The LaRue-Pine Hills or Otter Pond Research Natural Area in Union County. The closed area shall include the Research Natural Area as designated by the U.S. Forest Service and the right-of-way of Forest Road 345 with Forest Road 236 to the intersection of Forest Road 345 with the Missouri Pacific railroad tracks. Unless otherwise authorized, possession of any collecting equipment is prohibited within the closed area.

(b) In the following counties bowfishing for common snapping turtles is not permitted: Randolph, Perry, Franklin, Hamilton, White, Gallatin, Saline, Williamson, Jackson, Union, Johnson, Pope, Hardin, Massac, Pulaski, and Alexander, or in any additional counties added through administrative rule.

(c) Collection of wild turtles for races or other types of events involving congregating and gathering numbers of wild turtles is prohibited in counties where ranavirus has been documented. Inclusion on the county list shall be determined by rule.

Section 5-40. Translocation and release of herptiles.

(a) Except as provided for in subsection (a) of Section 5-5, no herptile indigenous species may be moved, translocated, or populations repatriated within this State without approval of the Department, after review of a proposal complete with long-term monitoring plan at least 5 years post-release.

(b) It shall be unlawful to intentionally or negligently release any non-indigenous herptile species into this State.

ARTICLE 10. VENOMOUS REPTILES

Section 10-5. Venomous reptile defined. Venomous reptiles include, but are not limited to, any medically significant venomous species of the families or genera of the Order Squamata: Helodermatidae, such as gila monsters and beaded lizards; Elapidae, such as cobras and coral snakes; Hydrophiidae, such as sea snakes; Viperidae and Crotalinae, such as vipers and pit vipers; Atractaspididae, such as burrowing asps; Colubridae in the following genera that shall be determined by administrative rule: West Indian racers (Alsophis); boigas and mangrove snakes (Boiga); road guarders (Conophis); Boomslangs (Dispholidus); false water cobras (Hydrodynastes); varied or hooded keelbacks (Macropisthodon); Malagasy cat-eyed snakes (Madagascarophis); Montpellier snakes (Malpolon); kukri snakes (Oligodon); collared snakes (Phalotris); palm snakes or green racers (Philodryas); sand snakes or racers (Psammophis); keelbacks (Rhabdophis); beaked snakes (Rhamphiophis); twig snakes (Thelotornis); black tree snakes (Thrasops); Pampas snakes (Tomodon); Wagler's snakes (Waglerophis); false fer-de-lances (Xenodon); specimens or eggs of the brown tree snake (Boiga irregularis); and any other species added through legislative process designated.

Section 10-10. Surgically altered venomous reptiles. It is not a defense to a violation of Article 65 that the person violating that Article has had the venomous reptile surgically altered to render it harmless.

Section 10-15. Venomous reptile permit requirements. In addition to those requirements listed in Articles 60 and 65 of this Act, Herptile Special Use permits may be issued to residents using approved venomous reptile species only for bona fide educational programs, following an inspection and approval of the proposed facilities. A minimum of 6 documented programs shall be required of each permittee per calendar year. Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department by administrative rule and documented proof of educational programs completed on the recipient's letterhead. Prospective permittees must have 250 documented hours of experience with venomous reptiles. The Department or the Department of Agriculture reserves the right to inspect permittees and facilities during reasonable hours. Additions to permits must be approved prior to acquisition of additional venomous reptiles, and any changes shall be reported to the Department in writing no later than the first business day after that change occurred.

Section 10-20. Approved venomous reptiles. Permittees may keep legally obtained venomous reptile specimens native to the United States, except the following species: Eastern diamondback rattlesnakes (Crotalus adamanteus); Western diamondback rattlesnakes (Crotalus atrox); Mojave rattlesnakes (Crotalus scutulatus); Southern Pacific rattlesnakes (Crotalus oreganus helleri); Eastern and Texas coral snakes (Micrurus fulvius); Sonoran coral snakes (Micruroides euryxanthus); and timber/canebrake rattlesnakes (Crotalus horridus) from the southern portions of their range (Oklahoma, southern Arkansas, Louisiana, and also southeastern South Carolina south through eastern Georgia to northern Florida), known as "Type A" and containing canebrake toxin.

Except for Boomslangs (Dispholidus), twig snakes (Thelotornis), keelbacks (Rhabdophis), Lichtenstein's green racer (Philodryas olfersii), and brown tree snake (Boiga irregularis), medically significant snakes in the family Colubridae defined in Section 10-5 of this Article may be possessed with a permit.

Section 10-25. Maintenance of venomous reptiles. Permittees shall keep approved venomous reptiles in strong escape-proof enclosures that at a minimum are: impact resistant, locked at all times, prominently labeled with the permittee's full name, address, telephone number, list of cage contents by scientific and common names, and a sign labeled "venomous". The signage shall also include the type and location of antivenom and contact information of the person or organization possessing the antivenom.

Section 10-30. Educational programs with approved venomous reptiles. Permittees shall keep approved venomous reptiles in strong escape-proof enclosures that at a minimum are: impact resistant, locked at all times, prominently labeled with the permittee's full name, address, telephone number, list of cage contents by scientific and common names, and a sign labeled "venomous". Labeling shall also include the type and location of antivenom and contact information of the person or organization possessing the antivenom. Interiors of enclosures may not be accessible to the public.

Section 10-35. Transport of approved venomous reptiles. During transport of any approved venomous reptile, it must be kept out of sight of the public in an escape-proof enclosure at all times that is labeled "venomous". Transport of any venomous reptile to any public venue, commercial establishment, retail establishment, or educational institution shall only be for bona fide educational programs or veterinary care.

Section 10-40. Additional regulations. Venomous reptiles shall not be bred, sold, or offered for sale within this State. The Department may approve limited transfers among existing permittees at the sole discretion of the Department.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to use venomous reptiles in bona fide educational programs. The fee for the permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

ARTICLE 15. BOAS, PYTHONS, AND ANACONDAS

Section 15-5. Boas, pythons, and anacondas. Nothing shall prohibit lawfully acquired possession of any of the Boidae family, such as boas, pythons, and anacondas, provided captive maintenance requirements from the Department as set forth in this Act are met. All boas, pythons, and anacondas referenced in this Act are exempt from the permit process, associated annual fee, and liability insurance coverage.

Section 15-10. Maintenance of boas, pythons, and anacondas. Any species of boa, python, or anaconda not native to the United States, regardless of length, must be properly maintained in suitable, strong, impact resistant, escape-proof enclosures at all times unless being used for bona fide educational programs or trips for veterinary care.

Section 15-15. Educational programs with boas, pythons, and anacondas. During any bona fide educational program involving boas, pythons, or anacondas not native to the United States, the owner or affiliated agent must maintain physical possession of the snake at all times if removed from a container or cage. Interiors of cages or containers used during educational programs may not be accessible to the public.

Section 15-20. Transport of boas, pythons, and anacondas. During transport of any boa, python, or anaconda, the snake must be kept out of sight of the public in an escape-proof enclosure at all times.

Section 15-25. Use of boas, pythons, and anacondas at reptile shows. An owner or affiliated agent must have physical possession and control of any boa, python, or anaconda that is not native to the United States at all times if removed from a container or cage. Uncontained boas, pythons, or anacondas removed from cages for examination or onlooker interaction must be kept confined either behind or at a display table. Interiors of cages or containers may not be accessible to the public.

ARTICLE 20. CROCODILIANS

Section 20-5. Crocodilians. "Crocodilians" means any species of the Order Crocodilia, such as crocodiles, alligators, caimans, and gavials.

Section 20-10. Crocodilian permit requirements. In addition to the requirements listed in Articles 60 and 65 of this Act, Herptile Special Use permits may be issued to residents using crocodilian species only for bona fide educational programs, following an inspection and approval of the proposed facilities. A minimum of 6 documented programs shall be required of each permittee per calendar year. Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department and documented proof of educational programs completed on the recipient's letterhead. The Department or the Department of Agriculture reserves the right to inspect permittees and facilities during reasonable hours. Additions to permits must be approved prior to acquisition of additional crocodilians, and any changes shall be reported to the Department in writing no later than the first business day after that change occurred.

Section 20-15. Maintenance of crocodilians. Permittees shall keep crocodilians maintained in suitable, strong, impact resistant, escape-proof enclosures at all times unless being used for bona fide educational programs or trips for veterinary care.

Section 20-20. Educational programs with crocodilians. During any bona fide educational program involving crocodilians, the owner or affiliated agent must maintain physical possession and control of the crocodilian at all times if removed from a container or cage. Interiors of cages or containers used during educational programs may not be accessible to the public. Crocodilians removed from their cage or enclosure for educational programs must have either the mouth banded or taped shut or kept at a minimum of 10 feet from the public and also kept out of direct contact with the public.

