



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

106TH LEGISLATIVE DAY

MONDAY, APRIL 7, 2014

12:12 O'CLOCK P.M.

SENATE
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106th Legislative Day

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The Senate met pursuant to adjournment.
 Senator John M. Sullivan, Rushville, Illinois, presiding.
 Prayer by Pastor Robert Freeman, Kumler United Methodist Church, Springfield, Illinois.
 Senator Haine led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, April 3, 2014, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Racial Profiling Prevention and Data Oversight Board Fiscal Year 2013 Activities, submitted by the Department of Transportation.

Report designating Cronus Chemicals, LLC as an Illinois High Impact Business, submitted by the Department of Commerce and Economic Opportunity.

Illinois State Toll Highway Authority OIG Summary Activity Report for the Time Period October 1, 2013 through March 31, 2014, submitted by the Illinois Tollway.

Illiana Expressway - Will, Kankakee (IL) and Lake (IN) Counties Legislative Report – April 2, 2014, submitted by the Department of Transportation.

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 122
 Senate Floor Amendment No. 2 to Senate Bill 217
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 Senate Floor Amendment No. 1 to Senate Bill 646
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 Senate Floor Amendment No. 1 to Senate Bill 728
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 Senate Floor Amendment No. 1 to Senate Bill 1048

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Senate Floor Amendment No. 1 to Senate Bill 2003
 Senate Floor Amendment No. 1 to Senate Bill 2012
 Senate Floor Amendment No. 1 to Senate Bill 2013
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 Senate Floor Amendment No. 1 to Senate Bill 3369
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 Senate Floor Amendment No. 2 to Senate Bill 3411
 Senate Floor Amendment No. 2 to Senate Bill 3414
 Senate Floor Amendment No. 1 to Senate Bill 3456
 Senate Floor Amendment No. 2 to Senate Bill 3465
 Senate Floor Amendment No. 1 to Senate Bill 3512
 Senate Floor Amendment No. 2 to Senate Bill 3513
 Senate Floor Amendment No. 1 to Senate Bill 3522
 Senate Floor Amendment No. 2 to Senate Bill 3538
 Senate Floor Amendment No. 1 to Senate Bill 3548
 Senate Floor Amendment No. 2 to Senate Bill 3574

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1075

Offered by Senator Dillard and all Senators:

Mourns the death of Helen E. "Betty" Christy (nee Lindsay), formerly of Hinsdale.

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

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

SENATE RESOLUTION NO. 1074

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Rules of the Senate of the 98th General Assembly are amended by changing Rule 10-2 as follows:

(Senate Rule 10-2)

10-2. Appointment Messages.

(a) Every nomination subject to the advice and consent of the Senate shall be submitted to the Senate by an Appointment Message from the appointing officer or appointing authority in accordance with this Rule, using the Appointment Message form provided in this Rule, containing all of the required

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information, and accompanied by a cover letter signed by the appointing officer or on behalf of the appointing authority.

(b) All Appointment Messages shall be drafted by the Legislative Reference Bureau, according to the form provided in this Rule.

(c) Appointment Messages submitted shall be assigned a sequential number by the Secretary of the Senate, indicating the order in which they were received and read into the Senate record by the Secretary of the Senate at the direction of the Senate President. An Appointment Message is received by the Senate when it is read into the Senate record and assigned a sequential number. A perfunctory session day shall not be deemed to be a session day for the purpose of Article V, Section 9, subsection (a) of the Illinois Constitution.

(d) An Appointment Message that does not conform to the requirements of this Rule shall, at the direction of the Senate President, (i) be ruled non-compliant and of no legal effect and (ii) be returned by the Secretary of the Senate to the appointing officer or authority that filed it.

(e) The appointing officer or authority may file in accordance with this Rule an Appointment Message that supersedes a previously filed Appointment Message. A superseding Appointment Message shall identify by sequential number the Appointment Message that it supersedes. The filing of a superseding Appointment Message shall automatically table the Appointment Message that it supersedes, and that superseded Appointment Message shall have no further legal effect. The filing of a superseding Appointment Message shall not have the effect of restarting the 60 session day period within which the Senate must confirm or reject the appointee under Article V, Section 9, subsection (a) of the Illinois Constitution, Senate Rule 10-1, or any applicable law.

(f) Nothing in this Rule shall be construed to prohibit an appointing officer or authority from withdrawing in writing an Appointment Message that was previously submitted to or received by the Senate. An Appointment Message that has been withdrawn shall have no further legal effect. The filing of an Appointment Message appointing the same person to the same office and for a term ending on the same date as that of an Appointment Message that was previously filed and later withdrawn shall not have the effect of restarting the 60 session day period within which the Senate must confirm or reject the appointee under Article V, Section 9, subsection (a) of the Illinois Constitution, Senate Rule 10-1, or any applicable law.

(g) An Appointment Message (i) shall be a committee-sponsored legislative measure that is unamendable and (ii) shall be controlled by the Chairperson of the Executive Appointments Committee, who for purposes of these Senate Rules shall be deemed the principal sponsor. In the absence of the Chairperson, the Vice-Chairperson of the Executive Appointments Committee shall be deemed the principal sponsor. Messages may not have individual cosponsors.

(h) Any Appointment Message pending when the Senate adjourns *sine die* (i) shall carry over into the next General Assembly and (ii) shall be considered to have been received by the Senate when originally read into the Senate record as provided for in subsection (c) of this Rule. An Appointment Message carrying over into the next General Assembly shall retain the sequential number assigned when originally read into the Senate record as provided for in subsection (c) of this Rule.

(i) Form.

APPOINTMENT MESSAGE

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

(I, (Name and Title of Appointing Officer), am)/(The (Name of the Appointing Authority) is) nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: (Insert Title and Position)

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Agency or Other Body: (Name of Agency, Board, Commission, or other Body to Which Nomination is Being Made)

Start Date: (Insert Start Date)

End Date: (Insert End Date or Specify "Not Applicable")

Name: (Name of Nominee)

Residence: (Residential Address of Nominee)

Annual Compensation: (Insert Dollar Amount or Specify "Unsalariated")

Per diem: (Insert Dollar Amount or Specify "Not Applicable")

Nominee's Senator: Senator (Name of Senator in whose District the Nominee Resides)

Most Recent Holder of Office: (Insert Name or Specify "New Position")

Superseded Appointment Message: (Insert Sequence Number of Superseded Message or Specify "Not Applicable")

(Source: S.R. 2, 98th G.A.; S.R. 54, 98th G.A.)

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. 3707

A bill for AN ACT concerning local government.

HOUSE BILL NO. 3827

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4035

A bill for AN ACT concerning health.

HOUSE BILL NO. 4380

A bill for AN ACT concerning children.

HOUSE BILL NO. 4483

A bill for AN ACT concerning government.

HOUSE BILL NO. 4516

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4535

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5143

A bill for AN ACT concerning transportation.

Passed the House, April 3, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 3707, 3827, 4035, 4380, 4483, 4516, 4535 and 5143** 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:

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HOUSE BILL NO. 3748
A bill for AN ACT concerning State government.
HOUSE BILL NO. 4482
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 4491
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 4745
A bill for AN ACT concerning liquor.
HOUSE BILL NO. 4783
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 3748, 4482, 4491, 4745 and 4783** 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. 4782
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 4784
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 5307
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 5610
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 5689
A bill for AN ACT concerning safety.
HOUSE BILL NO. 5856
A bill for AN ACT concerning local government.
HOUSE BILL NO. 5891
A bill for AN ACT concerning business.
Passed the House, April 3, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4782, 4784, 5307, 5610, 5689, 5856 and 5891** 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. 5311
A bill for AN ACT concerning revenue.
HOUSE BILL NO. 5397
A bill for AN ACT concerning education.
HOUSE BILL NO. 5514
A bill for AN ACT concerning wildlife.
HOUSE BILL NO. 5546
A bill for AN ACT concerning education.
HOUSE BILL NO. 5662
A bill for AN ACT concerning transportation.
Passed the House, April 3, 2014.

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TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 5311, 5397, 5514, 5546 and 5662** 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. 4486

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4593

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 4486 and 4593** 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. 3798

A bill for AN ACT concerning government.

HOUSE BILL NO. 3924

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4056

A bill for AN ACT concerning animals.

HOUSE BILL NO. 4329

A bill for AN ACT concerning wildlife.

HOUSE BILL NO. 4422

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4557

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4762

A bill for AN ACT concerning agriculture.

HOUSE BILL NO. 4769

A bill for AN ACT concerning finance.

Passed the House, April 4, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 3798, 3924, 4056, 4329, 4422, 4557, 4762 and 4769** 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. 3912

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4660

A bill for AN ACT concerning revenue.

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HOUSE BILL NO. 4773
A bill for AN ACT concerning State government.
HOUSE BILL NO. 4781
A bill for AN ACT concerning corrections.
HOUSE BILL NO. 4790
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 5401
A bill for AN ACT concerning safety.
HOUSE BILL NO. 5433
A bill for AN ACT concerning State government.
HOUSE BILL NO. 5464
A bill for AN ACT concerning safety.
Passed the House, April 4, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 3912, 4660, 4773, 4781, 4790, 5401, 5433 and 5464** 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. 4594
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 5564
A bill for AN ACT concerning revenue.
HOUSE BILL NO. 5648
A bill for AN ACT concerning fish.
HOUSE BILL NO. 5824
A bill for AN ACT concerning courts.
HOUSE BILL NO. 5869
A bill for AN ACT concerning fish.
HOUSE BILL NO. 5893
A bill for AN ACT concerning revenue.
Passed the House, April 4, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4594, 5564, 5648, 5824, 5869 and 5893** 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. 5410
A bill for AN ACT concerning public health.
HOUSE BILL NO. 5416
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 5475
A bill for AN ACT concerning vehicles.
HOUSE BILL NO. 5686
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 5735
A bill for AN ACT concerning business.
HOUSE BILL NO. 5872

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A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5895

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5922

A bill for AN ACT concerning criminal law.

Passed the House, April 4, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 5410, 5416, 5475, 5686, 5735, 5872, 5895 and 5922** 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 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. 21

WHEREAS, It is important to recognize those who contributed to the betterment of the State of Illinois through public service; and

WHEREAS, It is equally important that we do not forget the contributions these individuals made in improving the State of Illinois and the nation as a whole; and

WHEREAS, John "Doc" Davidson was born on August 31, 1924, in West Point, Mississippi; he was the son of the late Homer and Anna (Grossboll) Davidson; he married Shirley Beard on August 8, 1953 and is the father of 3 and the grandfather of 6; and

WHEREAS, John "Doc" Davidson was a chiropractor by trade; he served in the United States Navy during World War II as a tail gunner and served on the USS Ticonderoga; he was a member and past president of the Springfield Jaycees, where he was honored to be one of the Jaycees' 10 Outstanding Young Men of America for 1954-1955; he was a member of the American Chiropractic Association, where he was the first recipient of the National Chiropractor of the Year Award in 1973; he was a member of the Illinois Chiropractic Society, the Masonic Shrine Board, and American Legion Post #32; he was a founding member of the Prairie State Games and a member of the Governor's Prayer Breakfast Committee; he was also a member of the Sangamon County Board of Supervisors for 13 1/2 years and served as the board's chair for 2 1/2 years; and

WHEREAS, John "Doc" Davidson served as an Illinois State Senator from 1973 to 1993, representing the 50th House District covering Sangamon, Christian, and Montgomery Counties; his greatest legislative accomplishment was ensuring that the SIU School of Medicine was to be seated in Springfield, providing world-class care to the City of Springfield and surrounding areas; and

WHEREAS, The members of this august body believe it is fitting to honor John "Doc" Davidson by dedicating the section of Illinois Route 97 beginning at the intersection of Veterans Parkway in Springfield and ending at the intersection of County Highway 12 in Menard County as the John "Doc" Davidson Memorial Highway; 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 Illinois Route 97 beginning at the intersection of Veterans Parkway in Springfield and ending at the intersection of County Highway 12 in Menard County as the John "Doc" Davidson Memorial Highway; and be it further

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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 of the John "Doc" Davidson Memorial Highway; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Secretary of the Illinois Department of Transportation and the family of John "Doc" Davidson.

Adopted by the House, May 1, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 21 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 5311, sponsored by Senator McConnaughay, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5393, sponsored by Senator Bush, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5410, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5416, sponsored by Senator Barickman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5485, sponsored by Senator Raoul, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5514, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5546, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5564, sponsored by Senator Luechtefeld, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5572, sponsored by Senator Radogno, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5610, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5648, sponsored by Senator Bush, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5665, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5689, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5704, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 5735, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5853, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5856, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5922, sponsored by Senator Sandoval, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5968, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3163, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3707, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3748, sponsored by Senator E. Jones III, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3827, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3912, sponsored by Senator Biss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3937, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4035, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4236, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4286, sponsored by Senator Stadelman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4329, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4382, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4422, sponsored by Senator Stadelman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4483, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4486, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4516, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 4535, sponsored by Senator Biss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4557, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4561, sponsored by Senator Bertino-Tarrant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4579, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4597, sponsored by Senator Bertino-Tarrant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4652, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4677, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4707, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4734, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4745, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4773, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4775, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4790, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5307, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

APPOINTMENT MESSAGES

Appointment Message No. 0615

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

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

Title of Office: Member

Agency or Other Body: Department of State Police Merit Board

Start Date: April 4, 2014

[April 7, 2014]

End Date: March 20, 2017

Name: John Spring

Residence: 425 N. 22nd St., Quincy, IL 62301

Annual Compensation: \$23,700

Per diem: Not Applicable

Nominee's Senator: Senator John M. Sullivan

Most Recent Holder of Office: John Rednour

Superseded Appointment Message: Not Applicable

Appointment Message No. 0616

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

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

Title of Office: Member

Agency or Other Body: Board of Trustees of the Teachers' Retirement System of the State of Illinois

Start Date: April 4, 2014

End Date: July 14, 2014

Name: Patrick Gibbs

Residence: 1172 Clarence Ave., Oak Park, IL 60304

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Kimberly A. Lightford

Most Recent Holder of Office: Sidney Marder

Superseded Appointment Message: Not Applicable

Appointment Message No. 0617

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

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

Title of Office: Member

[April 7, 2014]

Agency or Other Body: Board of Trustees of the Teachers' Retirement System of the State of Illinois

Start Date: April 4, 2014

End Date: July 14, 2016

Name: Mark Harris

Residence: 925 S. Seminary Ave., Park Ridge, IL 60068

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan Kotowski

Most Recent Holder of Office: Janice I. Reedus

Superseded Appointment Message: Not Applicable

Appointment Message No. 0618

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

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

Title of Office: Director

Agency or Other Body: Department of Financial and Professional Regulation Division of Banking

Start Date: April 21, 2014

End Date: January 19, 2015

Name: Sheila Henretta

Residence: 1862 N. Hoyne Ave., Chicago, IL 60647

Annual Compensation: \$136,217

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: Manuel Flores

Superseded Appointment Message: Not Applicable

Appointment Message No. 0619

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

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

[April 7, 2014]

Title of Office: Member

Agency or Other Body: Board of Trustees of the Teachers' Retirement System of the State of Illinois

Start Date: July 15, 2014

End Date: July 14, 2018

Name: Patrick Gibbs

Residence: 1172 Clarence Ave., Oak Park, IL 60304

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Kimberly A. Lightford

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

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

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 1076

Offered by Senator Radogno – Brady and all Senators:

Mourns the death of Julie A. Brady of St. Charles, formerly of Bloomington.

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

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Haine, **Senate Bill No. 2590** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2590

AMENDMENT NO. 1. Amend Senate Bill 2590 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 500-10 and 500-100 and by adding Section 500-108 as follows:

(215 ILCS 5/500-10)

(Section scheduled to be repealed on January 1, 2017)

Sec. 500-10. Definitions. In addition to the definitions in Section 2 of the Code, the following definitions apply to this Article:

"Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

"Car rental limited line licensee" means a person authorized under the provisions of Section 500-105 to sell certain coverages relating to the rental of vehicles.

"Home state" means the District of Columbia and any state or territory of the United States in which an insurance producer maintains his or her principal place of residence or principal place of business and is licensed to act as an insurance producer.

[April 7, 2014]

"Insurance" means any of the lines of authority in Section 500-35, any health care plan under the Health Maintenance Organization Act, or any limited health care plan under the Limited Health Service Organization Act.

"Insurance producer" means a person required to be licensed under the laws of this State to sell, solicit, or negotiate insurance.

"Insurer" means a company as defined in subsection (e) of Section 2 of this Code, a health maintenance organization as defined in the Health Maintenance Organization Act, or a limited health service organization as defined in the Limited Health Service Organization Act.

"License" means a document issued by the Director authorizing an individual to act as an insurance producer for the lines of authority specified in the document or authorizing a business entity to act as an insurance producer. The license itself does not create any authority, actual, apparent, or inherent, in the holder to represent or commit an insurance carrier.

"Limited lines insurance" means those lines of insurance defined in Section 500-100 or any other line of insurance that the Director may deem it necessary to recognize for the purposes of complying with subsection (e) of Section 500-40.

"Limited lines producer" means a person authorized by the Director to sell, solicit, or negotiate limited lines insurance.

"Negotiate" means the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms, or conditions of the contract, provided that the person engaged in that act either sells insurance or obtains insurance from insurers for purchasers.

"Person" means an individual or a business entity.

"Rental agreement" means a written agreement setting forth the terms and conditions governing the use of a vehicle provided by a rental company for rental or lease.

"Rental company" means a person, or a franchisee of the person, in the business of providing primarily private passenger vehicles to the public under a rental agreement for a period not to exceed 30 days.

"Rental period" means the term of the rental agreement.

"Renter" means a person obtaining the use of a vehicle from a rental company under the terms of a rental agreement for a period not to exceed 30 days.

"Self-service storage facility limited line licensee" means a person authorized under the provisions of Section 500-107 to sell certain coverages relating to the rental of self-service storage facilities.

"Sell" means to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurance company.

"Solicit" means attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular company.

"Terminate" means the cancellation of the relationship between an insurance producer and the insurer or the termination of a producer's authority to transact insurance.

"Travel insurance" means insurance coverage for personal risks incident to planned travel, including, but not limited to: (1) the interruption or cancellation of a trip or event, (2) the loss of baggage or personal effects, (3) damages to accommodations or rental vehicles, or (4) sickness, accident, disability, or death occurring during travel. "Travel insurance" does not include major medical plans that provide comprehensive medical protection for travelers with trips lasting 6 months or longer, including those working overseas as an ex-patriot or as military personnel on deployment.

"Uniform Business Entity Application" means the current version of the National Association of Insurance Commissioners' Uniform Business Entity Application for nonresident business entities.

"Uniform Application" means the current version of the National Association of Insurance Commissioners' Uniform Application for nonresident producer licensing.

"Vehicle" or "rental vehicle" means a motor vehicle of (1) the private passenger type, including passenger vans, mini vans, and sport utility vehicles or (2) the cargo type, including cargo vans, pickup trucks, and trucks with a gross vehicle weight of less than 26,000 pounds the operation of which does not require the operator to possess a commercial driver's license.

"Webinar" means an online educational presentation during which a live and participating instructor and participating viewers, whose attendance is periodically verified throughout the presentation, actively engage in discussion and in the submission and answering of questions.

(Source: P.A. 97-113, eff. 7-14-11.)

(215 ILCS 5/500-100)

(Section scheduled to be repealed on January 1, 2017)

Sec. 500-100. Limited lines producer license.

(a) An individual who is at least 18 years of age and whom the Director considers to be competent, trustworthy, and of good business reputation may obtain a limited lines producer license for one or more of the following classes:

(1) ~~travel insurance, as defined in Section 500-10 of this Article on baggage or limited travel health, accident, or trip cancellation insurance sold in connection with transportation provided by a common carrier;~~

(2) industrial life insurance, as defined in Section 228 of this Code;

(3) industrial accident and health insurance, as defined in Section 368 of this Code;

(4) insurance issued by a company organized under the Farm Mutual Insurance Company Act of 1986;

(5) legal expense insurance;

(6) enrollment of recipients of public aid or medicare in a health maintenance organization;

(7) a limited health care plan issued by an organization having a certificate of authority under the Limited Health Service Organization Act;

(8) credit life and credit accident and health insurance and other credit insurance policies approved or permitted by the Director; a credit insurance company must conduct a training program in which an applicant shall receive basic instruction about the credit insurance products that he or she they will be selling.

(b) The application for a limited lines producer license must be submitted on a form prescribed by the Director by a designee of the insurance company, health maintenance organization, or limited health service organization appointing the limited insurance representative. The insurance company, health maintenance organization, or limited health service organization must pay the fee required by Section 500-135.

(c) A limited lines producer may represent more than one insurance company, health maintenance organization, or limited health service organization.

(d) An applicant who has met the requirements of this Section shall be issued a perpetual limited lines producer license.

(e) A limited lines producer license shall remain in effect as long as the appointing insurance company pays the respective fee required by Section 500-135 prior to January 1 of each year, unless the license is revoked or suspended pursuant to Section 500-70. Failure of the insurance company to pay the license fee or to submit the required documents shall cause immediate termination of the limited line insurance producer license with respect to which the failure occurs.

(f) A limited lines producer license may be terminated by the insurance company or the licensee.

(g) A person whom the Director considers to be competent, trustworthy, and of good business reputation may be issued a car rental limited line license. A car rental limited line license for a rental company shall remain in effect as long as the car rental limited line licensee pays the respective fee required by Section 500-135 prior to the next fee date unless the car rental license is revoked or suspended pursuant to Section 500-70. Failure of the car rental limited line licensee to pay the license fee or to submit the required documents shall cause immediate suspension of the car rental limited line license. A car rental limited line license for rental companies may be voluntarily terminated by the car rental limited line licensee. The license fee shall not be refunded upon termination of the car rental limited line license by the car rental limited line licensee.

(h) A limited lines producer issued a license pursuant to this Section is not subject to the requirements of Section 500-30.

(i) A limited lines producer license must contain the name, address and personal identification number of the licensee, the date the license was issued, general conditions relative to the license's expiration or termination, and any other information the Director considers proper. A limited line producer license, if applicable, must also contain the name and address of the appointing insurance company.

(Source: P.A. 98-159, eff. 8-2-13; revised 11-12-13.)

(215 ILCS 5/500-108 new)

Sec. 500-108. Travel insurance business enterprise license.

(a) As used in this Section:

"Offer and disseminate" means providing general information, including a description of the coverage and price, as well as processing the application, collecting premiums, and performing other non-licensable activities permitted by the State.

"Travel insurance business enterprise" means a licensed insurance producer designated by an insurer as set forth in subsection (i) of this Section.

"Travel retailer" means a business organization that makes, arranges, or offers travel services.

(b) The Director may issue to a travel insurance business enterprise, that registers travel retailers under its license as described in paragraph (2) of subsection (d) of this Section, a producer license as provided in paragraph (6) of subsection (a) of Section 500-35 of this Code. A travel insurance business enterprise license issued under this Section shall also authorize any employee of the travel insurance business enterprise to act individually on behalf and under the supervision of the travel insurance business enterprise licensee with respect to the coverage specified in this Section.

(c) The Director may issue to a travel retailer a limited line producer license. A travel retailer license issued under this Section shall also authorize any employee of the travel retailer limited line licensee to act individually on behalf and under the supervision of the travel retailer limited line licensee with respect to the coverage specified in this Section.

(d) Notwithstanding any other provision of law, a travel retailer may do the limited activities of offering and disseminating travel insurance on behalf of and under the license of a supervising travel insurance business enterprise if the following conditions are met:

(1) the travel insurance business enterprise or travel retailer provides to purchasers of travel insurance:

(A) a description of the material terms or the actual material terms of the insurance coverage;

(B) a description of the process for filing a claim;

(C) a description of the review or cancellation process for the travel insurance policy; and

(D) the identity and contact information of the insurer and travel insurance business enterprise;

(2) at the time of licensure, the travel insurance business enterprise shall establish and maintain a register on a form prescribed by the Director of each travel retailer that offers travel insurance on the travel insurance business enterprise's behalf; the register shall be maintained and updated annually by the travel insurance business enterprise and shall include the name, address, and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations and the travel retailer's federal tax identification number; the travel insurance business enterprise shall submit the register to the Director upon reasonable request; the limited lines producer shall also certify that the travel retailer registered complies with 18 U.S.C. 1033;

(3) the travel insurance business enterprise has designated one of its employees as a licensed individual producer (a designated responsible producer or DRP) responsible for the travel insurance business enterprise's compliance with the travel insurance laws, rules, and regulations of the State;

(4) the travel insurance business enterprise has paid all applicable insurance producer licensing fees as set forth in this Code; and

(5) the travel insurance business enterprise requires each employee and authorized representative of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training that shall be subject to review by the Director; the training material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers.

(e) Any travel retailer offering or disseminating travel insurance shall make available to prospective purchasers brochures or other written materials that:

(1) provide the identity and contact information of the insurer and the travel insurance business enterprise;

(2) explain that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer; and

(3) explain that an unlicensed travel retailer is permitted to provide general information about the insurance offered by the travel retailer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage.

(f) A travel retailer's employee or authorized representative who is not licensed as an insurance producer may not:

(1) evaluate or interpret the technical terms, benefits, and conditions of the offered travel insurance coverage;

(2) evaluate or provide advice concerning a prospective purchaser's existing insurance coverage; or

(3) hold himself, herself, or itself out as a licensed insurer, licensed producer, or insurance expert.

(g) A travel retailer whose insurance-related activities, and those of its employees and authorized representatives, are limited to offering and disseminating travel insurance on behalf of and under the direction of a travel insurance business enterprise meeting the conditions stated in this Section is authorized to do so and receive related compensation upon registration by the travel insurance business enterprise as described in paragraph (2) of subsection (d) of this Section.

(h) Travel insurance may be provided under an individual policy or under a group or master policy.

(i) As the insurer designee, the travel insurance business enterprise is responsible for the acts of the travel retailer that is registered under its license and shall use reasonable means to ensure compliance by the travel retailer within this Section."

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

On motion of Senator Silverstein, **Senate Bill No. 2651** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 2651

AMENDMENT NO. 2. Amend Senate Bill 2651 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 5-5-3.2 as follows:
(730 ILCS 5/5-5-3.2)

Sec. 5-5-3.2. Factors in Aggravation and Extended-Term Sentencing.

(a) The following factors shall be accorded weight in favor of imposing a term of imprisonment or may be considered by the court as reasons to impose a more severe sentence under Section 5-8-1 or Article 4.5 of Chapter V:

- (1) the defendant's conduct caused or threatened serious harm;
- (2) the defendant received compensation for committing the offense;
- (3) the defendant has a history of prior delinquency or criminal activity;
- (4) the defendant, by the duties of his office or by his position, was obliged to prevent the particular offense committed or to bring the offenders committing it to justice;
- (5) the defendant held public office at the time of the offense, and the offense related to the conduct of that office;
- (6) the defendant utilized his professional reputation or position in the community to commit the offense, or to afford him an easier means of committing it;
- (7) the sentence is necessary to deter others from committing the same crime;
- (8) the defendant committed the offense against a person 60 years of age or older or such person's property;
- (9) the defendant committed the offense against a person who is physically handicapped or such person's property;

(10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the purposes of this Section, "sexual orientation" means heterosexuality, homosexuality, or bisexuality;

(11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;

(12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;

(13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;

(14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 11-0.1 of the Criminal Code of 2012, teacher, scout leader, baby sitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-11, 11-14.4 except for an offense that involves keeping a place of juvenile prostitution, 11-15.1, 11-19.1, 11-19.2, 11-20.1,

11-20.1B, 11-20.3, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 against that victim;

(15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;

(16) the defendant committed an offense in violation of one of the following Sections while in a school, regardless of the time of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-6.5, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), of the Criminal Code of 1961 or the Criminal Code of 2012;

(17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the Illinois Department of Public Health under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act;

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of Section 3 of the Firearm Owners Identification Card Act and has now committed either a felony violation of the Firearm Owners Identification Card Act or an act of armed violence while armed with a firearm;

(20) the defendant (i) committed the offense of reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(21) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code;

(22) the defendant committed the offense against a person that the defendant knew, or reasonably should have known, was a member of the Armed Forces of the United States serving on active duty. For purposes of this clause (22), the term "Armed Forces" means any of the Armed Forces of the United States, including a member of any reserve component thereof or National Guard unit called to active duty;

(23) the defendant committed the offense against a person who was elderly, disabled, or infirm by taking advantage of a family or fiduciary relationship with the elderly, disabled, or infirm person;

(24) the defendant committed any offense under Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 and possessed 100 or more images;

(25) the defendant committed the offense while the defendant or the victim was in a train, bus, or other vehicle used for public transportation;

(26) the defendant committed the offense of child pornography or aggravated child pornography, specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012 where a child engaged in, solicited

for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context and specifically including paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1B or Section 11-20.3 of the Criminal Code of 1961 where a child engaged in, solicited for, depicted in, or posed in any act of sexual penetration or bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in a sexual context;

(27) the defendant committed the offense of first degree murder, assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person who was a veteran and the defendant knew, or reasonably should have known, that the person was a veteran performing duties as a representative of a veterans' organization. For the purposes of this paragraph (27), "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces; and "veterans' organization" means an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit; or

(28) the defendant committed the offense of assault, aggravated assault, battery, aggravated battery, robbery, armed robbery, or aggravated robbery against a person that the defendant knew or reasonably should have known was a letter carrier or postal worker while that person was performing his or her duties delivering mail for the United States Postal Service; or

(29) the defendant committed the offense of battery or aggravated battery with the intent to cause the victim to lose consciousness.