Section 20-25. Transport of crocodilians. During transport of any crocodilian, it must be kept out of sight of the public in an escape-proof enclosure at all times. Transport of any crocodilian to any public venue, commercial establishment, retail establishment, or educational institution shall only be for bona fide educational programs or veterinary care.

Section 20-30. Additional regulations. Crocodilians shall not be bred, sold, or offered for sale within this State.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to use crocodilians in bona fide educational programs. The fee for this permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

ARTICLE 25. MONITOR LIZARDS

Section 25-5. Monitor lizards."Monitor lizards" means the following members of the Varanidae family, specifically crocodile monitors as well as Komodo dragons.

Section 25-10. Monitor lizard permit requirements. In addition to those requirements listed in Articles 60 and 65 of this Act, Herptile Special Use permits may be issued to residents using monitor lizard species only for bona fide educational programs, following an inspection and approval of the proposed facilities. A minimum of 6 documented programs on the family Varanidae shall be required of each permittee per calendar year. Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department and documented proof of educational programs completed on the recipient's letterhead. The Department or the Department of Agriculture reserves the right to inspect permittees and facilities during reasonable hours. Additions to permits must be approved prior to acquisition of additional monitor lizards, and any changes shall be reported to the Department in writing no later than the first business day after that change occurred.

Section 25-15. Maintenance of monitor lizards. Permittees shall keep monitor lizards maintained in suitable, strong, impact resistant, escape-proof enclosures at all times unless being used for bona fide educational programs or trips for veterinary care.

Section 25-20. Educational programs with monitor lizards. During any bona fide educational program involving monitor lizards, the owner or affiliated agent must maintain physical possession and control of the monitor lizard at all times if removed from a container or cage. Interiors of cages or containers used during educational programs may not be accessible to the public. Monitor lizards removed from their cage or enclosure for educational programs must have either the mouth banded or taped shut, or kept at a minimum of 10 feet from the public and also kept out of direct contact with the public.

Section 25-25. Transport of monitor lizards. During transport of any monitor lizard, it must be kept out of sight of the public in an escape-proof enclosure at all times. Transport of a monitor lizard to any public venue, commercial establishment, retail establishment, or educational institution shall only be for bona fide educational programs or veterinary care.

Section 25-30. Additional regulations. Monitor lizards shall not be bred, sold, or offered for sale within this State.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to use monitor lizards in bona fide educational programs. The fee for the permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

ARTICLE 30. TURTLES

Section 30-5. Turtles. It is unlawful to buy, sell, or offer to sell, or otherwise commercialize (including, but not limited to, offering as a commercial incentive, trading, or otherwise use for the purpose of profit or pecuniary gain) any species of aquatic or semi-aquatic turtles in the Order Testudines (except for the terrestrial tortoises in the family Testudinidae) with a carapace length of 4 inches or less or their eggs within this State. With prior approval from the Department, in its sole discretion, sales or offers for sale of aquatic or semi-aquatic turtles with a carapace length of 4 inches or less or their eggs may be allowed to bona fide scientific or educational institutions.

Section 30-10. Turtle farming. Turtles shall not be commercially farmed in this State.

Section 30-15. Turtle collection. Collection of wild turtles for races or other types of events involving congregating and gathering numbers of wild turtles is prohibited in counties where ranavirus has been documented. Inclusion on the county list shall be determined by rule.

ARTICLE 35. AMPHIBIANS

Section 35-5. Amphibians. For the purposes of this Section, "amphibians" means those medically significant poisonous amphibians capable of causing bodily harm to humans or animals, including, but not limited to, cane or marine toads (Bufo marinus) and Colorado river toads (Bufo alvarius), or any other amphibian found to be medically significant and shall only be allowed for bona fide educational purposes or research purposes by exempted institutions.

Poison dart frogs bred and raised in captivity shall be exempt from the permit process.

ARTICLE 40. HERPTILE SCIENTIFIC
COLLECTION PERMITS

Section 40-5. Permit issuance. Herptile Scientific Collection permits may be granted by the Department, in its sole discretion, to any properly accredited person at least 18 years of age, permitting the capture, marking, handling, banding, or collecting (including hide, skin, bones, teeth, claws, nests, eggs, or young), for strictly scientific purposes, of any of the herptiles not listed as endangered or threatened but now protected under this Act. A Herptile Scientific Collection permit may be granted to qualified individuals for purpose of salvaging dead, sick, or injured herptiles not listed as endangered or threatened but protected by this Act for permanent donation to bona fide public or state scientific, educational, or zoological institutions. Collecting herptiles on public lands shall require additional permits.

Section 40-10. Permit requirements. The criteria and standards for a Herptile Scientific Collection permit shall be provided by administrative rule. The Department shall set forth applicable rules covering qualifications and facilities needed to obtain a permit. Disposition of herptiles taken under the authority of this Article shall be specified by the Department. The holder of each permit shall make to the Department a report in writing upon forms furnished by the Department. These reports shall be made (i) annually if the permit is granted for a period of one year or (ii) within 30 days after the expiration of the permit if the permit is granted for a period of less than one year. These reports shall include information that the Department considers necessary.

ARTICLE 45. HERPTILE SCIENTIFIC
COLLECTION PERMIT APPLICATION AND FEES

Section 40-5. Permit application and fees. An applicant for a Herptile Scientific Collection permit must file an application with the Department on a form provided by the Department. The application must include all information and requirements as set by administrative rule. The application for these permits shall be reviewed by the Department to determine if a permit should be issued.

Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by non-refundable fee as set by the Department. The annual fee for a Herptile Scientific Collection permit shall be set by administrative rule. The Department shall adopt, by administrative rule, any additional procedures for the renewal of a Herptile Scientific Collection permit. All fees shall be deposited into the Fish and Wildlife Fund.

[April 3, 2014]

ARTICLE 50. HERPETOCULTURE PERMITS

Section 50-5. Permit issuance. Any person or business who engages in the breeding, hatching, propagation, sale, or offer for sale of any indigenous herptile, regardless of origin, shall procure a permit from the Department. Herptiles specified, which are bred, hatched, propagated, or legally obtained by a person or business holding a permit as provided for in this Article, may be transported and sold or offered for sale within this State. Indigenous herp taxa collected from the wild in this State shall not be bred unless otherwise authorized by the Department for research or recovery purposes.

Section 50-10. Permit requirements. Herpetoculture permit holders shall maintain written records of all herptiles indigenous to this State bought, sold, hatched, propagated, sold, or shipped for a minimum of 2 years after the date of the transaction and shall be made immediately available to authorized employees of the Department upon request. These records shall include the name and address of the buyer and seller, the appropriate permit number of the buyer and seller, the date of the transaction, the species name (both common and scientific), and the origin of herptile involved. Records of the annual operations, as may be required by the Department, shall be forwarded to the Department upon request.

The criteria and standards for a Herpetoculture permit shall be provided by administrative rule. The Department shall set forth applicable rules, including a list of herptiles indigenous to this State.

ARTICLE 55. HERPETOCULTURE
PERMIT APPLICATION AND FEES

Section 55-5. Permit application and fees. An applicant for a Herpetoculture permit must file an application with the Department on a form provided by the Department. The application must include all information and requirements as set forth by administrative rule. The application for these permits shall be reviewed by the Department to determine if a permit should be issued.

Unless addressed or exempted by administrative rule, annual permit renewal must be accompanied by a non-refundable fee as set by the Department. The annual fee for a residential Herpetoculture permit shall be set by administrative rule. The Department shall adopt, by administrative rule, any additional procedures for the renewal of a Herpetoculture permit. All fees shall be deposited into the Wildlife and Fish Fund.

As determined by the Department, non-residents may apply for a permit not to exceed 15 consecutive days to commercialize herptiles indigenous to this State as outlined in this Article. The fee for the permit shall be set by administrative rule, and all fees shall be deposited into the Wildlife and Fish Fund.

The Department shall adopt, by administrative rule, additional procedures for the renewal of annual Herpetoculture permits.

Section 55-10. Additional regulations. Nothing in Articles 50 and 55 shall be construed to give permittees authority to breed, hatch, propagate, sell, offer for sale, or otherwise commercialize any herptile or parts thereof from herptiles indigenous to this State, either partially or in whole, that originate from the wild in this State.

Any offspring resulting from the breeding of herptiles where one parent has been taken from the wild in this State and the other parent from non-Illinois stock or captive bred stock may not be legally sold or otherwise commercialized and shall be treated as indigenous or native Illinois herp taxa subject to Article 5 of this Act.

Color or pattern variations (morphs) of any herptile indigenous to this State are not exempt from this Article.