For the purposes of this Section:

"School" is defined as a public or private elementary or secondary school, community college, college, or university.

"Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care center.

"Public transportation" means the transportation or conveyance of persons by means available to the general public, and includes paratransit services.

(b) The following factors, related to all felonies, may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender:

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of any felony committed against:

(i) a person under 12 years of age at the time of the offense or such person's property;

(ii) a person 60 years of age or older at the time of the offense or such person's property; or

(iii) a person physically handicapped at the time of the offense or such person's property; or

(4) When a defendant is convicted of any felony and the offense involved any of the following types of specific misconduct committed as part of a ceremony, rite, initiation, observance, performance, practice or activity of any actual or ostensible religious, fraternal, or social group:

(i) the brutalizing or torturing of humans or animals;

(ii) the theft of human corpses;

(iii) the kidnapping of humans;

(iv) the desecration of any cemetery, religious, fraternal, business, governmental, educational, or other building or property; or

(v) ritualized abuse of a child; or

(5) When a defendant is convicted of a felony other than conspiracy and the court finds that the felony was committed under an agreement with 2 or more other persons to commit that offense and the defendant, with respect to the other individuals, occupied a position of organizer, supervisor, financier, or any other position of management or leadership, and the court further finds that the felony committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's leadership in an organized gang; or

(6) When a defendant is convicted of an offense committed while using a firearm with a laser sight attached to it. For purposes of this paragraph, "laser sight" has the meaning ascribed to it in Section 26-7 of the Criminal Code of 2012; or

(7) When a defendant who was at least 17 years of age at the time of the commission of the offense is convicted of a felony and has been previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a Class X or Class 1 felony when the conviction has occurred within 10 years after the previous adjudication, excluding time spent in custody; or

(8) When a defendant commits any felony and the defendant used, possessed, exercised control over, or otherwise directed an animal to assault a law enforcement officer engaged in the execution of his or her official duties or in furtherance of the criminal activities of an organized gang in which the defendant is engaged; or

(9) When a defendant commits any felony and the defendant knowingly video or audio records the offense with the intent to disseminate the recording.

(c) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 (730 ILCS 5/5-8-2) upon any offender for the listed offenses:

(1) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3 (730 ILCS 5/5-5-3), when that conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and the charges are separately brought and tried and arise out of different series of acts.

(1.5) When a defendant is convicted of first degree murder, after having been previously convicted of domestic battery (720 ILCS 5/12-3.2) or aggravated domestic battery (720 ILCS 5/12-3.3) committed on the same victim or after having been previously convicted of violation of an order of protection (720 ILCS 5/12-30) in which the same victim was the protected person.

(2) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter, or reckless homicide in which the defendant has been convicted of causing the death of more than one individual.

(3) When a defendant is convicted of aggravated criminal sexual assault or criminal sexual assault, when there is a finding that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective.

(4) If the victim was under 18 years of age at the time of the commission of the offense, when a defendant is convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 11-1.40 or subsection (a)(1) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/11-1.40 or 5/12-14.1).

(5) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) and there is a finding that the defendant is a member of an organized gang.

(6) When a defendant was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1) for possessing a weapon that is not readily distinguishable as one of the weapons enumerated in Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/24-1).

(7) When a defendant is convicted of an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), the illegal manufacture of methamphetamine under Section 25 of the Methamphetamine Control and Community Protection Act (720 ILCS 646/25), or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph, "emergency" means a situation in which a person's life, health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel.

(8) When the defendant is convicted of attempted mob action, solicitation to commit mob action, or conspiracy to commit mob action under Section 8-1, 8-2, or 8-4 of the Criminal Code of 2012, where the criminal object is a violation of Section 25-1 of the Criminal Code of 2012, and an electronic communication is used in the commission of the offense. For the purposes of this paragraph (8),

"electronic communication" shall have the meaning provided in Section 26.5-0.1 of the Criminal Code of 2012.

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

(e) The court may impose an extended term sentence under Article 4.5 of Chapter V upon an offender who has been convicted of a felony violation of Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 when the victim of the offense is under 18 years of age at the time of the commission of the offense and, during the commission of the offense, the victim was under the influence of alcohol, regardless of whether or not the alcohol was supplied by the offender; and the offender, at the time of the commission of the offense, knew or should have known that the victim had consumed alcohol.

(Source: P.A. 97-38, eff. 6-28-11, 97-227, eff. 1-1-12; 97-333, eff. 8-12-11; 97-693, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-14, eff. 1-1-14; 98-104, eff. 7-22-13; 98-385, eff. 1-1-14; revised 9-24-13.)".

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 Lightford, **Senate Bill No. 2760** 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. 2846** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2846

AMENDMENT NO. 1. Amend Senate Bill 2846 as follows:

on page 1, line 20, by replacing "tenets and" with "tenets"; and

on page 2, line 2, after "organization", by inserting "; and (iii) the institution's handbook for students includes the following statement: "This religious degree is not accredited by the Illinois Board of Higher Education.""; and

on page 2, by replacing lines 20 and 21 with the following:

"title, such as "religious associate's degree", "religious bachelor's degree", "religious master's degree", or "religious doctorate degree"."; and

on page 2, line 22, by deleting "divinity"; and

on page 4, line 18, by replacing "tenets and" with "tenets"; and

on page 4, line 23, after "organization", by inserting "; and (iii) the institution's handbook for students includes the following statement: "This religious degree is not accredited by the Illinois Board of Higher Education.""; and

on page 5, by replacing lines 15 and 16 with the following:

"degree title, such as "religious associate's degree", "religious bachelor's degree", "religious master's degree", or "religious doctorate degree"."; and

on page 5, line 17, by deleting "doctor of divinity".

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

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

On motion of Senator Silverstein, **Senate Bill No. 2870** having been printed, was taken up, read by title a second time.

[April 7, 2014]

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

AMENDMENT NO. 1 TO SENATE BILL 2870

AMENDMENT NO. 1. Amend Senate Bill 2870 as follows:

on page 2, line 26, by deleting "or substantially"; and

on page 3, lines 1 and 2, by deleting "disrupts the educational process or orderly operation of a school".

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

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

On motion of Senator Althoff, **Senate Bill No. 2889** 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 2889

AMENDMENT NO. 1. Amend Senate Bill 2889 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 18-140 as follows:

(35 ILCS 200/18-140)

Sec. 18-140. Extension upon equalized assessment of current levy year. All taxes shall be extended by each county clerk upon the valuation produced by the equalization and assessment of property by the Department for the levy year. In the computation of rates, a fraction of a mill shall be extended as the next higher mill. In counties other than Cook County, rates may be calculated beyond 3 decimal points to allow the extension to be as close to the levy requested as possible; however, the extension may not exceed the levy requested, after all reductions required under the Property Tax Extension Limitation Law or any other applicable law are applied. Each installment of taxes shall be extended in a separate column. Installments shall be equal and as to each installment a fraction of a cent shall be extended as one cent.

(Source: P.A. 87-17; 88-455.)

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. 2922** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2922

AMENDMENT NO. 1. Amend Senate Bill 2922 on page 2, by replacing line 1 with the following: "settlement claim paid by the insurer, unless approved in writing by the Director. Application for exception to the 10% limit must be made in writing. The request must contain specific reasons as to why the consideration should be in excess of 10% and proof that the policyholder would accept the consideration. The Director must act on any request within 5 business days after receipt of the request.".

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

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

On motion of Senator Lightford, **Senate Bill No. 3004** 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 3004

AMENDMENT NO. 1. Amend Senate Bill 3004 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 10-20.14, 10-22.6, 13A-11, 27A-5, and 34-19 as follows:

(105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

Sec. 10-20.14. Student discipline policies; Parent-teacher advisory committee.

(a) To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of all elementary and secondary schools, charter schools, special charter districts, and alternative schools organized under Article 13A of this Code policy guidelines on pupil discipline, including school searches, to furnish a copy of the policy to the parents or guardian of each pupil within 15 days after the beginning of the school year, or within 15 days after starting classes for a pupil who transfers into the district during the school year, and to require that each school informs its pupils of the contents of its policy. School boards, along with the parent-teacher advisory committee, must be encouraged to annually review their pupil discipline policies, the implementation of those policies, and any other factors related to the safety of their schools, pupils, and staff.

(a-5) On or before January 1, 2015, the student discipline policy of each elementary and secondary school, charter school, special charter district, and alternative school organized under Article 13A of this Code, shall, at a minimum, create pupil discipline policies that fulfill the requirements set forth in this Section, subsections (a) and (b) of Section 10-22.6 of this Code, Section 34-19 of this Code, and federal and State laws that provide special requirements for the discipline of students with disabilities.

(b) The parent-teacher advisory committee in cooperation with local law enforcement agencies shall develop, with the school board, policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal offenses committed by students. School districts are encouraged to create memoranda of understanding with local law enforcement agencies that clearly define law enforcement's role in schools, in accordance with Section 10-22.6 of this Code.

(c) The parent-teacher advisory committee, in cooperation with school bus personnel, shall develop, with the school board, policy guideline procedures to establish and maintain school bus safety procedures. These procedures shall be incorporated into the district's pupil discipline policy.

(d) The school board, in consultation with the parent-teacher advisory committee and other community-based organizations, must include provisions in the student discipline policy to address students who have demonstrated behaviors that put them at risk for aggressive behavior, including without limitation bullying, as defined in the policy. These provisions must include procedures for notifying parents or legal guardians and early intervention procedures based upon available community-based and district resources. (Source: P.A. 91-272, eff. 1-1-00; 92-260, eff. 1-1-02.)

(105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

Sec. 10-22.6. Suspension or expulsion of pupils; school searches.

(a) To expel pupils ~~guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means~~, and no action shall lie against them for such expulsion. Expulsion shall take place only after the parents have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child's behavior. Such request shall be made by registered or certified mail and shall state the time, place and purpose of the meeting. The board, or a hearing officer appointed by it, at such meeting shall state the reasons for dismissal and the date on which the expulsion is to become effective. If a hearing officer is appointed by the board he shall report to the board a written summary of the evidence heard at the meeting and the board may take such action thereon as it finds appropriate. If the board orders the expulsion of a pupil, the written expulsion order shall detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The expulsion order shall also include a rationale as to the specific duration of the expulsion. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

(b) To suspend or by policy to authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend pupils ~~guilty of gross disobedience or misconduct~~, or to suspend pupils ~~guilty of gross disobedience or misconduct on the school bus from riding the school bus~~, and no action shall lie against them for such suspension. The board may by policy authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend pupils guilty of such acts for a period not to exceed 10 school days. ~~If a pupil is suspended due to~~

[April 7, 2014]

~~gross disobedience or misconduct on a school bus, the board may suspend the pupil in excess of 10 school days for safety reasons.~~ Any suspension shall be reported immediately to the parents or guardian of such pupil along with a full statement of the reasons for such suspension and a notice of their right to a review. The school board must be given a summary of the notice, including the reason for the suspension and the suspension length. Upon request of the parents or guardian the school board or a hearing officer appointed by it shall review such action of the superintendent or principal, assistant principal, or dean of students. At such review the parents or guardian of the pupil may appear and discuss the suspension with the board or its hearing officer. If a hearing officer is appointed by the board he shall report to the board a written summary of the evidence heard at the meeting. After its hearing or upon receipt of the written report of its hearing officer, the board may take such action as it finds appropriate. If a student is suspended pursuant to this subsection (b), the authorized administrator or board shall, in the written suspension order, detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The suspension order shall also include rationale as to the specific duration of the suspension. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

(b-5) Among the many possible disciplinary interventions and consequences available to school officials, school exclusions, such as out-of-school suspensions and expulsions, are the most serious. School officials shall limit the number and duration of expulsions and suspensions to the greatest extent practicable and are recommended to use them only for legitimate educational purposes and not as punishment.

(b-10) Unless otherwise required by federal law or this Code, school boards may not institute zero-tolerance policies by which school administrators are required to suspend or expel students for particular behaviors, regardless of the gravity of behavior, mitigating circumstances, or the situational context.

(b-15) Out-of-school suspensions of 3 days or less may only be used if the student's continuing presence in school would pose a threat to school safety or a disruption to other students' learning opportunities. For purposes of this subsection (b-15), "threat to school safety or a disruption to other students' learning opportunities" shall be determined on a case-by-case basis by the school board or its designee. School officials shall make all reasonable efforts to resolve such threats and minimize the length of suspensions to the greatest extent practicable.

(b-20) Unless otherwise required by this Code, out-of-school suspensions of longer than 3 days may only be used if the student has committed an act of gross disobedience or misconduct, the student's continuing presence in school would pose an ongoing threat to the physical safety of other students or staff, and other appropriate behavioral and disciplinary interventions have been exhausted. For purposes of this subsection (b-20), "ongoing threat to the physical safety of other students or staff" shall be determined on a case-by-case basis by the school board or its designee. School officials shall make all reasonable efforts to resolve such threats and minimize the length of student exclusions to the greatest extent practicable. For purposes of this subsection (b-20), the determination of whether "appropriate behavioral and disciplinary interventions have been exhausted" shall be made by the school board or its designee. Within the suspension order described in subsection (b) of this Section, it shall be documented whether other interventions were attempted or whether it was determined that there were no other appropriate interventions.

(b-25) Unless otherwise required by this Code, expulsions and disciplinary removals to alternative schools may only be used if the student has committed an act of gross disobedience or misconduct; the act involved the distribution of illegal drugs or controlled substances to other students, weapons, or other destructive devices, sexual assault, or the use of physical violence against another student or staff member that resulted in physical injury to that person, or knowingly putting another student or staff member at risk of serious bodily injury or death; the student's continuing presence in school would pose an ongoing threat to the physical safety of other students or staff; and other appropriate behavioral and disciplinary interventions have been exhausted. For purposes of this subsection (b-25), "ongoing threat to the physical safety of other students or staff" shall be determined on a case-by-case basis by the school board or its designee. School officials shall make all reasonable efforts to resolve such threats and minimize the length of student exclusions to the greatest extent practicable. For purposes of this subsection (b-25), the determination of whether "appropriate behavioral and disciplinary interventions have been exhausted" shall be made by the school board or its designee. Within the expulsion order described in subsection (a) of this Section, it shall be documented whether other interventions were attempted or whether it was determined that there were no other appropriate interventions.

(b-30) Students who are suspended out-of-school for longer than 3 days, expelled, or removed to an alternative setting for disciplinary reasons shall be provided appropriate behavioral support services that the school district has available. For purposes of this subsection (b-30), the determination of whether "appropriate behavioral support services" will be provided shall be made by the school board or its designee. Within the suspension order described in subsection (b) of this Section, it shall be documented whether such services will be provided or whether it was determined that there are no such appropriate services.

(b-35) Students who are suspended or expelled and have not been admitted to another school shall continue to be provided educational services to promote their successful return to their regular school. These services shall include, at a minimum, that each suspended or expelled student be provided a full opportunity to earn equivalent academic credit during the suspension or expulsion period. Suspended or expelled students not placed in an alternative education program shall receive daily classroom and assignments from each teacher and shall be allowed to make up assignments and earn equivalent credits, and their work shall be reviewed and graded, without penalty, by their teachers on a weekly basis and returned to them. The suspended or expelled student's school shall designate a school staff person to serve as the liaison between the student and all relevant teachers and ensure that these requirements are met.

(c) The Department of Human Services shall be invited to send a representative to consult with the board at such meeting whenever there is evidence that mental illness may be the cause for expulsion or suspension.

(c-5) School districts shall make all reasonable efforts to provide professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

(d) The board may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case by case basis. A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of not less than one year:

(1) A firearm. For the purposes of this Section, "firearm" means any gun, rifle,

shotgun, weapon as defined by Section 921 of Title 18 of the United States Code, firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act, or firearm as defined in Section 24-1 of the Criminal Code of 2012. The expulsion period under this subdivision (1) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

(2) A knife, brass knuckles or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including "look alike" of any firearm as defined in subdivision (1) of this subsection (d). The expulsion requirement under this subdivision (2) may be modified by the superintendent, and the superintendent's determination may be modified by the board on a case-by-case basis.

Expulsion or suspension shall be construed in a manner consistent with the Federal Individuals with Disabilities Education Act. A student who is subject to suspension or expulsion as provided in this Section may be eligible for a transfer to an alternative school program in accordance with Article 13A of the School Code. ~~The provisions of this subsection (d) apply in all school districts, including special charter districts and districts organized under Article 34.~~

(d-5) The board may suspend or by regulation authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend a student for a period not to exceed 10 school days or may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case by case basis, if (i) that student has been determined to have made an explicit threat on an Internet website against a school employee, a student, or any school-related personnel, (ii) the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and (iii) the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school. ~~The provisions of this subsection (d-5) apply in all school districts, including special charter districts and districts organized under Article 34 of this Code.~~

(e) To maintain order and security in the schools, school authorities may inspect and search places and areas such as lockers, desks, parking lots, and other school property and equipment owned or controlled by the school, as well as personal effects left in those places and areas by students, without notice to or the consent of the student, and without a search warrant. As a matter of public policy, the General Assembly

finds that students have no reasonable expectation of privacy in these places and areas or in their personal effects left in these places and areas. School authorities may request the assistance of law enforcement officials for the purpose of conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the school for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search conducted in accordance with this Section produces evidence that the student has violated or is violating either the law, local ordinance, or the school's policies or rules, such evidence may be seized by school authorities, and disciplinary action may be taken. School authorities may also turn over such evidence to law enforcement authorities. ~~The provisions of this subsection (e) apply in all school districts, including special charter districts and districts organized under Article 34.~~

(f) Suspension or expulsion may include suspension or expulsion from school and all school activities and a prohibition from being present on school grounds.

(g) A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion in an alternative school program under Article 13A of this Code or an alternative learning opportunities program under Article 13B of this Code ~~before being admitted into the school district if there is no threat to the safety of students or staff in the alternative program. This subsection (g) applies to all school districts, including special charter districts and districts organized under Article 34 of this Code.~~

(h) A student may not be arrested or otherwise cited for a criminal offense committed during school hours while on school grounds, in school vehicles, or at school activities or school-sanctioned events unless:

(1) the offense would constitute a felony, if committed outside of the school setting, in one of the classes defined in the Criminal Code of 2012;

(2) the offense involves the possession of a controlled substance and would constitute a felony offense, Class A misdemeanor, or Class B misdemeanor, as defined in the Criminal Code of 2012; or

(3) the offense involved an act of physical violence against another student or school staff member or resulted in a physical injury to another student or school staff member, and the arrest or citation of the student is necessary to avoid an ongoing threat to the physical safety of other students or staff.

For purposes of this subsection (h), "ongoing threat to the physical safety of other students or staff" shall be determined on a case-by-case basis by the school board or its designee.

(i) While the option to use justice-system interventions is available under these conditions, the General Assembly recommends that they should be used only as a last resort when there are no other options for safely and appropriately handling the situation. School employees and officials retain their authority and discretion under existing law to address such situations through the existing school discipline structure as modified by this amendatory Act of the 98th General Assembly.

(j) All incidents resulting in an out-of-school suspension longer than 3 days, expulsion, removal to an alternative setting, school-based arrest, or school-based criminal citation shall be documented in a written report that includes a detailed description of the behavior at issue and an explanation of why the actions taken were necessary. These individual reports shall be immediately provided to the parent or guardian of the student and shall be compiled by each school district into an annual summary report that is available for public review. The annual report shall not include any information that would violate either requirements of the Illinois School Student Records Act or federal law or allow for an individual student to be identified.

(k) School officials shall not advise or encourage students to disenroll from school voluntarily due to behavioral or academic difficulties.

(l) A student may not be issued a monetary fine or fee as a disciplinary consequence.

(m) Subsections (a) through (l) of this Section shall apply to each elementary and secondary school, charter school, special charter district, and alternative school organized under Article 13A of this Code and school districts organized under Article 34 of this Code.

(Source: P.A. 96-633, eff. 8-24-09; 96-998, eff. 7-2-10; 97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff. 7-13-12; 97-1150, eff. 1-25-13.)

(105 ILCS 5/13A-11)

Sec. 13A-11. Chicago public schools.

(a) The Chicago Board of Education may establish alternative schools within Chicago and may contract with third parties for services otherwise performed by employees, including those in a bargaining unit, in accordance with Sections 34-8.1, 34-18, and 34-49.

(b) Alternative schools operated by third parties within Chicago shall be exempt from all provisions of ~~this the School Code~~, except provisions concerning:

- (1) ~~student~~ Student civil rights;
- (2) ~~staff~~ Staff civil rights;
- (3) ~~health~~ Health and safety;
- (4) ~~performance~~ Performance and financial audits;
- (5) ~~the~~ The Illinois Goals Assessment Program;
- (6) Chicago learning outcomes;
- (7) Sections 2-3.25a through 2-3.25j of ~~this the School~~ Code;
- (8) ~~the~~ The Inspector General; and
- (9) Section 34-2.4b of ~~this the School~~ Code ; and -
- (10) the discipline of students under Sections 10-22.6 and 34-19 of this Code.

(Source: P.A. 89-383, eff. 8-18-95; 89-636, eff. 8-9-96.)

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(b-5) In this subsection (b-5), "virtual-schooling" means the teaching of courses through online methods with online instructors, rather than the instructor and student being at the same physical location. "Virtual-schooling" includes without limitation instruction provided by full-time, online virtual schools.

From April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. Annually, by December 1, every charter school must submit to the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, and its charter. A charter school is exempt from all other State laws and regulations in ~~this the School~~ Code governing public schools and local school board policies, except the following:

(1) Sections 10-21.9 and 34-18.5 of ~~this the School~~ Code regarding criminal history records checks and

checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 10-22.6, 24-24, 34-19, and 34-84A of ~~this the School~~ Code regarding discipline of students;

(3) ~~the~~ The Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding

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indemnification of officers, directors, employees, and agents;

- (5) ~~the The~~ Abused and Neglected Child Reporting Act;
- (6) ~~the The~~ Illinois School Student Records Act;
- (7) Section 10-17a of ~~this the School~~ Code regarding school report cards; and
- (8) ~~the The~~ P-20 Longitudinal Education Data System Act.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12; 97-813, eff. 7-13-12; 98-16, eff. 5-24-13.)
(105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

Sec. 34-19. By-laws, rules and regulations; business transacted at regular meetings; voting; records. The board shall, subject to the limitations in this Article, establish by-laws, rules and regulations, which shall have the force of ordinances, for the proper maintenance of a uniform system of discipline for both employees and pupils, and for the entire management of the schools, and may fix the school age of pupils, the minimum of which in kindergartens shall not be under 4 years, except that, based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain the age of 6 years on or before December 31 of the year of the 2009-2010 school term and each school term thereafter may attend first grade upon commencement of such term, and in grade schools shall not be under 6 years. It may expel, suspend or, subject to the limitations of all policies established or adopted under Sections 10-22.6 and Section 14-8.05, otherwise discipline any pupil found guilty of ~~violating gross disobedience, misconduct or other violation of the by-laws, rules, and regulations ; including gross disobedience or misconduct perpetuated by electronic means~~. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. A pupil who is suspended in excess of 20 school days may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program. The bylaws, rules and regulations of the board shall be enacted, money shall be appropriated or expended, salaries shall be fixed or changed, and textbooks, electronic textbooks, and courses of instruction shall be adopted or changed only at the regular meetings of the board and by a vote of a majority of the full membership of the board; provided that notwithstanding any other provision of this Article or the School Code, neither the board or any local school council may purchase any textbook for use in any public school of the district from any textbook publisher that fails to furnish any computer diskettes as required under Section 28-21. Funds appropriated for textbook purchases must be available for electronic textbook purchases and the technological equipment necessary to gain access to and use electronic textbooks at the local school council's discretion. The board shall be further encouraged to

provide opportunities for public hearing and testimony before the adoption of bylaws, rules and regulations. Upon all propositions requiring for their adoption at least a majority of all the members of the board the yeas and nays shall be taken and reported. The by-laws, rules and regulations of the board shall not be repealed, amended or added to, except by a vote of 2/3 of the full membership of the board. The board shall keep a record of all its proceedings. Such records and all by-laws, rules and regulations, or parts thereof, may be proved by a copy thereof certified to be such by the secretary of the board, but if they are printed in book or pamphlet form which are purported to be published by authority of the board they need not be otherwise published and the book or pamphlet shall be received as evidence, without further proof, of the records, by-laws, rules and regulations, or any part thereof, as of the dates thereof as shown in such book or pamphlet, in all courts and places where judicial proceedings are had.

Notwithstanding any other provision in this Article or in the School Code, the board may delegate to the general superintendent or to the attorney the authorities granted to the board in the School Code, provided such delegation and appropriate oversight procedures are made pursuant to board by-laws, rules and regulations, adopted as herein provided, except that the board may not delegate its authorities and responsibilities regarding (1) budget approval obligations; (2) rule-making functions; (3) desegregation obligations; (4) real estate acquisition, sale or lease in excess of 10 years as provided in Section 34-21; (5) the levy of taxes; or (6) any mandates imposed upon the board by "An Act in relation to school reform in cities over 500,000, amending Acts herein named", approved December 12, 1988 (P.A. 85-1418). (Source: P.A. 96-864, eff. 1-21-10; 96-1403, eff. 7-29-10; 97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff. 7-13-12.)

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

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

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

On motion of Senator Haine, **Senate Bill No. 3014** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Althoff, **Senate Bill No. 3112** having been printed, was taken up, read by title a second time.

Senate Committee Amendment No. 1 was postponed in the Committee on Judiciary.

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

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

On motion of Senator McCann, **Senate Bill No. 3139** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3139

AMENDMENT NO. 1. Amend Senate Bill 3139 on page 13, line 5, after "fuel" by inserting ", provided that vehicle does not weigh more than 97,000 pounds".

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

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

On motion of Senator Syverson, **Senate Bill No. 3144** having been printed, was taken up, read by title a second time.

Senate Floor Amendment Nos. 1, 2 and 3 were held in the Committee on Assignments.

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

On motion of Senator Haine, **Senate Bill No. 3264** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3264

AMENDMENT NO. 1. Amend Senate Bill 3264 by replacing everything after the enacting clause with the following:

"Section 5. The Business Corporation Act of 1983 is amended by changing Section 15.35 as follows: (805 ILCS 5/15.35) (from Ch. 32, par. 15.35)

Sec. 15.35. Franchise taxes payable by domestic corporations. For ~~the~~ the privilege of exercising its franchises in this State, each domestic corporation shall pay to the Secretary of State the following franchise taxes, computed on the basis, at the rates and for the periods prescribed in this Act:

(a) An initial franchise tax at the time of filing its first report of issuance of shares.