Due to the similarity of appearance (S/A) of certain intergrade or hybrid specimens, the Department retains the authority to enforce any and all provisions under this Act. Specimens determined by the Department, or its agents, to fit into this S/A category shall receive all benefits of this Act, as well as the Illinois Endangered Species Protection Act if applicable.

ARTICLE 60. HERPTILE SPECIAL
USE PERMIT REQUIREMENTS

Section 60-5. Permit requirements. Prior to any person obtaining a Herptile Special Use permit, the following criteria must be met:

(1) the person was in legal possession and is the legal possessor of the herptile prior

to the effective date of this Act and the person applies for and is granted a Personal Possession permit for each special use herptile in the person's possession within 30 days after the enactment of this Act; or

(2) prior to acquiring a Herptile Special Use permit, the person must provide the name, address, date of birth, permit number, telephone number of the possessor, type or species, and the date the herptile is to be acquired.

The applicant must comply with all requirements of this Act and the rules adopted by the Department to obtain a Herptile Special Use permit. Prior to the issuance of the Herptile Special Use permit, the applicant must provide proof of liability insurance or surety bond, either individually, or in the name of the entity giving the bona fide educational programs, in the amount of $100,000 for each special use herptile up to a maximum of $1,000,000 and the insurance or surety bond is to be maintained during the term of the permit for liability for any incident arising out of or relating to the special use herptile.

ARTICLE 65. HERPTILE SPECIAL USE
PERMIT APPLICATION AND FEES

Section 65-5. Permit application and fees. An applicant for a Herptile Special Use permit must file an application with the Department on a form provided by the Department. The application must include all information and requirements as set forth by administrative rule.

The annual fee for a residential Herptile Special Use permit shall be set by administrative rule on a per person basis. The Herptile Special Use permit shall not be based on the number of special use herptile kept by an owner or possessor. All fees shall be deposited into the Wildlife and Fish Fund.

The Department shall adopt, by administrative rule, procedures for the renewal of annual Herptile Special Use permits.

Any person possessing and in legal possession of a special use herptile as stipulated in this Article that no longer wishes to keep the herptile may be assisted by the Department, at no charge to them and without prosecution, to place the special use herptile in a new home, within 30 days after the effective date of this Act.

The Department may issue a Limited Entry permit to an applicant who: (i) is not a resident of this State; (ii) complies with the requirements of this Act and all rules adopted by the Department under the authority of this Act; (iii) provides proof to the Department that he or she shall, during the permit term, maintain sufficient liability insurance coverage; (iv) pays to the Department, along with each application for a Limited Entry permit, a non-refundable fee as set by administrative rule, which the Department shall deposit into the Wildlife and Fish Fund; and (v) uses the herptile for an activity authorized in the Limited Entry permit. A Limited Entry permit shall be valid for not more than 30 consecutive days unless extended by the Department, however, no extension shall be longer than 15 days.

ARTICLE 70. SUSPENSION OF
PRIVILEGES AND REVOCATION OF
HERPTILE SPECIAL USE PERMITS

Section 70-5. Suspension of privileges and revocation of permits. A person who does not hold a Herptile Special Use permit or Limited Entry permit and who violates a provision of this Act or an administrative rule authorized under this Act shall have his or her privileges under this Act suspended for up to 5 years after the date that he or she is in violation of an initial offense, for up to 10 years after the date that he or she is in violation of a second offense, and for life for a third or subsequent offense. Department suspensions and revocations shall be addressed by administrative rule.

A person who holds a Herptile Special Use permit or Limited Entry permit and who violates the provisions of this Act shall have his or her permit revoked and permit privileges under this Act suspended for a period of up to 2 years after the date that he or she is found guilty of an initial offense, for up to 10 years after the date that he or she is found guilty of a second offense, and for life for a third offense. Department suspensions and revocations shall be addressed by administrative rule.

A person whose privileges to possess a special use herptile have been suspended or permit revoked may appeal that decision in accordance with the provisions set forth in administrative rule.

ARTICLE 75. RECORD KEEPING REQUIREMENTS
OF SPECIAL USE HERPTILES

Section 75-5. Record keeping requirements. A person who possesses a special use herptile must maintain records pertaining to the acquisition, possession, and disposition of the special use herptile as provided by administrative rule. These records shall be maintained for a minimum of 2 years after the date the special use herptile is no longer in possession of the permit holder. All records are subject to inspection by authorized law enforcement officers. In addition to maintaining records, all special use herptiles must be either pit-tagged or microchipped to individually identify them and the pit-tag or microchip numbers are also to be maintained as other pertinent records, unless otherwise provided by administrative rule.

ARTICLE 80. INJURY TO A
MEMBER OF PUBLIC BY
SPECIAL USE HERPTILES

Section 80-5. Injury to a member of public by special use herptiles. A person who possesses a special use herptile without complying with the requirements of this Act and the rules adopted under the authority of this Act and whose special use herptile harms a person when the possessor knew or should have known that the herptile had a propensity, when provoked or unprovoked, to harm, cause injury to, or otherwise substantially endanger a member of the public is guilty of a Class A misdemeanor. A person who fails to comply with the provisions of this Act and the rules adopted under the authority of this Act and who intentionally or knowingly allow a special use herptile to cause great bodily harm to, or the death of, a human is guilty of a Class 4 felony.

ARTICLE 85. PROHIBITED ACTS WITH
SPECIAL USE HERPTILES

Section 85-5. Prohibited acts. Except as otherwise provided in this Act or by administrative rule, a person shall not own, possess, keep, import, transfer, harbor, bring into this State, breed, propagate, buy, sell, or offer to sell, or have in his or her custody or control a special use herptile.

A person shall not release any special use herptile into the wild at any time unless authorized by the Director in writing. The possessor of a special use herptile must immediately contact the animal control authority or law enforcement agency of the municipality or county where the possessor resides if a special use herptile escapes or is released.

The possessor of a special use herptile shall not keep, harbor, care for, transport, act as the custodian of, or maintain in his or her possession the special use herptile in anything other than an escape-proof enclosure.

The possessor of a special use herptile shall not transport the special use herptile to or possess the special use herptile at a public venue, commercial establishment, retail establishment, or educational institution unless specifically authorized by permit or required to render veterinary care to the special use herptile.

The possessor of a special use herptile, at all reasonable times, shall not deny the Department or its designated agents and officers access to premises where the possessor keeps a special use herptile to ensure compliance with this Act.

Except as otherwise provided in this Act or by administrative rule, a person shall not buy, sell, or barter, or offer to buy, sell, or barter a special use herptile.

ARTICLE 90. PENALTIES

Section 90-5. Penalties. A person who violates Article 85 of this Act is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense occurring within one year after a finding of guilt on a first offense. A person who violates Article 75 of this Act is guilty of a Class B misdemeanor. Each day of a violation constitutes a separate offense. Any other violation of this Act is a Class A misdemeanor unless otherwise stated.

All fines and penalties collected under the authority of this Act or its administrative rules shall be deposited into the Wildlife and Fish Fund.

ARTICLE 95. CIVIL
LIABILITY AND IMMUNITY

Section 95-5. Assumption of risk. Each person who owns, possesses, or keeps a herptile expressly assumes the risk of and legal responsibility for injury, loss, or damage to the person or the person's property that results from the ownership, possession, or keeping, of the herptile. Each owner, keeper, or possessor

of a herptile shall be solely liable to manage, care for, and control a particular species, and it shall be the duty of each owner, keeper, or possessor, to maintain reasonable control of the particular herptile at all times, and to refrain from acting in a manner that may cause or contribute to the injury of person, whether in public or on private property.

Section 95-10. Civil liability and immunity. If any herptile escapes or is released, the owner and possessor of the herptile shall be strictly liable for all costs incurred in apprehending and confining the herptile, including any injuries incurred to humans or damage to property, both real and personal, including pets and livestock, and the owner shall indemnify any animal control officer, police officer, or Department employee acting in his or her official capacity to capture or control an escaped herptile.

The owner, keeper, or possessor of an escaped herptile shall be solely responsible for any and all liabilities arising out of or in connection with the escape or release of any herptile including liability for any damage, injury, or death caused by or to the herptile during or after the herptile's escape or release or as a result of the apprehension or confinement of the herptile after its escape or release. In addition, the owner, keeper, or possessor of an escaped herptile shall be solely responsible for any and all costs incurred by an animal control officer, police officer, or Department employee acting in his or her official capacity to capture or control an escaped herptile.

A licensed veterinarian who may have cause to treat a special use herptile that is in violation of this Act shall not be held liable, except for willful and wanton misconduct, under this Act provided that the veterinarian (i) promptly reports violations of this Act of which he or she has knowledge to a law enforcement agency within 24 hours after becoming aware of the incident; (ii) provides the name, address, and phone number of the person possessing the special use herptile at time of incident or treatment; (iii) provides the name and address of the owner of the special use herptile if known; (iv) identifies the kind and number of special use herptiles being treated; and (v) describes the reason for the treatment of the special use herptile.

ARTICLE 100. SEIZURE AND FORFEITURE

Section 100-5. Prima facie evidence; confiscation. The possession of any reptile or amphibian life or any part of reptile or amphibian life protected under this Act is prima facie evidence that the reptile or amphibian life or any part of reptile or amphibian life is subject to the provisions of this Act, including administrative rules.

Whenever the contents of any box, barrel, package, or receptacle consists partly of contraband and partly of legal reptile or amphibian life or any part of reptile or amphibian life, the entire contents of the box, barrel, or package, or other receptacle are subject to confiscation.

Whenever a person has in his or her possession in excess of the number of reptile or amphibian life or any parts of reptile or amphibian life permitted under this Act, including administrative rules, the entire number of reptile or amphibian life or any parts of reptile or amphibian life in his or her possession is subject to confiscation.

Section 100-10. Search and seizure. Whenever any authorized employee of the Department, sheriff, deputy sheriff, or other peace office of the State has reason to believe that any person, owner, possessor, commercial institution, pet store, or reptile show vendor or attendee possesses any reptile or amphibian life or any part of reptile or amphibian life contrary to the provisions of this Act, including administrative rules, he or she may file, or cause to be filed, a sworn complaint to that effect before the circuit court and procure and execute a search warrant. Upon execution of the search warrant, the officer executing the search warrant shall make due return of the search warrant to the court issuing the search warrant, together with an inventory of all the reptile or amphibian life or any part of reptile or amphibian life taken under the search warrant. The court shall then issue process against the party owning, controlling, or transporting the reptile or amphibian life or any part of reptile or amphibian life seized, and upon its return shall proceed to determine whether or not the reptile or amphibian life or any part of reptile or amphibian life was held, possessed, or transported in violation of this Act, including administrative rules. In case of a finding that the reptile or amphibian life was illegally held, possessed, transported, or sold, a judgment shall be entered against the owner or party found in possession of the reptile or amphibian life or any part of reptile or amphibian life for the costs of the proceeding and providing for the disposition of the property seized, as provided for by this Act.

Section 100-15. Seizure and forfeiture. If any person is found to possess a special use herptile that is in violation of this Act, including any administrative rules, then the special use herptile and any equipment

or items used contrary to this Act shall be subject to seizure and forfeiture by the Department. Any special use herptile seized in violation of this Act may immediately be placed in a facility approved by the Department.

If a person's special use herptile has been seized by the Department, then the owner and possessor of the special use herptile is liable for the reasonable costs associated with the seizure, placement, testing, and care for the special use herptile from the time of confiscation until the time the special use herptile is relocated to an approved facility or person holding a valid Herptile Special Use permit or is otherwise disposed of by the Department.

Any special use herptile and related items found abandoned shall become the property of the Department and disposed of according to Department rule.

The circuit court, in addition to any other penalty, may award any seized or confiscated special use herptiles or items to the Department as provided for in Section 1-215 of the Fish and Aquatic Life Code and Section 1.25 of the Wildlife Code. Further, the court, in addition to any other penalty, may assess a fee upon a person who pleads guilty to the provisions of this Act equal to the amount established or determined to maintain the special use herptile until it is permanently placed in a facility approved by the Department or otherwise disposed of.

ARTICLE 105. GENERAL PROVISIONS

Section 105-5. Administrative rules. The Department is authorized to adopt administrative rules for carrying out, administering, and enforcing the provisions of this Act. The administrative rules shall be adopted in accordance with the Illinois Administrative Procedure Act.

Rules, after becoming effective, shall be enforced in the same manner as other provisions of this Act. It is unlawful for any person to violate any provision of any administrative rule adopted by the Department. Violators of administrative rules are subject to the penalties in this Act.

Section 105-10. Conservation of reptiles and amphibians. The Department shall take all measures necessary for the conservation, distribution, introduction, and restoration of reptiles and amphibians. The Department shall also bring or cause to be brought actions and proceedings, in the name and by the authority of the People of the State of Illinois, to enforce this Act, including administrative rules, and to recover any and all fines and penalties provided for in this Act. Nothing in this Act shall be construed to authorize the Department to change any penalty prescribed by law or to change the amount of license fees or the authority conferred by licenses prescribed by law. The Department is authorized to cooperate with the appropriate Departments of the federal government and other Departments or agencies of State government and educational institutions in conducting surveys, experiments, or work of joint interest or benefit.

Section 105-15. Peace officers. All employees of the Department authorized by the Director shall have the power of, and shall be, peace officers in the enforcement of this Act, including administrative rules, and may carry weapons as may be necessary in the performance of his or her duties.

Section 105-20. Arrests; warrants. All authorized employees of the Department and all sheriffs, deputy sheriffs, and other police officers shall arrest any person detected in violation of any of the provisions of this Act, including administrative rules. Any duly accredited officer of the federal Fish and Wildlife Service and U.S. Forest Service may arrest any person detected in violation of any of the provisions of this Act, including administrative rules.

All officers shall make prompt investigation of any violation of this Act, including administrative rules, reported by any other persons and shall cause a complaint to be filed when there seems just ground for a complaint and evidence procurable to support the complaint.

Upon the filing of a complaint, the officers shall render assistance in the prosecution of the party against whom the complaint is made.

Peace officers, other than employees of the Department, making arrests and serving warrants provided for by this Act shall receive the fees and mileage as provided for by law for sheriffs.

Each duly accredited officer and authorized employee of the Department is empowered to execute and serve all warrants and processes issued by the circuit court.

Section 105-25. Prosecutions; State's Attorneys. All prosecutions shall be brought in the name and by the authority of the People of the State of Illinois before the circuit court for the county where the offense was committed.

All State's Attorneys shall enforce the provisions of this Act, including administrative rules, in his or her respective county and shall prosecute all persons charged with violating its provisions when requested by the Department.

Section 105-30. Statute of limitations. All prosecutions under this Act shall be commenced within 2 years after the time the offense charged was committed.

Section 105-35. Collection of fines. All fines provided for by this Act shall be collected and remitted to the Department's Wildlife and Fish Fund, within 30 days after the collection of the fine, by the clerk of the circuit court collecting the fines who shall submit at the same time to the Department a statement of the names of the persons so fined and the name of the arresting officer, the offense committed, the amount of the fine, and the date of the conviction.

Section 105-40. Power of entry and examination; access to lands and waters. Authorized employees of the Department are empowered, under law, to enter all lands and waters to enforce this Act. Authorized employees are further empowered to examine all buildings, private or public clubs (except dwellings), fish markets, reptile shows, pet stores, camps, vessels, cars (except sealed railroad cars or other sealed common carriers), conveyances, vehicles, watercraft, or any other means of transportation or shipping, tents, bags, pillow cases, coats, jackets, or other receptacles and to open any box, barrel, package, or other receptacle in the possession of a common carrier, that they have reason to believe contains reptile or amphibian life or any part of reptile or amphibian life taken, bought, sold or bartered, shipped, or had in possession contrary to this Act, including administrative rules, or that the receptacle containing the reptile or amphibian is falsely labeled.

Authorized employees of the Department shall be given free access to and shall not be hindered or interfered with in making an entry and examination. Any permit or license held by a person preventing free access or interfering with or hindering an employee shall not be issued to that person for the period of one year after his or her action.

Employees of the Department, as specifically authorized by the Director, are empowered to enter all lands and waters for the purpose of reptile or amphibian investigations, State and federal permit inspections, as well as reptile or amphibian censuses or inventories, and are further empowered to conduct examination of equipment and devices in the field, under law, to ensure compliance with this Act.

Section 105-45. Obstructing an officer. It shall be unlawful for any person to resist or obstruct any officer or employee of the Department in the discharge of his or her duties under this Act. Any person who violates this provision is guilty of a Class A misdemeanor.

Section 105-50. Posing as an officer or employee. It shall be unlawful for any person to represent himself or herself falsely to be an officer or employee of the Department or to assume to act as an officer or employee of the Department without having been duly appointed and employed. Any person who violates this provision is guilty of a Class A misdemeanor.

Section 105-55. Illegal collecting devices; public nuisance. Every collecting device, including seines, nets, traps, pillow cases, bags, snake hooks or tongs, or any electrical device or any other devices including vehicles or conveyance, watercraft, or aircraft used or operated illegally or attempted to be used or operated illegally by any person in taking, transporting, holding, or conveying any reptile or amphibian life or any part of reptile or amphibian life, contrary to this Act, including administrative rules, shall be deemed a public nuisance and therefore illegal and subject to seizure and confiscation by any authorized employee of the Department. Upon the seizure of this item, the Department shall take and hold the item until disposed of as provided in this Act.