(b) An additional franchise tax at the time of filing (1) a report of the issuance of additional shares, or (2) a report of an increase in paid-in capital without the issuance of shares, or (3) an amendment to the articles of incorporation or a report of cumulative changes in paid-in capital, whenever any amendment or such report discloses an increase in its paid-in capital over the amount thereof last reported in any document, other than an annual report, interim annual report or final transition annual report required by this Act to be filed in the office of the Secretary of State.

(c) An additional franchise tax at the time of filing a report of paid-in capital following a statutory merger or consolidation, which discloses that the paid-in capital of the surviving or new corporation immediately after the merger or consolidation is greater than the sum of the paid-in capital of all of the merged or consolidated corporations as last reported by them in any documents, other than annual reports, required by this Act to be filed in the office of the Secretary of State; and in addition, the surviving or new corporation shall be liable for a further additional franchise tax on the paid-in capital of each of the merged or consolidated corporations as last reported by them in any document, other than an annual report, required by this Act to be filed with the Secretary of State from their taxable year end to the next succeeding anniversary month or, in the case of a corporation which has established an extended filing month, the extended filing month of the surviving or new corporation; however if the taxable year ends within the 2 month period immediately preceding the anniversary month or, in the case of a corporation which has established an extended filing month, the extended filing month of the surviving or new corporation the tax will be computed to the anniversary month or, in the case of a corporation which has established an extended filing month, the extended filing month of the surviving or new corporation in the next succeeding calendar year.

(d) An annual franchise tax payable each year with the annual report which the corporation is required by this Act to file.

(Source: P.A. 86-985.)"

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 McConaughay, **Senate Bill No. 3270** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Rose, **Senate Bill No. 3306** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3306

AMENDMENT NO. 1. Amend Senate Bill 3306 by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 35 as follows: (110 ILCS 947/35)

Sec. 35. Monetary award program.

(a) The Commission shall, ~~twice a each~~ year, receive and consider applications for grant assistance under this Section. The first application period for grants for the next academic year shall be open to all

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eligible students who are applying for a grant. The second application period for grants for the next academic year shall occur no earlier than July 15. The second application period for grants for the next academic year shall be open only to:

(i) public community college students; or

(ii) public university students who missed the first application deadline for good cause shown, as defined by the Commission.

The Commission shall apportion grant funds between persons who applied during the first application period and person who applied during the second application period, in such manner as the Commission shall determine.

Subject to a separate appropriation for the such purposes of this Section, an applicant is eligible for a grant under this Section when the Commission finds that the applicant:

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

(2) in the absence of grant assistance, will be deterred by financial considerations from completing an educational program at the qualified institution of his or her choice.

(b) The Commission shall award renewals only upon the student's application and upon the Commission's finding that the applicant:

(1) has remained a student in good standing;

(2) remains a resident of this State; and

(3) is in a financial situation that continues to warrant assistance.

(c) All grants shall be applicable only to tuition and necessary fee costs. The Commission shall determine the grant amount for each student, which shall not exceed the smallest of the following amounts:

(1) subject to appropriation, \$5,468 for fiscal year 2009, \$5,968 for fiscal year 2010,

and \$6,468 for fiscal year 2011 and each fiscal year thereafter, or such lesser amount as the Commission finds to be available, during an academic year;

(2) the amount which equals 2 semesters or 3 quarters tuition and other necessary fees required generally by the institution of all full-time undergraduate students; or

(3) such amount as the Commission finds to be appropriate in view of the applicant's financial resources.

Subject to appropriation, the maximum grant amount for students not subject to subdivision (1) of this subsection (c) must be increased by the same percentage as any increase made by law to the maximum grant amount under subdivision (1) of this subsection (c).

"Tuition and other necessary fees" as used in this Section include the customary charge for instruction and use of facilities in general, and the additional fixed fees charged for specified purposes, which are required generally of nongrant recipients for each academic period for which the grant applicant actually enrolls, but do not include fees payable only once or breakage fees and other contingent deposits which are refundable in whole or in part. The Commission may prescribe, by rule not inconsistent with this Section, detailed provisions concerning the computation of tuition and other necessary fees.

(d) No applicant, including those presently receiving scholarship assistance under this Act, is eligible for monetary award program consideration under this Act after receiving a baccalaureate degree or the equivalent of 135 semester credit hours of award payments.

(e) The Commission, in determining the number of grants to be offered, shall take into consideration past experience with the rate of grant funds unclaimed by recipients. The Commission shall notify applicants that grant assistance is contingent upon the availability of appropriated funds.

(f) The Commission may request appropriations for deposit into the Monetary Award Program Reserve Fund. Monies deposited into the Monetary Award Program Reserve Fund may be expended exclusively for one purpose: to make Monetary Award Program grants to eligible students. Amounts on deposit in the Monetary Award Program Reserve Fund may not exceed 2% of the current annual State appropriation for the Monetary Award Program.

The purpose of the Monetary Award Program Reserve Fund is to enable the Commission each year to assure as many students as possible of their eligibility for a Monetary Award Program grant and to do so before commencement of the academic year. Moneys deposited in this Reserve Fund are intended to enhance the Commission's management of the Monetary Award Program, minimizing the necessity, magnitude, and frequency of adjusting award amounts and ensuring that the annual Monetary Award Program appropriation can be fully utilized.

(g) The Commission shall determine the eligibility of and make grants to applicants enrolled at qualified for-profit institutions in accordance with the criteria set forth in this Section. The eligibility of applicants enrolled at such for-profit institutions shall be limited as follows:

(1) Beginning with the academic year 1997, only to eligible first-time freshmen and

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first-time transfer students who have attained an associate degree.

(2) Beginning with the academic year 1998, only to eligible freshmen students, transfer students who have attained an associate degree, and students who receive a grant under paragraph (1) for the academic year 1997 and whose grants are being renewed for the academic year 1998.

(3) Beginning with the academic year 1999, to all eligible students.

(Source: P.A. 95-917, eff. 8-26-08.)

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

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

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

On motion of Senator Morrison, **Senate Bill No. 3421** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Muñoz, **Senate Bill No. 3476** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **Senate Bill No. 3509** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3509

AMENDMENT NO. 1. Amend Senate Bill 3509 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 1-100 as follows:
(625 ILCS 5/1-100) (from Ch. 95 1/2, par. 1-100)

Sec. 1-100. Short Title. This Act may be cited as ~~the~~ the Illinois Vehicle Code.

Portions of this Act may likewise be cited by a short title as follows:

Chapters 2, 3, 4 and 5: the Illinois Vehicle Title & Registration Law.

Chapter 6: the Illinois Driver Licensing Law.

Chapter 7: the Illinois Safety and Family Financial Responsibility Law.

Chapter 11: the Illinois Rules of the Road.

Chapter 12: the Illinois Vehicle Equipment Law.

Chapter 13: the Illinois Vehicle Inspection Law.

Chapter 14: the Illinois Vehicle Equipment Safety Compact.

Chapter 15: the Illinois Size and Weight Law.

Chapter 17: the Illinois Highway Safety Law.

Chapter 18a: the Illinois Commercial Relocation of Trespassing Vehicles Law.

Chapter 18b: the Illinois Motor Carrier Safety Law.

Chapter 18c: the Illinois Commercial Transportation Law.

Chapter 18d: The Illinois Commercial Safety Towing Law.

(Source: P.A. 95-562, eff. 7-1-08.)"

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 Manar, **Senate Bill No. 3512** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Hunter, **Senate Bill No. 3522** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Hutchinson, **Senate Bill No. 3558** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3558

AMENDMENT NO. 1. Amend Senate Bill 3558 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.855 as follows:
(30 ILCS 105/5.855 new)

Sec. 5.855. The Specialized Services for Survivors of Human Trafficking Fund.

Section 10. The Clerks of Courts Act is amended by changing Section 27.6 as follows:
(705 ILCS 105/27.6)

(Section as amended by P.A. 96-286, 96-576, 96-578, 96-625, 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and 97-1150)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of \$55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local anti-crime program ordered pursuant to Section 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of \$100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative

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costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of \$100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(b-1) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of \$5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c) In addition to any other fines and court costs assessed by the courts, any person convicted for a violation of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012 or a person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of \$100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of \$100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c-1) In addition to any other fines and court costs assessed by the courts, any person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of \$5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(d) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(e) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of \$29, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of \$29, the person shall also pay a fee of \$6, if not waived by the court. If this \$6 fee is collected, \$5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(f) This Section does not apply to the additional child pornography fines assessed and collected under Section 5-9-1.14 of the Unified Code of Corrections.

(g) (Blank).

(h) (Blank).

(i) Of the amounts collected as fines under subsection (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be

used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(j) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of \$35, to be disbursed as provided in Section 16-104d of that Code.

This subsection (j) becomes inoperative 7 years after the effective date of Public Act 95-154.

(k) For any conviction or disposition of court supervision for a violation of Section 11-1429 of the Illinois Vehicle Code, the circuit clerk shall distribute the fines paid by the person as specified by subsection (h) of Section 11-1429 of the Illinois Vehicle Code.

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of \$50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(m) Of the amounts collected as fines under subsection (c) of Section 411.4 of the Illinois Controlled Substances Act or subsection (c) of Section 90 of the Methamphetamine Control and Community Protection Act, 99% shall be deposited to the law enforcement agency or fund specified and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(n) In addition to any other fines and court costs assessed by the courts, any person who is convicted of or pleads guilty to a violation of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, or who is convicted of, pleads guilty to, or receives a disposition of court supervision for a violation of the Illinois Vehicle Code, or a similar provision of a local ordinance, shall pay an additional fee of \$15 to the clerk of the circuit court. This additional fee of \$15 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the State Treasurer within 60 days after receipt for deposit into the State Police Merit Board Public Safety Fund.

(o) The amounts collected as fines under Sections 10-9, 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall be collected by the circuit clerk and distributed as provided under Section 5-9-1.21 of the Unified Code of Corrections in lieu of any disbursement under subsection (a) of this Section.

(Source: P.A. 95-191, eff. 1-1-08; 95-291, eff. 1-1-08; 95-428, eff. 8-24-07; 95-600, eff. 6-1-08; 95-876, eff. 8-21-08; 96-286, eff. 8-11-09; 96-576, eff. 8-18-09; 96-578, eff. 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

(Section as amended by P.A. 96-576, 96-578, 96-625, 96-667, 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, and 97-1150)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of \$55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local anti-crime program ordered pursuant to Section 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be

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disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, Section 16-104c of the Illinois Vehicle Code, and subsection (a) of Section 5-1101 of the Counties Code, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. Unless a court ordered payment schedule is implemented or fee requirements are waived pursuant to court order, the clerk of the court may add to any unpaid fees and costs a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited in the Circuit Court Clerk Operation and Administrative Fund to be used to defray administrative costs incurred by the circuit clerk in performing the duties required to collect and disburse funds. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(b) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of \$100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of \$100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(b-1) In addition to any other fines and court costs assessed by the courts, any person convicted or receiving an order of supervision for driving under the influence of alcohol or drugs shall pay an additional fee of \$5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c) In addition to any other fines and court costs assessed by the courts, any person convicted for a violation of Sections 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012 or a person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall pay an additional fee of \$100 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Trauma Center Fund. This additional fee of \$100 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(c-1) In addition to any other fines and court costs assessed by the courts, any person sentenced for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine

Control and Community Protection Act shall pay an additional fee of \$5 to the clerk of the circuit court. This amount, less 2 1/2% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Treasurer within 60 days after receipt for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. Not later than March 1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

(d) The following amounts must be remitted to the State Treasurer for deposit into the Illinois Animal Abuse Fund:

(1) 50% of the amounts collected for felony offenses under Sections 3, 3.01, 3.02, 3.03, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012;

(2) 20% of the amounts collected for Class A and Class B misdemeanors under Sections 3, 3.01, 4, 4.01, 4.03, 4.04, 5, 5.01, 6, 7, 7.1, 7.5, 7.15, and 16 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012; and

(3) 50% of the amounts collected for Class C misdemeanors under Sections 4.01 and 7.1 of the Humane Care for Animals Act and Section 26-5 or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012.

(e) Any person who receives a disposition of court supervision for a violation of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of \$29, to be disbursed as provided in Section 16-104c of the Illinois Vehicle Code. In addition to the fee of \$29, the person shall also pay a fee of \$6, if not waived by the court. If this \$6 fee is collected, \$5.50 of the fee shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court and 50 cents of the fee shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund in the State treasury.

(f) This Section does not apply to the additional child pornography fines assessed and collected under Section 5-9-1.14 of the Unified Code of Corrections.

(g) Any person convicted of or pleading guilty to a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, shall pay an additional fee of \$35, to be disbursed as provided in Section 16-104d of that Code. This subsection (g) becomes inoperative 7 years after the effective date of Public Act 95-154.

(h) In all counties having a population of 3,000,000 or more inhabitants,

(1) A person who is found guilty of or pleads guilty to violating subsection (a) of Section 11-501 of the Illinois Vehicle Code, including any person placed on court supervision for violating subsection (a), shall be fined \$750 as provided for by subsection (f) of Section 11-501.01 of the Illinois Vehicle Code, payable to the circuit clerk, who shall distribute the money pursuant to subsection (f) of Section 11-501.01 of the Illinois Vehicle Code.

(2) When a crime laboratory DUI analysis fee of \$150, provided for by Section 5-9-1.9 of the Unified Code of Corrections is assessed, it shall be disbursed by the circuit clerk as provided by subsection (f) of Section 5-9-1.9 of the Unified Code of Corrections.

(3) When a fine for a violation of Section 11-605.1 of the Illinois Vehicle Code is \$250 or greater, the person who violated that Section shall be charged an additional \$125 as provided for by subsection (e) of Section 11-605.1 of the Illinois Vehicle Code, which shall be disbursed by the circuit clerk to a State or county Transportation Safety Highway Hire-back Fund as provided by subsection (e) of Section 11-605.1 of the Illinois Vehicle Code.

(4) When a fine for a violation of subsection (a) of Section 11-605 of the Illinois Vehicle Code is \$150 or greater, the additional \$50 which is charged as provided for by subsection (f) of Section 11-605 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to a school district or districts for school safety purposes as provided by subsection (f) of Section 11-605.