Upon the seizure of any device because of its illegal use, the officer or authorized employee of the Department making the seizure shall, as soon as reasonably possible, cause a complaint to be filed before the circuit court and a summons to be issued requiring the owner or person in possession of the property to appear in court and show cause why the device seized should not be forfeited to the State. Upon the return of the summons duly served or upon posting or publication of notice as provided in this Act, the court shall proceed to determine the question of the illegality of the use of the seized property. Upon judgment being entered that the property was illegally used, an order shall be entered providing for the forfeiture of the seized property to the State. The owner of the property may have a jury determine the illegality of its use and shall have the right of an appeal as in other civil cases. Confiscation or forfeiture

shall not preclude or mitigate against prosecution and assessment of penalties provided in Article 90 of this Act.

Upon seizure of any property under circumstances supporting a reasonable belief that the property was abandoned, lost, stolen, or otherwise illegally possessed or used contrary to this Act, except property seized during a search or arrest, and ultimately returned, destroyed, or otherwise disposed of under order of a court in accordance with this Act, the authorized employee of the Department shall make reasonable inquiry and efforts to identify and notify the owner or other person entitled to possession of the property and shall return the property after the person provides reasonable and satisfactory proof of his or her ownership or right to possession and reimburses the Department for all reasonable expenses of custody. If the identity or location of the owner or other person entitled to possession of the property has not been ascertained within 6 months after the Department obtains possession, the Department shall effectuate the sale of the property for cash to the highest bidder at a public auction. The owner or other person entitled to possession of the property may claim and recover possession of the property at any time before its sale at public auction upon providing reasonable and satisfactory proof of ownership or right of possession and reimbursing the Department for all reasonable expenses of custody.

Any property forfeited to the State by court order under this Section may be disposed of by public auction, except that any property that is the subject of a court order shall not be disposed of pending appeal of the order. The proceeds of the sales at auction shall be deposited in the Wildlife and Fish Fund.

The Department shall pay all costs of posting or publication of notices required by this Section.

Section 105-60. Violations; separate offenses. Each act of pursuing, taking, shipping, offered or received for shipping, offering or receiving for shipment, transporting, buying, selling or bartering, or having in one's possession any protected reptile or amphibian life or any part of reptile or amphibian life, seines, nets, bags, snake hooks or tongs, or other devices used or to be used in violation of this Act, including administrative rules, constitutes a separate offense.

Section 105-65. Accessory to violation. Any person who aids in or contributes in any way to a violation of this Act, including administrative rules, is individually liable, as a separate offense under this Act, for the penalties imposed against the person who committed the violation.

Section 105-70. Permit fraudulently obtained. No person shall at any time:

(1) falsify, alter, or change in any manner, or provide deceptive or false information required for any permit issued under the provisions of this Act;

(2) falsify any record required by this Act;

(3) counterfeit any form of permit provided for by this Act;

(4) loan or transfer to another person any permit issued under this Act; or

(5) use any permit issued to another person under this Act.

It is unlawful to possess any permit issued under the provisions of this Act that was fraudulently obtained or which the person or permittee knew, or should have known, was falsified, altered, changed in any manner, or fraudulently obtained.

The Department shall revoke all permits and suspend all privileges under this Act of any person violating this Section for a period of not less than 3 years. The procedures for suspension under this Section shall be as provided for in administrative rule. Anyone who violates a provision of this Section shall be guilty of a Class A misdemeanor.

Section 105-75. Wildlife and Fish Fund; disposition of money received. All fees, fines, income of whatever kind or nature derived from reptile and amphibian activities regulated by this Act on lands, waters, or both under the jurisdiction or control of the Department and all penalties collected under this Act shall be deposited into the State Treasury and shall be set apart in a special fund known as the Wildlife and Fish Fund.

Section 105-80. Ownership and title of wild indigenous reptiles and amphibians. The ownership of and title to all wild indigenous reptile and amphibian life within the boundaries of the State are hereby declared to be in the State and no wild indigenous reptile and amphibian life shall be taken or killed, in any manner or at any time, unless the person or persons taking or killing the wild indigenous reptile and amphibian life shall consent that the title to the wild indigenous reptile and amphibian life shall be and remain in the State for the purpose of regulating the taking, killing, possession, use, sale, and transportation of wild indigenous reptile and amphibian life after taking or killing, as set forth in this Act.

Section 105-85. Application. This Act shall apply to reptile and amphibian life or any part of reptile and amphibian life (i) in or from any of the waters or lands wholly within the boundaries of the State or over which the State has concurrent jurisdiction with any other state or (ii) which may be possessed in or brought into the State.

Section 105-90. Taking on private property. It is unlawful for any person to take or attempt to take any species of reptile or amphibian, or parts thereof, within or upon the land of another, or upon waters flowing over or standing on the land of another, without first obtaining permission from the owner or the owner's designee. For the purposes of this Section, the owner's designee means anyone who the owner designates in a written authorization and the authorization must contain (i) the legal or common description of property for which the authority is given, (ii) the extent that the owner's designee is authorized to make decisions regarding who is allowed to take or attempt to take any species of reptiles or amphibians, or parts thereof, and (iii) the owner's notarized signature. Before enforcing this Section, the law enforcement officer must have received notice from the owner or the owner's designee of a violation of this Section. Statements made to a law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice. Any person who violates this Section shall be guilty of a Class B misdemeanor.

Section 105-95. Financial value of herptiles.

(a) For purposes of this Section, the financial value of all reptiles and amphibians described under this Act taken, possessed, or used in violation of this Act, whether in whole or in part, is as follows:

(1) for processed turtle parts, $8 for each pound or fraction of a pound; for each non-processed turtle, $15 per whole turtle or fair market value, whichever is greater;

(2) for frogs, toads, salamanders, lizards, and snakes, $5 per herptile or fair market value, whichever is greater, in whole or in part, unless specified as a special use herptile;

(3) for any special use herptile, the value shall be no less than $250 per special use herptile or fair market value, whichever is greater;

(4) for any endangered or threatened herptile, the value shall be no less than $150 per endangered or threatend herptile or fair market value, whichever is greater; and

(5) any person who, for profit or commercial purposes, knowingly captures or kills, possesses, offers for sale, sells, offers to barter, barters, offers to purchase, purchases, delivers for shipment, ships, exports, imports, causes to be shipped, exported, or imported, delivers for transportation, transports, or causes to be transported, carriers or causes to be carried, or receives for shipment, transportation, carriage, or export any reptile or amphibian life, in part or in whole, of any of the reptiles and amphibians protected by this Act, and that reptile or amphibian life, in whole or in part, is valued at or in excess of a total of $300 or fair market value, whichever is greater, as per value specified in paragraphs (1), (2), (3), and (4) of this subsection commits a Class 3 felony.

(b) The trier of fact may infer that a person "knowingly possesses" a reptile or amphibian, in whole or in part, captured or killed in violation of this Act, valued at or in excess of $600, as per value specified in paragraphs (1), (2), (3), and (4) of subsection (a) of this Section.

Section 105-100. Home rule. A municipality or county may adopt an ordinance governing amphibian and reptile species that is more restrictive than this Act.

ARTICLE 110. EXEMPTIONS

Section 110-5. Exemptions. When acting in their official capacity, the following entities and their agents are exempt from Articles 75 and 85 of this Act:

(1) public zoos or aquaria accredited by the Association of Zoos and Aquariums;

(2) licensed veterinarians or anyone operating under the authority of a licensed veterinarian;

(3) wildlife sanctuaries;

(4) accredited research or medical institutions;

(5) licensed or accredited educational institutions;

(6) circuses licensed and in compliance with the Animal Welfare Act and all rules adopted by the Department of Agriculture;

(7) federal, State, and local law enforcement officers, including animal control officers acting under the authority of this Act;

(8) members of federal, State, or local agencies approved by the Department;

(9) any bona fide wildlife rehabilitation facility licensed or otherwise authorized by the Department; and

(10) any motion picture or television production company that uses licensed dealers, exhibitors, and transporters under the federal Animal Welfare Act, 7 U.S.C. 2132.

Section 900-5. The Fish and Aquatic Life Code is amended by changing Sections 1-20, 5-25, 10-30, 10-35, 10-60, 10-65, and 10-115 as follows:

(515 ILCS 5/1-20) (from Ch. 56, par. 1-20)

Sec. 1-20. Aquatic life. "Aquatic life" means all fish, ~~reptiles, amphibians,~~ crayfish, and mussels. For the purposes of Section 20-90, the definition of "aquatic life" shall include, but is not limited to, all fish, ~~reptiles, amphibians,~~ mollusks, crustaceans, algae or other aquatic plants, and invertebrates. Aquatic life does not mean any herptiles that are found in the Herptiles-Herps Act.

(Source: P.A. 89-66, eff. 1-1-96.)

(515 ILCS 5/5-25) (from Ch. 56, par. 5-25)

Sec. 5-25. Value of protected species; violations.

(a) Any person who, for profit or commercial purposes, knowingly captures or kills, possesses, offers for sale, sells, offers to barter, barters, offers to purchase, purchases, delivers for shipment, ships, exports, imports, causes to be shipped, exported, or imported, delivers for transportation, transports or causes to be transported, carries or causes to be carried, or receives for shipment, transportation, carriage, or export any aquatic life, in part or in whole of any of the species protected by this Code, contrary to the provisions of the Code, and that aquatic life, in whole or in part, is valued at or in excess of a total of $300, as per species value specified in subsection (c) of this Section, commits a Class 3 felony.

A person is guilty of a Class 4 felony if convicted under this Section for more than one violation within a 90-day period if the aquatic life involved in each violation are not valued at or in excess of $300 but the total value of the aquatic life involved with the multiple violations is at or in excess of $300. The prosecution for a Class 4 felony for these multiple violations must be alleged in a single charge or indictment and brought in a single prosecution.

Any person who violates this subsection (a) when the total value of species is less than $300 commits a Class A misdemeanor except as otherwise provided.

(b) Possession of aquatic life, in whole or in part, captured or killed in violation of this Code, valued at or in excess of $600, as per species value specified in subsection (c) of this Section, shall be considered prima facie evidence of possession for profit or commercial purposes.

(c) For purposes of this Section, the fair market value or replacement cost, whichever is greater, must be used to determine the value of the species protected by this Code, but in no case shall the minimum value of all aquatic life and their hybrids protected by this Code, whether dressed or not dressed, be less than the following:

(1) For each muskellunge, northern pike, walleye, striped bass, sauger, largemouth bass, smallmouth bass, spotted bass, trout (all species), salmon (all species other than chinook caught from August 1 through December 31), and sturgeon (other than pallid or lake sturgeon) of a weight, dressed or not dressed, of one pound or more, $4 for each pound or fraction of a pound. For each individual fish with a dressed or not dressed weight of less than one pound, $4. For parts of fish processed past the dressed state, $8 per pound.

(2) For each warmouth, rock bass, white bass, yellow bass, sunfish (all species except largemouth, smallmouth, and spotted bass), bluegill, crappie, bullheads, pickerels, yellow perch, catfish (all species), and mussels of a weight, dressed or not dressed, of one pound or more, $4 for each pound or fraction of a pound of aquatic life. For each individual aquatic life with a dressed or not dressed weight of less than one pound, $4. For aquatic life parts processed past the dressed state, $8 per pound.

(3) (Blank). ~~For processed turtle parts, $6 for each pound or fraction of a pound. For each non-processed turtle, $8 per turtle.~~

(4) (Blank). ~~For frogs, toads, salamanders, lizards, and snakes, $8 per animal in whole or in part.~~

(5) For goldeye, mooneye, carp, carpsuckers (all species), suckers (all species), redhorse (all species), buffalo (all species), freshwater drum, skipjack, shad (all species), alewife, smelt, gar, bowfin, chinook salmon caught from August 1 through December 31, and all other aquatic life protected by this Code, not listed in paragraphs (1), (2), or (5) ~~(3), or (4)~~ of subsection (c) of this Section, $1 per pound, in part or in whole.

(6) For each species listed on the federal or State endangered and threatened species list, and for lake and pallid sturgeon, $150 per animal in whole or in part.

(Source: P.A. 95-147, eff. 8-14-07.)

(515 ILCS 5/10-30) (from Ch. 56, par. 10-30)

Sec. 10-30. Bullfrog; open season. Bullfrog open season is found in Section 5-30 of the Herptiles-Herps Act. ~~All individuals taking bullfrogs shall possess a valid sport fishing license and may take bullfrogs only during the following open season of June 15 through August 31, both inclusive.~~

(Source: P.A. 87-833.)

(515 ILCS 5/10-35) (from Ch. 56, par. 10-35)

Sec. 10-35. Daily limit; bullfrogs. Bullfrog daily limit is found in Section 5-30 of the Herptiles-Herps Act. ~~The daily limit for all properly licensed individuals is 8 bullfrogs. The possession limit total is 16 bullfrogs.~~

(Source: P.A. 87-833.)

(515 ILCS 5/10-60) (from Ch. 56, par. 10-60)

Sec. 10-60. Taking of turtles or bullfrogs; illegal devices. Taking of turtles or bullfrogs is found in Section 5-30 of the Herptiles-Herps Act. ~~No person shall take turtles or bullfrogs by commercial fishing devices, including hoop nets, traps, or seines, or by the use of firearms, airguns, or gas guns.~~

(Source: P.A. 87-833.)

(515 ILCS 5/10-65) (from Ch. 56, par. 10-65)

Sec. 10-65. Taking of snakes. Taking of snakes is found in Section 5-25 of the Herptiles-Herps Act. ~~Unless otherwise provided in this Code, snakes may be taken by the owners or bonafide tenants of lands actually residing on the lands and their children, parents, brothers, and sisters actually permanently residing with them.~~

(Source: P.A. 87-833.)

(515 ILCS 5/10-115) (from Ch. 56, par. 10-115)

Sec. 10-115. Taking of turtles. Taking of turtles is found in Section 5-30 of the Herptiles-Herps Act. ~~Turtles may be taken only by hand or means of hook and line. The provisions of this Section are subject to modification by administrative rule.~~

(Source: P.A. 87-833.)

Section 900-10. The Illinois Endangered Species Protection Act is amended by changing Sections 4 and 5 as follows:

(520 ILCS 10/4) (from Ch. 8, par. 334)

Sec. 4. Upon receipt of proper application and approval of the same, the Department may issue to any qualified person a permit which allows the taking, possession, transport, purchase, or disposal of specimens or products of an endangered or threatened species of animal or federal endangered plant after the effective date of this Act for justified purposes, that will enhance the survival of the affected species by zoological, botanical or educational or for scientific purposes only. Section 5-20 of the Herptiles-Herps Act has provisions for permits to acquire, breed, and sell captive, legally obtained endangered and threatened amphibians and reptiles. Rules for the issuance and maintenance of permits shall be promulgated by the Department after consultation with and written approval of the Board. The Department shall, upon notice and hearing, revoke the permit of any holder thereof upon finding that the person is not complying with the terms of the permit, the person is knowingly providing incorrect or inadequate information, the activity covered by the permit is placing the species in undue jeopardy, or for other cause.

(Source: P.A. 84-1065.)

(520 ILCS 10/5) (from Ch. 8, par. 335)

Sec. 5. (a) Upon receipt of proper application and approval of same, the Department may issue a limited permit authorizing the possession, purchase or disposition of animals or animal products of an endangered or threatened species, or federal endangered plants to any person which had in its possession prior to the effective date of this Act such an item or which obtained such an item legally out-of-state. Such permit shall specifically name and describe each pertinent item possessed by the permit holder and shall be valid only for possession, purchase or disposition of the items so named. The Department may require proof that acquisition of such items was made before the effective date of this Act. The Department may also issue a limited permit authorizing the possession, purchase or disposition of live animals or such item to any person to whom a holder of a valid permit issued pursuant to this section gives, sells, or otherwise transfers the item named in the permit. Section 5-20 of the Herptiles-Herps Act has provisions for permits to acquire, breed, and sell captive, legally obtained endangered and threatened amphibians and reptiles. Limited permits issued pursuant to this section shall be valid only as long as the item remains in the possession of the person to whom the permit was issued.

(b) The limited permit shall be revoked by the Department if it finds that the holder has received it on the basis of false information, is not complying with its terms, or for other cause.

(Source: P.A. 84-1065.)