(5) When a fine for a violation of subsection (a) of Section 11-1002.5 of the Illinois Vehicle Code is \$150 or greater, the additional \$50 which is charged as provided for by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code shall be disbursed by the circuit clerk to a school district or districts for school safety purposes as provided by subsection (c) of Section 11-1002.5 of the Illinois Vehicle Code.

(6) When a mandatory drug court fee of up to \$5 is assessed as provided in subsection (f) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f) of Section 5-1101 of the Counties Code.

(7) When a mandatory teen court, peer jury, youth court, or other youth diversion

program fee is assessed as provided in subsection (e) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (e) of Section 5-1101 of the Counties Code.

(8) When a Children's Advocacy Center fee is assessed pursuant to subsection (f-5) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (f-5) of Section 5-1101 of the Counties Code.

(9) When a victim impact panel fee is assessed pursuant to subsection (b) of Section 11-501.01 of the Vehicle Code, it shall be disbursed by the circuit clerk to the victim impact panel to be attended by the defendant.

(10) When a new fee collected in traffic cases is enacted after the effective date of this subsection (h), it shall be excluded from the percentage disbursement provisions of this Section unless otherwise indicated by law.

(i) Of the amounts collected as fines under subsection (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(j) (Blank).

(k) For any conviction or disposition of court supervision for a violation of Section 11-1429 of the Illinois Vehicle Code, the circuit clerk shall distribute the fines paid by the person as specified by subsection (h) of Section 11-1429 of the Illinois Vehicle Code.

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of \$50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(m) Of the amounts collected as fines under subsection (c) of Section 411.4 of the Illinois Controlled Substances Act or subsection (c) of Section 90 of the Methamphetamine Control and Community Protection Act, 99% shall be deposited to the law enforcement agency or fund specified and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

(n) In addition to any other fines and court costs assessed by the courts, any person who is convicted of or pleads guilty to a violation of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, or who is convicted of, pleads guilty to, or receives a disposition of court supervision for a violation of the Illinois Vehicle Code, or a similar provision of a local ordinance, shall pay an additional fee of \$15 to the clerk of the circuit court. This additional fee of \$15 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the State Treasurer within 60 days after receipt for deposit into the State Police Merit Board Public Safety Fund.

(o) The amounts collected as fines under Sections 10-9, 11-14.1, 11-14.3, and 11-18 of the Criminal Code of 2012 shall be collected by the circuit clerk and distributed as provided under Section 5-9-1.21 of the Unified Code of Corrections in lieu of any disbursement under subsection (a) of this Section.

(Source: P.A. 96-576, eff. 8-18-09; 96-578, eff. 8-18-09; 96-625, eff. 1-1-10; 96-667, eff. 8-25-09; 96-735, eff. 1-1-10; 96-1175, eff. 9-20-10; 96-1342, eff. 1-1-11; 97-434, eff. 1-1-12; 97-1051, eff. 1-1-13; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13.)

Section 15. The Criminal Code of 2012 is amended by changing Sections 11-14.1 and 36.5-5 as follows:
(720 ILCS 5/11-14.1)

Sec. 11-14.1. Solicitation of a sexual act.

(a) Any person who offers a person not his or her spouse any money, property, token, object, or article or anything of value for that person or any other person not his or her spouse to perform any act of sexual penetration as defined in Section 11-0.1 of this Code, or any touching or fondling of the sex organs of one person by another person for the purpose of sexual arousal or gratification, commits solicitation of a sexual act.

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(b) Sentence. Solicitation of a sexual act is a Class A misdemeanor. Solicitation of a sexual act from a person who is under the age of 18 or who is severely or profoundly intellectually disabled is a Class 4 felony. If the court imposes a fine under this subsection (b), it shall be collected and distributed in accordance with Section 5-9-1.21 of the Unified Code of Corrections.

(b-5) It is an affirmative defense to a charge of solicitation of a sexual act with a person who is under the age of 18 or who is severely or profoundly intellectually disabled that the accused reasonably believed the person was of the age of 18 years or over or was not a severely or profoundly intellectually disabled person at the time of the act giving rise to the charge.

(c) This Section does not apply to a person engaged in prostitution who is under 18 years of age.

(d) A person cannot be convicted under this Section if the practice of prostitution underlying the offense consists exclusively of the accused's own acts of prostitution under Section 11-14 of this Code.

(Source: P.A. 96-1464, eff. 8-20-10; 96-1551, eff. 7-1-11; 97-227, eff. 1-1-12; 97-1109, eff. 1-1-13.)

(720 ILCS 5/36.5-5)

Sec. 36.5-5. Vehicle impoundment.

(a) In addition to any other penalty, fee or forfeiture provided by law, a peace officer who arrests a person for a violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-18, or 11-18.1 of this Code or related municipal ordinance, may tow and impound any vehicle used by the person in the commission of the violation. The person arrested for one or more such violations shall be charged a \$1,000 fee, to be paid to the law enforcement agency that made the arrest or its designated representative. The person may recover the vehicle from the impound after a minimum of 2 hours after arrest upon payment of the fee.

(b) \$500 of the fee shall be distributed to the law enforcement agency whose peace officers made the arrest, for the costs incurred by the law enforcement agency to investigate and to tow and impound the vehicle. Upon the defendant's conviction of one or more of the violations in connection with which the vehicle was impounded and the fee imposed under this Section, the remaining \$500 of the fee shall be deposited into the Specialized Services for Survivors of Human Trafficking Fund and disbursed in accordance with subsections (d), (e), and (f) of Section 5-9-1.21 of the Unified Code of Corrections. ~~DHS State Projects Fund and shall be used by the Department of Human Services to make grants to non-governmental organizations to provide services for persons encountered during the course of an investigation into any violation of Section 10-9, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, or 11-19.2 of this Code, provided such persons constitute prostituted persons or other victims of human trafficking.~~

(c) Upon the presentation by the defendant of a signed court order showing that the defendant has been acquitted of all of the violations in connection with which a vehicle was impounded and a fee imposed under this Section, or that the charges against the defendant for those violations have been dismissed, the law enforcement agency shall refund the \$1,000 fee to the defendant.

(Source: P.A. 96-1551, eff. 7-1-11; incorporates 96-1503, eff. 1-27-11, and 97-333, eff. 8-12-11; 97-897, eff. 1-1-13; 97-1109, eff. 1-1-13; 98-463, eff. 8-16-13.)

Section 20. The Code of Criminal Procedure of 1963 is amended by changing Sections 124B-300, 124B-305, and 124B-500 as follows:

(725 ILCS 5/124B-300)

Sec. 124B-300. Persons and property subject to forfeiture. A person who commits the offense of involuntary servitude, involuntary servitude of a minor, or trafficking of persons ~~for forced labor or services~~ under Section 10A-10 or Section 10-9 of the Criminal Code of 1961 or the Criminal Code of 2012, promoting juvenile prostitution, keeping a place of juvenile prostitution, or promoting prostitution that involves keeping a place of prostitution under subsection (a)(1) or (a)(4) of Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2 of the Criminal Code of 1961 or of the Criminal Code of 2012 shall forfeit to the State of Illinois any profits or proceeds and any property he or she has acquired or maintained in violation of Section 10A-10 or Section 10-9 of the Criminal Code of 1961 or the Criminal Code of 2012, promoting juvenile prostitution, keeping a place of juvenile prostitution, or promoting prostitution that involves keeping a place of prostitution under subsection (a)(1) or (a)(4) of Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2 of the Criminal Code of 1961 or of the Criminal Code of 2012 that the sentencing court determines, after a forfeiture hearing under this Article, to have been acquired or maintained as a result of maintaining a person in involuntary servitude or participating in trafficking of persons ~~for forced labor or services~~.

(Source: P.A. 96-712, eff. 1-1-10; 97-1150, eff. 1-25-13.)

(725 ILCS 5/124B-305)

Sec. 124B-305. Distribution of property and sale proceeds. All moneys and the sale proceeds of all other property forfeited and seized under this Part 300 shall be distributed as follows:

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(1) ~~45%~~ 50% shall be divided equally between all State agencies and units of local government whose officers or employees conducted the investigation or initiated the hearing that resulted in the forfeiture.

(2) 50% shall be deposited into the Specialized Services for Survivors of Human Trafficking Fund and disbursed in accordance with subsections (d), (e), and (f) of Section 5-9-1.21 of the Unified Code of Corrections DHS State Projects Fund and targeted to services for victims of the offenses of involuntary servitude, involuntary sexual servitude of a minor, and trafficking in persons.

(3) 5% shall be paid to the Office of the State's Attorneys Appellate Prosecutor to train State's Attorneys on forfeiture proceedings and topics related to human trafficking.

(Source: P.A. 96-712, eff. 1-1-10; 97-897, eff. 1-1-13.)

(725 ILCS 5/124B-500)

Sec. 124B-500. Persons and property subject to forfeiture. A person who commits the offense of promoting juvenile prostitution, keeping a place of juvenile prostitution, exploitation of a child, child pornography, or aggravated child pornography under subdivision (a)(1) or (a)(4) of Section 11-14.4 or under Section 11-17.1, 11-19.2, 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall forfeit the following property to the State of Illinois:

(1) Any profits or proceeds and any property the person has acquired or maintained ~~in violation of subdivision (a)(1) or (a)(4) of Section 11-14.4 or in~~

violation of Section 11-17.1, 11-19.2, 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012 that the sentencing court determines, after a forfeiture hearing under this Article, to have been acquired or maintained as a result of ~~keeping a place of juvenile prostitution, exploitation of a child, child pornography, or aggravated child pornography.~~

(2) Any interest in, securities of, claim against, or property or contractual right of any kind affording a source of influence over any enterprise that the person has established, operated, controlled, or conducted ~~in violation of subdivision (a)(1) or (a)(4) of Section 11-14.4 or in violation of~~ Section 11-17.1, 11-19.2, 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012 that the sentencing court determines, after a forfeiture hearing under this Article, to have been acquired or maintained as a result of ~~keeping a place of juvenile prostitution, exploitation of a child, child pornography, or aggravated child pornography.~~

(3) Any computer that contains a depiction of child pornography in any encoded or decoded format in violation of Section 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012. For purposes of this paragraph (3), "computer" has the meaning ascribed to it in Section 17-0.5 of the Criminal Code of 2012.

(Source: P.A. 96-712, eff. 1-1-10; 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

Section 25. The Unified Code of Corrections is amended by adding Section 5-9-1.21 as follows:

(730 ILCS 5/5-9-1.21 new)

Sec. 5-9-1.21. Specialized Services for Survivors of Human Trafficking Fund.

(a) There is created in the State treasury a Specialized Services for Survivors of Human Trafficking Fund. Moneys deposited into the Fund under this Section shall be available for the Department of Human Services for the purposes in this Section.

(b) Each plea of guilty, stipulation of facts, or finding of guilt resulting in a judgment of conviction or order of supervision for an offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of the Criminal Code of 2012 that results in the imposition of a fine shall have a portion of that fine deposited into the Specialized Services for Survivors of Human Trafficking Fund.

(c) If imposed, the fine shall be collected by the circuit court clerk in addition to any other imposed fee. The circuit court clerk shall retain \$50 to cover the costs in administering and enforcing this Section. The circuit court clerk shall remit the remainder of the fine within one month of its receipt as follows:

(1) \$300 shall be distributed equally between all State law enforcement agencies whose officers or employees conducted the investigation or prosecution that resulted in the finding of guilt; and

(2) the remainder of the fine shall be remitted to the Department of Human Services for deposit into the Specialized Services for Survivors of Human Trafficking Fund.

(d) Upon appropriation of moneys from the Specialized Services for Survivors of Human Trafficking Fund, the Department of Human Services shall use these moneys to make grants to non-governmental organizations to provide specialized, trauma-informed services specifically designed to address the priority service needs associated with prostitution and human trafficking. Priority services include, but are not limited to, community based drop-in centers, emergency housing, and long-term safe homes. The Department shall consult with prostitution and human trafficking advocates, survivors, and service providers to identify priority service needs in their respective communities.

(e) Grants made under this Section are in addition to, and not substitutes for, other grants authorized and made by the Department.

(f) Notwithstanding any other law to the contrary, the Specialized Services for Survivors of Human Trafficking Fund is not subject to sweeps, administrative charge-backs, or any other fiscal maneuver that would in any way transfer any amounts from the Specialized Services for Survivors of Human Trafficking Fund into any other fund of the State."

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

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

On motion of Senator Hutchinson, **Senate Bill No. 2793** 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 2793

AMENDMENT NO. 1. Amend Senate Bill 2793 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 2-3.160 as follows:

(105 ILCS 5/2-3.160 new)

Sec. 2-3.160. Student discipline report; school discipline improvement plan.

(a) On or before October 31, 2015 and on or before October 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a report on student discipline in all school districts in this State. This report must be posted on the Internet website of the State Board of Education. The report shall include both of the following:

(1) Data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings, disaggregated by race and ethnicity, gender, age, grade level, limited English proficiency, incident type, and discipline duration.

(2) Data on the use of arrests or criminal citations, disaggregated by race and ethnicity, gender, and age.

(b) The State Board of Education shall analyze the data under subsection (a) of this Section on an annual basis and determine the top quartile of school districts for the following metric: total number of instructional days on which students were excluded, divided by the total student population. The State Board of Education shall determine the top quartile of school districts for racial disproportionality in this metric. The State Board of Education shall require each of the school districts identified in this quartile to submit a school discipline improvement plan identifying the strategies the school district will implement to reduce the use of harsh disciplinary practices. This plan must be approved at a public school board meeting and posted on the school district's Internet website. Within one year after being identified, the school district shall post a progress report describing the implementation of the school discipline improvement plan and the results achieved on the school district's Internet website.

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

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

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

On motion of Senator Manar, **Senate Bill No. 3409** 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 Public Health, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 3409

AMENDMENT NO. 2. Amend Senate Bill 3409 by replacing everything after the enacting clause with the following:

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"Section 5. The Illinois Dental Practice Act is amended by adding Section 54.3 as follows:
(225 ILCS 25/54.3 new)

Sec. 54.3. Vaccinations; immunizations. Notwithstanding Section 54.2 of this Act, a dentist enrolled in a medical network or enrolled as a Medicare or Medicaid provider may administer vaccinations upon completion of appropriate training on how to address contraindications and adverse reactions. Vaccinations shall be limited to patients 18 years of age and older pursuant to a valid prescription or standing order by a physician. In addition, vaccinations shall be limited to influenza (inactivated influenza vaccine) with notification to the patient's physician and with appropriate reporting and record retention.