Section 900-15. The Criminal Code of 2012 is amended by changing Section 48-10 as follows:
(720 ILCS 5/48-10)
Sec. 48-10. Dangerous animals.
(a) Definitions. As used in this Section, unless the context otherwise requires:
"Dangerous animal" means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf or coyote~~, or any poisonous or life-threatening reptile~~. Dangerous animal does not mean any herptiles included in the Herptiles-Herps Act.
"Owner" means any person who (1) has a right of property in a dangerous animal or primate, (2) keeps or harbors a dangerous animal or primate, (3) has a dangerous animal or primate in his or her care, or (4) acts as custodian of a dangerous animal or primate.
"Person" means any individual, firm, association, partnership, corporation, or other legal entity, any public or private institution, the State, or any municipal corporation or political subdivision of the State.
"Primate" means a nonhuman member of the order primate, including but not limited to chimpanzee, gorilla, orangutan, bonobo, gibbon, monkey, lemur, loris, aye-aye, and tarsier.
(b) Dangerous animal or primate offense. No person shall have a right of property in, keep, harbor, care for, act as custodian of or maintain in his or her possession any dangerous animal or primate except at a properly maintained zoological park, federally licensed exhibit, circus, college or university, scientific institution, research laboratory, veterinary hospital, hound running area, or animal refuge in an escape-proof enclosure.
(c) Exemptions.
(1) This Section does not prohibit a person who had lawful possession of a primate before January 1, 2011, from continuing to possess that primate if the person registers the animal by providing written notification to the local animal control administrator on or before April 1, 2011. The notification shall include:
(A) the person's name, address, and telephone number; and
(B) the type of primate, the age, a photograph, a description of any tattoo, microchip, or other identifying information, and a list of current inoculations.
(2) This Section does not prohibit a person who is permanently disabled with a severe mobility impairment from possessing a single capuchin monkey to assist the person in performing daily tasks if:
(A) the capuchin monkey was obtained from and trained at a licensed nonprofit organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, the nonprofit tax status of which was obtained on the basis of a mission to improve the quality of life of severely mobility-impaired individuals; and
(B) the person complies with the notification requirements as described in paragraph (1) of this subsection (c).
(d) A person who registers a primate shall notify the local animal control administrator within 30 days of a change of address. If the person moves to another locality within the State, the person shall register the primate with the new local animal control administrator within 30 days of moving by providing written notification as provided in paragraph (1) of subsection (c) and shall include proof of the prior registration.
(e) A person who registers a primate shall notify the local animal control administrator immediately if the primate dies, escapes, or bites, scratches, or injures a person.
(f) It is no defense to a violation of subsection (b) that the person violating subsection (b) has attempted to domesticate the dangerous animal. If there appears to be imminent danger to the public, any dangerous animal found not in compliance with the provisions of this Section shall be subject to seizure and may immediately be placed in an approved facility. Upon the conviction of a person for a violation of subsection (b), the animal with regard to which the conviction was obtained shall be confiscated and placed in an approved facility, with the owner responsible for all costs connected with the seizure and confiscation of the animal. Approved facilities include, but are not limited to, a zoological park, federally licensed exhibit, humane society, veterinary hospital or animal refuge.
(g) Sentence. Any person violating this Section is guilty of a Class C misdemeanor. Any corporation or partnership, any officer, director, manager or managerial agent of the partnership or corporation who violates this Section or causes the partnership or corporation to violate this Section is guilty of a Class C misdemeanor. Each day of violation constitutes a separate offense.
(Source: P.A. 97-1108, eff. 1-1-13.)".

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 Hastings, **Senate Bill No. 2722** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Biss, **Senate Bill No. 2826** 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	Luechtefeld	Rezin
Barickman	Frerichs	Martinez	Righter
Bertino-Tarrant	Haine	McCann	Rose
Biss	Harmon	McCarter	Sandoval
Bivins	Harris	McConnaughay	Silverstein
Brady	Hastings	McGuire	Steans
Bush	Holmes	Morrison	Sullivan
Clayborne	Jacobs	Mulroe	Syverson
Collins	Koehler	Muñoz	Trotter
Connelly	Kotowski	Murphy	Mr. President
Cullerton, T.	LaHood	Noland	
Cunningham	Landek	Oberweis	
Delgado	Lightford	Radogno	
Duffy	Link	Raoul	

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

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

SENATE BILL RECALLED

On motion of Senator Sullivan, **Senate Bill No. 2932** was recalled from the order of third reading to the order of second reading.

Senator Sullivan offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2932

AMENDMENT NO. _2__. Amend Senate Bill 2932, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 8, line 15, after "motor vehicle" by inserting "that requires a commercial driver's license to operate"; and

on page 20, line 2, by replacing "vehicle by" with "vehicle that requires a commercial driver's license to operate by".

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 Silverstein, **Senate Bill No. 2955** 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	Frerichs	Martinez	Righter
Barickman	Haine	McCann	Rose
Bertino-Tarrant	Harmon	McCarter	Sandoval
Biss	Harris	McConnaughay	Silverstein
Bivins	Hastings	McGuire	Stadelman
Bush	Holmes	Morrison	Steans
Clayborne	Koehler	Mulroe	Sullivan
Collins	Kotowski	Muñoz	Syverson
Connelly	LaHood	Murphy	Trotter
Cullerton, T.	Landek	Noland	Van Pelt
Cunningham	Lightford	Oberweis	Mr. President
Delgado	Link	Radogno	
Duffy	Luechtefeld	Raoul	
Forby	Manar	Rezin	

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

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

On motion of Senator Bertino-Tarrant, **Senate Bill No. 2991** 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 42; NAYS 9.

The following voted in the affirmative:

Althoff	Haine	Martinez	Sandoval
Bertino-Tarrant	Harmon	McConnaughay	Silverstein
Biss	Harris	McGuire	Stadelman
Bush	Hastings	Morrison	Steans
Clayborne	Holmes	Mulroe	Sullivan
Collins	Koehler	Muñoz	Syverson
Cullerton, T.	Kotowski	Noland	Trotter
Cunningham	Lightford	Oberweis	Van Pelt
Delgado	Link	Radogno	Mr. President
Forby	Luechtefeld	Raoul	
Frerichs	Manar	Rezin	

The following voted in the negative:

Barickman	Duffy	McCarter
Bivins	Landek	Righter
Brady	McCann	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 Raoul, **Senate Bill No. 3040** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Raoul
Barickman	Frerichs	Manar	Rezin
Bertino-Tarrant	Haine	Martinez	Righter
Biss	Harmon	McCann	Rose
Bivins	Harris	McCarter	Sandoval
Brady	Hastings	McConnaughay	Silverstein
Bush	Holmes	McGuire	Stadelman
Clayborne	Hutchinson	Morrison	Steans
Collins	Koehler	Mulroe	Sullivan
Connelly	Kotowski	Muñoz	Syverson
Cullerton, T.	LaHood	Murphy	Trotter
Cunningham	Landek	Noland	Van Pelt
Delgado	Lightford	Oberweis	Mr. President
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. 3076** 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 34; NAYS 18; Present 1.

The following voted in the affirmative:

Bertino-Tarrant	Hastings	Manar	Silverstein
Biss	Holmes	Martinez	Stadelman
Clayborne	Hunter	McGuire	Steans
Cullerton, T.	Hutchinson	Morrison	Sullivan
Cunningham	Koehler	Mulroe	Trotter
Forby	Kotowski	Muñoz	Van Pelt
Frerichs	Landek	Noland	Mr. President
Harmon	Lightford	Raoul	
Harris	Link	Sandoval	

The following voted in the negative:

Althoff	Duffy	McCarter	Rezin
Barickman	Haine	McConnaughay	Righter
Bivins	LaHood	Murphy	Rose
Brady	Luechtefeld	Oberweis	
Connelly	McCann	Radogno	

The following voted present:

Delgado

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

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

On motion of Senator Trotter, **Senate Bill No. 3103** 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	Manar	Rezin
Barickman	Frerichs	Martinez	Righter
Bertino-Tarrant	Haine	McCann	Rose
Biss	Harmon	McCarter	Sandoval
Bivins	Harris	McConnaughay	Silverstein
Brady	Hastings	McGuire	Stadelman
Bush	Holmes	Morrison	Steans

Clayborne	Hutchinson	Mulroe	Sullivan
Collins	Koehler	Muñoz	Syverson
Connelly	Kotowski	Murphy	Trotter
Cullerton, T.	LaHood	Noland	Mr. President
Cunningham	Landek	Oberweis	
Delgado	Lightford	Radogno	
Duffy	Link	Raoul	

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

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

At the hour of 12:39 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:48 o'clock p.m., the Senate resumed consideration of business.
Senator Link, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 3, 2014 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive Subcommittee on Constitutional Amendments: **Senate Committee Amendment No. 1 to Senate Joint Resolution Constitutional Amendment 39**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 3, 2014 meeting, to which was referred **Senate Bills Numbered 122, 123, 124, 125, 126, 127, 229, 230, 231, 232, 233, 234, 351, 352, 452, 507, 589, 590, 646, 647, 648, 728, 1011, 1012, 1050, 1051 and 1052** on April 16, 2013, reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 122, 123, 124, 125, 126, 127, 229, 230, 231, 232, 233, 234, 351, 352, 452, 507, 589, 590, 646, 647, 648, 728, 1011, 1012, 1050, 1051 and 1052** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 3, 2014 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution 1012

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

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Koehler moved that **Senate Resolution No. 837**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Koehler moved that Senate Resolution No. 837 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Martinez moved that **Senate Resolution No. 903**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Martinez moved that Senate Resolution No. 903 be adopted.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

Senator Martinez moved that **Senate Resolution No. 969**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Martinez moved that Senate Resolution No. 969 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Kotowski moved that **Senate Resolution No. 1003**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Kotowski moved that Senate Resolution No. 1003 be adopted.