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

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

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 Manar, **Senate Bill No. 3411** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3411

AMENDMENT NO. 1. Amend Senate Bill 3411 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Labor Relations Act is amended by changing Section 10 as follows:
(5 ILCS 315/10) (from Ch. 48, par. 1610)

Sec. 10. Unfair labor practices.

(a) It shall be an unfair labor practice for an employer or its agents:

(1) to interfere with, restrain or coerce public employees in the exercise of the rights guaranteed in this Act or to dominate or interfere with the formation, existence or administration of any labor organization or contribute financial or other support to it; provided, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay;

(2) to discriminate in regard to hire or tenure of employment or any term or condition of employment in order to encourage or discourage membership in or other support for any labor organization. Nothing in this Act or any other law precludes a public employer from making an agreement with a labor organization to require as a condition of employment the payment of a fair share under paragraph (e) of Section 6;

(3) to discharge or otherwise discriminate against a public employee because he has signed or filed an affidavit, petition or charge or provided any information or testimony under this Act;

(4) to refuse to bargain collectively in good faith with a labor organization which is the exclusive representative of public employees in an appropriate unit, including, but not limited to, the discussing of grievances with the exclusive representative;

(5) to violate any of the rules and regulations established by the Board with jurisdiction over them relating to the conduct of representation elections or the conduct affecting the representation elections;

(6) to expend or cause the expenditure of public funds to any external agent, individual, firm, agency, partnership or association in any attempt to influence the outcome of representational elections held pursuant to Section 9 of this Act; provided, that nothing in this subsection shall be construed to limit an employer's right to internally communicate with its employees as provided in subsection (c) of this Section, to be represented on any matter pertaining to unit determinations, unfair labor practice charges or pre-election conferences in any formal or informal proceeding before the Board, or to seek or obtain advice from legal counsel. Nothing in this paragraph shall be construed to prohibit an employer from expending or causing the expenditure of public funds on, or seeking or obtaining services or advice from, any organization, group, or association established by and including public or educational employers, whether covered by this Act, the Illinois Educational Labor Relations Act or the public employment labor relations law of any other state or the federal government, provided that such services or advice are generally available to the membership of the organization, group or

association, and are not offered solely in an attempt to influence the outcome of a particular representational election; or

(7) to refuse to reduce a collective bargaining agreement to writing or to refuse to sign such agreement.

(b) It shall be an unfair labor practice for a labor organization or its agents:

(1) to restrain or coerce public employees in the exercise of the rights guaranteed in this Act, provided, (i) that this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein or the determination of fair share payments and (ii) that a labor organization or its agents shall commit an unfair labor practice under this paragraph in duty of fair representation cases only by intentional misconduct in representing employees under this Act;

(2) to restrain or coerce a public employer in the selection of his representatives for the purposes of collective bargaining or the settlement of grievances; or

(3) to cause, or attempt to cause, an employer to discriminate against an employee in violation of subsection (a)(2);

(4) to refuse to bargain collectively in good faith with a public employer, if it has been designated in accordance with the provisions of this Act as the exclusive representative of public employees in an appropriate unit;

(5) to violate any of the rules and regulations established by the boards with jurisdiction over them relating to the conduct of representation elections or the conduct affecting the representation elections;

(6) to discriminate against any employee because he has signed or filed an affidavit, petition or charge or provided any information or testimony under this Act;

(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any public employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization of the representative of its employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative, unless such labor organization is currently certified as the representative of such employees:

(A) where the employer has lawfully recognized in accordance with this Act any labor organization and a question concerning representation may not appropriately be raised under Section 9 of this Act;

(B) where within the preceding 12 months a valid election under Section 9 of this Act has been conducted; or

(C) where such picketing has been conducted without a petition under Section 9 being filed within a reasonable period of time not to exceed 30 days from the commencement of such picketing; provided that when such a petition has been filed the Board shall forthwith, without regard to the provisions of subsection (a) of Section 9 or the absence of a showing of a substantial interest on the part of the labor organization, direct an election in such unit as the Board finds to be appropriate and shall certify the results thereof; provided further, that nothing in this subparagraph shall be construed to prohibit any picketing or other publicity for the purpose of truthfully advising the public that an employer does not employ members of, or have a contract with, a labor organization unless an effect of such picketing is to induce any individual employed by any other person in the course of his employment, not to pick up, deliver, or transport any goods or not to perform any services; or

(8) to refuse to reduce a collective bargaining agreement to writing or to refuse to sign such agreement.

(b-5) It shall be an unfair labor practice for an employer or its agents to require a peace officer to perform any of the tasks that are prohibited under Section 5-1136 of the Counties Code, Section 11-1-12 of the Illinois Municipal Code, and Section 16-102.1 of the Illinois Vehicle Code.

(c) The expressing of any views, argument, or opinion or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefit. (Source: P.A. 86-412; 87-736.)

Section 10. The Counties Code is amended by adding Section 5-1136 as follows:
(55 ILCS 5/5-1136 new)

Sec. 5-1136. Quotas prohibited. A county may not require a law enforcement officer to issue a specific number of citations or warnings within a designated period of time.

A county may not, for purposes of evaluating a law enforcement officer's job performance, compare the number of citations or warnings issued by the law enforcement officer to the number of citations or warnings issued by any other law enforcement officer who has similar job duties.

A home rule unit may not establish requirements for or assess the performance of law enforcement officers in a manner inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 15. The Illinois Municipal Code is amended by adding Section 11-1-12 as follows:
(65 ILCS 5/11-1-12 new)

Sec. 11-1-12. Quotas prohibited. A municipality may not require a law enforcement officer to issue a specific number of citations or warnings within a designated period of time.

A municipality may not, for purposes of evaluating a law enforcement officer's job performance, compare the number of citations or warnings issued by the law enforcement officer to the number of citations or warnings issued by any other law enforcement officer who has similar job duties.

A home rule municipality may not establish requirements for or assess the performance of law enforcement officers in a manner inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 20. The Illinois Vehicle Code is amended by adding Section 16-102.1 as follows:
(625 ILCS 5/16-102.1 new)

Sec. 16-102.1. State Police quotas prohibited. The Department of State Police may not require a State Police officer to issue a specific number of citations or warnings within a designated period of time.

The Department of State Police may not, for purposes of evaluating a State Police officer's job performance, compare the number of citations or warnings issued by the State Police officer to the number of citations or warnings issued by any other State Police officer who has similar job duties."

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

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

On motion of Senator Morrison, **Senate Bill No. 3433** having been printed, was taken up, read by title a second time.

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

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Hunter, **Senate Bill No. 219** 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 39; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Link	Rezin
Barickman	Frerichs	Manar	Righter
Bertino-Tarrant	Haine	Martinez	Rose
Bush	Harmon	McCann	Silverstein
Clayborne	Hastings	McConaughay	Stadelman
Connelly	Holmes	Morrison	Stears
Cullerton, T.	Hunter	Mulroe	Sullivan
Cunningham	Hutchinson	Muñoz	Trotter
Delgado	Koehler	Radogno	Van Pelt

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Dillard

Kotowski

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 Steans, **Senate Bill No. 798** 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 43; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Link	Rezin
Barickman	Forby	Luechtefeld	Righter
Bertino-Tarrant	Frerichs	Manar	Rose
Biss	Haine	Martinez	Silverstein
Bivins	Hastings	McCann	Stadelman
Bush	Holmes	McConnaughay	Steans
Clayborne	Hunter	Morrison	Sullivan
Collins	Hutchinson	Mulroe	Syverson
Connelly	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Radogno	Mr. President
Delgado	Lightford	Raoul	

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

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

SENATE BILL RECALLED

On motion of Senator Link, **Senate Bill No. 929** was recalled from the order of third reading to the order of second reading.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 929

AMENDMENT NO. 1. Amend Senate Bill 929 by replacing everything after the enacting clause with the following:

"Section 5. The Rivers, Lakes, and Streams Act is amended by adding Section 23c as follows:
(615 ILCS 5/23c new)

Sec. 23c. The Department of Natural Resources shall prepare an operation plan for the Stratton Lock and Dam and the Algonquin Dam that reflects the reconstruction of the Stratton Lock and Dam. The Department shall post a publicly available copy of this operation plan on its Internet web site."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

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On motion of Senator Link, **Senate Bill No. 929** 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 45; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Manar	Rose
Barickman	Forby	Martinez	Silverstein
Bertino-Tarrant	Frerichs	McCann	Stadelman
Biss	Haine	McConnaughay	Steans
Bivins	Hastings	Morrison	Sullivan
Bush	Holmes	Mulroe	Syverson
Clayborne	Hunter	Muñoz	Trotter
Collins	Hutchinson	Oberweis	Van Pelt
Connelly	Koehler	Radogno	Mr. President
Cullerton, T.	Kotowski	Raoul	
Cunningham	Link	Rezin	
Delgado	Luechtefeld	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. 1047** was recalled from the order of third reading to the order of second reading.

Senator Steans offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1047

AMENDMENT NO. 1. Amend Senate Bill 1047 by replacing everything after the enacting clause with the following:

"Section 1. Findings. The General Assembly finds:

(1) "An Act to create the Rosehill Cemetery Company", approved February 11, 1859 (hereinafter "the 1859 Act"), created the Rosehill Cemetery Company and constituted its charter. The 1859 Act appears on pages 29 through 33 of the "Private Laws" portion of the volume "Laws of the State of Illinois, Passed by the Twenty-first General Assembly, Convened January 3, 1859". (The pages of that volume are not numbered in a single sequence. The portions labeled "Public Laws" and "Private Laws" have separate page numbering.)

(2) "An Act to amend "An act to create the Rosehill Cemetery Company," approved February 11, 1859", approved February 13, 1863 (hereinafter "the 1863 Act"), amended the charter of the Rosehill Cemetery Company as set forth in the 1859 Act. The 1863 Act appears on pages 174 through 177 of the volume "Private Laws of the State of Illinois, Passed by the Twenty-third General Assembly, Convened January 5, 1863". Among other things, the 1863 Act: required 10% of the proceeds received from the sale of lots by the Rosehill Cemetery Company to be reserved and set apart until the sum reserved and set apart amounted to \$100,000; required that sum to be kept as a fund (hereinafter "the reserve fund") for the preservation, maintenance, and ornamentation of the cemetery; created the Board of Trustees of the Rosehill Cemetery; required the Rosehill Cemetery Company to pay the amounts reserved and set apart to the Board of Trustees of the Rosehill Cemetery; imposed various requirements upon the investment of funds by the Board of Trustees of the Rosehill Cemetery; and imposed various requirements regarding the composition and selection of the Board of Trustees of the Rosehill Cemetery.

(3) On September 15, 1983, a decree was entered by the Circuit Court of Cook County in Rosehill Cemetery Company et al. v. Chicago Title and Trust Company et al., No. 83 CH 339, which dealt with

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various matters involving the successor to the Rosehill Cemetery Company as well as 4 funds dedicated to the care and upkeep of the Rosehill Cemetery, including the reserve fund. Regarding the reserve fund, the Court found:

"4. On July 6, 1894, a decree was entered by the Circuit Court of Cook County in Case No. 120206, Lunt and Farwell vs. The Rosehill Cemetery Company et. al., which found that the Reserve Fund had reached \$100,000, and ordered that it be administered by lot owner trustees pursuant to the Amendment to Charter, with The Northern Trust Company of Chicago, Illinois acting as custodian of the securities in which said Reserve Fund is invested."

Regarding the reserve fund, the Court ordered:

"5. That, upon the purchase of the assets of Rosehill Cemetery Company, the dissolution of Rosehill Cemetery Company, and the commencement of the operation of Rosehill Cemetery in perpetuity by Rosehill Memorial, Inc., the Reserve Fund and the trustees thereof shall continue to operate in the manner provided, since 1863, by Section 7 of the Charter of Rosehill Cemetery Company as amended by the Special Act approved February 13, 1863 and pursuant to the provisions of the first paragraph of Paragraph Second of the decree entered on July 6, 1894 by the Circuit Court of Cook County in Case No. 120206, Lunt and Farwell vs. The Rosehill Cemetery Company et. al., and said trustees shall continue to expend the income therefrom with the advice of Rosehill Memorial, Inc."

(4) The Board of Trustees of the Rosehill Cemetery have administered the reserve fund in accordance with the 1863 Act. The 1863 Act must be amended to enable the Board of Trustees of the Rosehill Cemetery to manage the reserve fund according to modern investment principles and to ensure the continued operation of the reserve fund.

Section 5. "An Act to amend "An act to create the Rosehill Cemetery Company," approved February 11, 1859", approved February 13, 1863, is amended by adding Sections 14.1 and 14.2 as follows:
(Private Laws 1863, p. 174-177, Sec. 14.1 new)

Sec. 14.1. Notwithstanding any other provision of law, as an alternative to the investment provisions of Sections 3 through 7 of this Act, the Board of Trustees of the Rosehill Cemetery may invest assets of the fund created under Section 2 of this Act in accordance with Section 5 of the Trusts and Trustees Act or any successor provision.

(Private Laws 1863, p. 174-177, Sec. 14.2 new)

Sec. 14.2. Notwithstanding any other provision of law, as an alternative to the provisions of Sections 3 and 10 of this Act concerning the number of trustees and the manner of electing trustees, the Board of Trustees of the Rosehill Cemetery may adopt bylaws establishing procedures for the governance of the Board, including, but not limited to, the number of trustees and the manner of electing trustees.

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 Steans, **Senate Bill No. 1047** 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 43; NAY 1.