The motion prevailed.

And the resolution was adopted.

PRESENTATION OF RESOLUTION

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

SENATE RESOLUTION NO. 1073

WHEREAS, During the Japanese colonial and wartime expansion of Asia and the Pacific Islands from 1932 through the duration of World War II, approximately 200,000 women and girls were coerced into a system of forced military prostitution; and

WHEREAS, The term "comfort women" was a euphemism used by the Japanese government to describe women and girls forced into sexual slavery by the Imperial Japanese military at camps, known as "comfort stations"; and

WHEREAS, The majority of "comfort women" were of Korean or Chinese descent, but women from Thailand, Vietnam, Indonesia, Malaysia, the Philippines, Australia, and the Netherlands were also interned in military camps run directly by the Imperial Japanese military or private agents working for the military; and

WHEREAS, Some of the women were sold to these military camps as minors, others were deceptively recruited by middlemen with the promise of employment and financial security, and still others were forcibly kidnapped and forced to become "sexual slaves" for soldiers stationed throughout the Japanese occupied territories; and

WHEREAS, Approximately three-quarters of the "comfort women" died as a direct result of the brutality inflicted on them during their internment; some of those who survived were left infertile due to sexual violence or sexually transmitted diseases; and

WHEREAS, The stories of the "comfort women" are an essential part of the history of human trafficking; and

WHEREAS, The United Nations reports that 2.4 million people across the globe are victims of human trafficking at any one time, and 80% of them are being exploited as sexual slaves; and

WHEREAS, At least 16,000 women and girls are involved in the sex trade every year in Chicago, many of whom are victims of human trafficking; and

WHEREAS, The State of Illinois stands against human trafficking in all its forms, as evidenced by the 2005 formation of the Illinois Rescue and Restore Coalition, a partnership between the Illinois Department of Human Services and the federal government to combat labor and sex trafficking in Illinois; and

WHEREAS, The State of Illinois further showed its commitment to fighting human trafficking through Public Act 98-0435, which became law last August and allows trafficking victims to receive financial assistance to remove "trafficking tattoos" that traffickers often use to brand their victims as their property; and

WHEREAS, It is fitting for the Senate to support H.R. 121, adopted by the United States House of Representatives in 2007, which called upon the Japanese government to stand by its statement of remorse for the sexual enslavement of "comfort women" by the Imperial Japanese Army and its apology to survivors and to educate future generations about these crimes; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize and support "comfort women" by acknowledging as historical fact the suffering they endured during their forced internment in Japanese military comfort stations; and be it further

RESOLVED, That we urge all Illinois educators to share with students of an appropriate age the story of "comfort women" when discussing the history of Asia or World War II, or the issue of human trafficking; and be it further

RESOLVED, That we commit to working toward the inclusion of Asian and Asian American experiences, such as the story of "comfort women" and the forced incarceration of Japanese Americans during World War II, in history and social science curricula used in Illinois public schools; and be it further

RESOLVED, That we reaffirm our commitment to ending all forms of violence and trafficking of women in the State of Illinois; and be it further

RESOLVED, That suitable copies of this resolution be presented to the executive directors of the Korean American Resource & Cultural Center, Korean American Voter Organizing Initiative & Community Empowerment, Korean American Women in Need, the Japanese American Service Committee, the Cambodian Association of Illinois, and Asian Americans Advancing Justice-Chicago.

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. 3937
A bill for AN ACT concerning education.
HOUSE BILL NO. 4561
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 4948
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 5322
A bill for AN ACT concerning civil law.
Passed the House, April 3, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 3937, 4561, 4948 and 5322** 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. 4382
A bill for AN ACT concerning safety.
HOUSE BILL NO. 5485
A bill for AN ACT concerning government.
HOUSE BILL NO. 5572
A bill for AN ACT concerning education.
Passed the House, April 3, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4382, 5485 and 5572** were taken up, ordered printed and placed on first reading.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 1044
Offered by Senator Link and all Senators:
Mourns the death of William Joseph "Bill" Cunningham of Vernon Hills.

SENATE RESOLUTION NO. 1045
Offered by Senator Murphy and all Senators:
Mourns the death of John Nicholas DeNatale of Palatine.

SENATE RESOLUTION NO. 1046
Offered by Senator Murphy and all Senators:
Mourns the death of Roger Burritt Morrison of Arlington Heights.

SENATE RESOLUTION NO. 1047
Offered by Senators Bertino-Tarrant – McGuire and all Senators:
Mourns the death of Maurice E. "Skip" Keniley of O'Fallon.

SENATE RESOLUTION NO. 1048
Offered by Senator Koehler and all Senators:
Mourns the death of James H. Davis of Peoria.

SENATE RESOLUTION NO. 1050
Offered by Senator Syverson and all Senators:
Mourns the death of James "Keith" Gibson, Sr.

SENATE RESOLUTION NO. 1051
Offered by Senator Syverson and all Senators:
Mourns the death of Mary Ann Dykstra.

SENATE RESOLUTION NO. 1054
Offered by Senator Kotowski and all Senators:
Mourns the death of William G. Kuenstle of Park Ridge.

SENATE RESOLUTION NO. 1055
Offered by Senators Bertino-Tarrant – McGuire and all Senators:
Mourns the death of Celine "CENE" Schwartz (nee Solley) of Shorewood.

SENATE RESOLUTION NO. 1057
Offered by Senator Koehler and all Senators:
Mourns the death of Richard H. Parsons of Peoria.

SENATE RESOLUTION NO. 1058
Offered by Senator Koehler and all Senators:
Mourns the death of Estill Ray Arnold of Moline.

SENATE RESOLUTION NO. 1059
Offered by Senator McConnaughay and all Senators:
Mourns the death of Ronald J. Stachowicz

SENATE RESOLUTION NO. 1060
Offered by Senator Link and all Senators:
Mourns the death of Artis Yancey of Waukegan.

SENATE RESOLUTION NO. 1061
Offered by Senator Link and all Senators:
Mourns the death of Eugene Paul "Spud" Payne, Jr., of Waukegan.

SENATE RESOLUTION NO. 1062
Offered by Senator Link and all Senators:
Mourns the death of Joseph John Kraft, formerly of Libertyville.

SENATE RESOLUTION NO. 1063
Offered by Senator Link and all Senators:
Mourns the death of Richard E. Caplan of Chicago.

SENATE RESOLUTION NO. 1064
Offered by Senator Link and all Senators:
Mourns the death of Raymond G. Card of Waukegan.

SENATE RESOLUTION NO. 1065
Offered by Senator Link and all Senators:
Mourns the death of Bruce J. Lewin of Waukegan.

SENATE RESOLUTION NO. 1066
Offered by Senator Link and all Senators:

Mourns the death of Joseph R. Beyer, Sr., of Midlothian.

SENATE RESOLUTION NO. 1067

Offered by Senator Link and all Senators:
Mourns the death of Emily "Millie" Macrowski, formerly of North Chicago.

SENATE RESOLUTION NO. 1068

Offered by Senator Link and all Senators:
Mourns the death of Hildegarda Drobinski of Waukegan

SENATE RESOLUTION NO. 1069

Offered by Senator Link and all Senators:
Mourns the death of James R. Lunsford, Jr.

SENATE RESOLUTION NO. 1071

Offered by Senator Rose and all Senators:
Mourns the death of Roy C. Shuff of Shelbyville.

SENATE RESOLUTION NO. 1072

Offered by Senator Lightford and all Senators:
Mourns the death of Bishop Glaudis Lawrence III.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 3540
Senate Committee Amendment No. 1 to Senate Bill 3541

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 121
Senate Floor Amendment No. 1 to Senate Bill 223
Senate Floor Amendment No. 1 to Senate Bill 224
Senate Floor Amendment No. 1 to Senate Bill 231
Senate Floor Amendment No. 1 to Senate Bill 507
Senate Floor Amendment No. 1 to Senate Bill 1050
Senate Floor Amendment No. 1 to Senate Bill 1098
Senate Floor Amendment No. 1 to Senate Bill 1099
Senate Floor Amendment No. 2 to Senate Bill 2870
Senate Floor Amendment No. 2 to Senate Bill 3007
Senate Floor Amendment No. 3 to Senate Bill 3014
Senate Floor Amendment No. 2 to Senate Bill 3144
Senate Floor Amendment No. 3 to Senate Bill 3409
Senate Floor Amendment No. 2 to Senate Bill 3558

At the hour of 12:59 o'clock p.m., the Chair announced the Senate stand adjourned until Monday, April 7, 2014, at 12:00 o'clock noon.