The following voted in the affirmative:

Althoff	Delgado	Luechtefeld	Righter
Barickman	Dillard	Manar	Rose
Bertino-Tarrant	Forby	Martinez	Silverstein
Biss	Frerichs	McConnaughay	Stadelman
Bivins	Haine	Morrison	Steans

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Bush	Hastings	Mulroe	Sullivan
Clayborne	Holmes	Muñoz	Syverson
Collins	Hunter	Oberweis	Trotter
Connelly	Hutchinson	Radogno	Van Pelt
Cullerton, T.	Koehler	Raoul	Mr. President
Cunningham	Kotowski	Rezin	

The following voted in the negative:

Link

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. 1724** 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 46; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Luechtefeld	Righter
Barickman	Forby	Manar	Rose
Bertino-Tarrant	Frerichs	Martinez	Silverstein
Biss	Haine	McCann	Stadelman
Bivins	Harmon	McConnaughay	Steans
Bush	Hastings	Morrison	Sullivan
Clayborne	Holmes	Mulroe	Syverson
Collins	Hutchinson	Muñoz	Trotter
Connelly	Koehler	Oberweis	Van Pelt
Cullerton, T.	Kotowski	Radogno	Mr. President
Cunningham	Lightford	Raoul	
Delgado	Link	Rezin	

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

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

On motion of Senator Bertino-Tarrant, **Senate Bill No. 2698** 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	Forby	Luechtefeld	Silverstein
Barickman	Frerichs	Manar	Stadelman
Bertino-Tarrant	Haine	Martinez	Steans
Biss	Harmon	McCann	Sullivan
Bush	Hastings	McConnaughay	Syverson

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Clayborne	Holmes	Morrison	Trotter
Collins	Hunter	Mulroe	Van Pelt
Connelly	Hutchinson	Muñoz	Mr. President
Cullerton, T.	Koehler	Oberweis	
Cunningham	Kotowski	Radogno	
Delgado	Lightford	Raoul	
Dillard	Link	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 Morrison, **Senate Bill No. 2731** 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 45; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Rose
Barickman	Frerichs	Manar	Silverstein
Bertino-Tarrant	Haine	Martinez	Stadelman
Biss	Harmon	McCann	Steans
Bush	Hastings	McConnaughay	Sullivan
Clayborne	Holmes	Morrison	Syverson
Collins	Hunter	Mulroe	Trotter
Connelly	Hutchinson	Muñoz	Van Pelt
Cullerton, T.	Koehler	Oberweis	Mr. President
Cunningham	Kotowski	Radogno	
Delgado	Lightford	Raoul	
Dillard	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.

On motion of Senator Haine, **Senate Bill No. 3044** 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 47; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Link	Rezin
Barickman	Forby	Luechtefeld	Righter
Bertino-Tarrant	Frerichs	Manar	Rose
Biss	Haine	Martinez	Silverstein
Bivins	Harmon	McCann	Stadelman
Bush	Hastings	McConnaughay	Steans
Clayborne	Holmes	Morrison	Sullivan
Collins	Hunter	Mulroe	Syverson

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Connelly	Hutchinson	Muñoz	Trotter
Cullerton, T.	Koehler	Oberweis	Van Pelt
Cunningham	Kotowski	Radogno	Mr. President
Delgado	Lightford	Raoul	

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

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

On motion of Senator Holmes, **Senate Bill No. 3049** 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 47; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Link	Rezin
Barickman	Forby	Luechtefeld	Righter
Bertino-Tarrant	Frerichs	Manar	Rose
Biss	Haine	Martinez	Silverstein
Bivins	Harmon	McCann	Stadelman
Bush	Hastings	McConnaughay	Steans
Clayborne	Holmes	Morrison	Sullivan
Collins	Hunter	Mulroe	Syverson
Connelly	Hutchinson	Muñoz	Trotter
Cullerton, T.	Koehler	Oberweis	Van Pelt
Cunningham	Kotowski	Radogno	Mr. President
Delgado	Lightford	Raoul	

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

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

On motion of Senator Biss, **Senate Bill No. 3055** 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 47; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Lightford	Rezin
Barickman	Forby	Link	Righter
Bertino-Tarrant	Frerichs	Luechtefeld	Rose
Biss	Haine	Martinez	Silverstein
Bivins	Harmon	McCann	Stadelman
Bush	Hastings	McConnaughay	Steans
Clayborne	Holmes	Morrison	Sullivan
Collins	Hunter	Mulroe	Syverson
Connelly	Hutchinson	Muñoz	Trotter
Cullerton, T.	Koehler	Oberweis	Van Pelt
Cunningham	Kotowski	Radogno	Mr. President

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Delgado

LaHood

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 Haine, **Senate Bill No. 3228** 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 47; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Link	Rezin
Barickman	Forby	Luechtefeld	Righter
Bertino-Tarrant	Frerichs	Manar	Rose
Biss	Haine	Martinez	Silverstein
Bivins	Harmon	McCann	Stadelman
Bush	Hastings	McConnaughay	Steans
Clayborne	Holmes	Morrison	Sullivan
Collins	Hutchinson	Mulroe	Syverson
Connelly	Koehler	Muñoz	Trotter
Cullerton, T.	Kotowski	Oberweis	Van Pelt
Cunningham	LaHood	Radogno	Mr. President
Delgado	Lightford	Raoul	

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

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

On motion of Senator Haine, **Senate Bill No. 3267** 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 47; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Lightford	Rezin
Barickman	Forby	Link	Righter
Bertino-Tarrant	Frerichs	Luechtefeld	Rose
Biss	Haine	Manar	Silverstein
Bivins	Harmon	Martinez	Stadelman
Bush	Hastings	McCann	Steans
Clayborne	Holmes	McConnaughay	Sullivan
Collins	Hunter	Morrison	Syverson
Connelly	Hutchinson	Mulroe	Trotter
Cullerton, T.	Koehler	Oberweis	Van Pelt
Cunningham	Kotowski	Radogno	Mr. President
Delgado	LaHood	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 Dillard, **Senate Bill No. 3275** 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
Barickman	Frerichs	Manar	Silverstein
Bertino-Tarrant	Haine	Martinez	Stadelman
Biss	Harmon	McCann	Steans
Bivins	Hastings	McConnaughay	Sullivan
Bush	Holmes	Morrison	Syverson
Clayborne	Hunter	Mulroe	Trotter
Collins	Hutchinson	Muñoz	Van Pelt
Connelly	Koehler	Oberweis	Mr. President
Cullerton, T.	Kotowski	Radogno	
Cunningham	LaHood	Raoul	
Delgado	Lightford	Rezin	
Dillard	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.

On motion of Senator Haine, **Senate Bill No. 3322** 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
Barickman	Frerichs	Manar	Silverstein
Bertino-Tarrant	Haine	Martinez	Stadelman
Biss	Harmon	McCann	Steans
Bivins	Hastings	McConnaughay	Sullivan
Bush	Holmes	Morrison	Syverson
Clayborne	Hunter	Mulroe	Trotter
Collins	Hutchinson	Muñoz	Van Pelt
Connelly	Koehler	Oberweis	Mr. President
Cullerton, T.	Kotowski	Radogno	
Cunningham	LaHood	Raoul	
Delgado	Lightford	Rezin	
Dillard	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.

On motion of Senator Haine, **Senate Bill No. 3324** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Rose
Barickman	Haine	Manar	Silverstein
Bertino-Tarrant	Harmon	Martinez	Stadelman
Biss	Harris	McCann	Steans
Bivins	Hastings	McConnaughay	Sullivan
Bush	Holmes	Morrison	Syverson
Clayborne	Hunter	Mulroe	Trotter
Collins	Hutchinson	Muñoz	Van Pelt
Connelly	Koehler	Oberweis	Mr. President
Cullerton, T.	Kotowski	Radogno	
Cunningham	LaHood	Raoul	
Delgado	Lightford	Rezin	
Forby	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.

On motion of Senator Althoff, **Senate Bill No. 3341** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Rose
Barickman	Haine	Luechtefeld	Silverstein
Bertino-Tarrant	Harmon	Manar	Stadelman
Biss	Harris	Martinez	Steans
Bivins	Hastings	McCann	Sullivan
Bush	Holmes	McConnaughay	Syverson
Clayborne	Hunter	Morrison	Trotter
Collins	Hutchinson	Mulroe	Van Pelt
Cullerton, T.	Jones, E.	Oberweis	Mr. President
Cunningham	Koehler	Radogno	
Delgado	Kotowski	Raoul	
Dillard	LaHood	Rezin	
Forby	Lightford	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 Althoff, **Senate Bill No. 3342** was recalled from the order of third reading to the order of second reading.

Senator Althoff offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3342

AMENDMENT NO. 2. Amend Senate Bill 3342, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, immediately below line 15 by inserting the following:

"A district located wholly within McHenry County may not levy a rate that exceeds 0.1% without first submitting the question to the voters of the district. The question shall be submitted in accordance with the Election Code. The governing body of the district shall certify the question to the proper election authorities who shall submit the question to the electors of the district in substantially the following form:

Shall (name of district) be permitted to levy a rate of (insert rate) beginning with levy year (year) for the general purposes of the district, including the acquisition, development, operation and maintenance of real property, which may be in excess of current requirements and allowed to accumulate from year to year, and for any purposes specified by the district?

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

If a majority of voters voting on the increase approve its adoption, the increase shall take effect beginning with the levy year specified in the question.

If the district is seeking to levy a rate that exceeds its limiting rate under the Property Tax Extension Limitation Law, then the district shall submit the question to the voters of the district in accordance with Section 18-190 of the Property Tax Code in lieu of the requirements set forth in this paragraph (4)."

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 Althoff, **Senate Bill No. 3342** 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 46; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Rezin
Barickman	Haine	Luechtefeld	Rose
Bertino-Tarrant	Harmon	Manar	Silverstein
Biss	Harris	Martinez	Stadelman
Bush	Hastings	McCann	Stears
Clayborne	Holmes	McConaughay	Sullivan
Collins	Hunter	Morrison	Syverson
Cullerton, T.	Hutchinson	Mulroe	Trotter
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Oberweis	Mr. President
Dillard	Kotowski	Radogno	
Forby	Lightford	Raoul	

[April 7, 2014]

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 Haine, **Senate Bill No. 3402** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Link, **Senate Bill No. 3413** 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 36; NAYS 9; Present 1.

The following voted in the affirmative:

Bertino-Tarrant	Hastings	Martinez	Steans
Biss	Holmes	McConnaughay	Sullivan
Cullerton, T.	Hunter	McGuire	Syverson
Cunningham	Hutchinson	Morrison	Trotter
Dillard	Jones, E.	Mulroe	Van Pelt
Forby	Koehler	Muñoz	Mr. President
Frerichs	Lightford	Radogno	
Haine	Link	Raoul	
Harmon	Luechtefeld	Silverstein	
Harris	Manar	Stadelman	

The following voted in the negative:

Barickman	LaHood	Rezin
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Bivins	McCann	Righter
Connelly	Oberweis	Rose

The following voted present:

Clayborne

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 Haine, **Senate Bill No. 3504** 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 47; NAY 1.

The following voted in the affirmative:

Althoff	Frerichs	Link	Righter
Barickman	Haine	Luechtefeld	Rose
Bertino-Tarrant	Harmon	Manar	Sandoval
Biss	Harris	Martinez	Silverstein
Bivins	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jones, E.	Mulroe	Syverson
Cullerton, T.	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Radogno	Van Pelt
Dillard	LaHood	Raoul	Mr. President
Forby	Lightford	Rezin	

The following voted in the negative:

Oberweis

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

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

Senator Oberweis asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3504**.

On motion of Senator Althoff, **Senate Bill No. 3503** 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	Forby	Link	Righter
Barickman	Frerichs	Luechtefeld	Rose
Bertino-Tarrant	Haine	Manar	Sandoval

[April 7, 2014]

Biss	Harmon	Martinez	Silverstein
Bivins	Harris	McConnaughay	Stadelman
Bush	Holmes	McGuire	Steans
Clayborne	Hunter	Morrison	Sullivan
Collins	Hutchinson	Mulroe	Syverson
Connelly	Jones, E.	Muñoz	Trotter
Cullerton, T.	Koehler	Oberweis	Mr. President
Cunningham	Kotowski	Radogno	
Delgado	LaHood	Raoul	
Dillard	Lightford	Rezin	

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

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

On motion of Senator Kotowski, **Senate Bill No. 3563** 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 33; NAYS 14.

The following voted in the affirmative:

Bertino-Tarrant	Holmes	Martinez	Stadelman
Biss	Hunter	McGuire	Steans
Bush	Hutchinson	Morrison	Sullivan
Collins	Jones, E.	Mulroe	Trotter
Cunningham	Koehler	Muñoz	Van Pelt
Delgado	Kotowski	Radogno	Mr. President
Frerichs	Lightford	Raoul	
Harmon	Link	Sandoval	
Hastings	Manar	Silverstein	

The following voted in the negative:

Barickman	LaHood	McConnaughay	Rose
Bivins	Luechtefeld	Oberweis	Syverson
Connelly	McCann	Rezin	
Haine	McCarter	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.

Senator Radogno asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 3563**.

At the hour of 1:53 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 2:09 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

[April 7, 2014]

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 7, 2014 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: Senate Floor Amendment No. 1 to Senate Bill 2650; Senate Floor Amendment No. 1 to Senate Bill 2808; Senate Floor Amendment No. 1 to Senate Bill 2995; Senate Floor Amendment No. 2 to Senate Bill 3007; Senate Floor Amendment No. 1 to Senate Bill 3522; Senate Floor Amendment No. 2 to Senate Bill 3538; Senate Floor Amendment No. 2 to Senate Bill 3558.

Education: Senate Floor Amendment No. 1 to Senate Bill 587; Senate Floor Amendment No. 2 to Senate Bill 2793; Senate Floor Amendment No. 2 to Senate Bill 2870; Senate Floor Amendment No. 2 to Senate Bill 3004; Senate Floor Amendment No. 3 to Senate Bill 3412; Senate Committee Amendment No. 1 to Senate Bill 3540; Senate Committee Amendment No. 1 to Senate Bill 3541.

Energy: Senate Floor Amendment No. 1 to Senate Bill 3456.

Environment: Senate Floor Amendment No. 2 to Senate Bill 2727.

Executive: Senate Floor Amendment No. 1 to Senate Bill 229; Senate Floor Amendment No. 1 to Senate Bill 726; Senate Floor Amendment No. 1 to Senate Bill 728; Senate Floor Amendment No. 1 to Senate Bill 2014; Senate Floor Amendment No. 10 to Senate Bill 2758; Senate Floor Amendment No. 9 to Senate Bill 2758; Senate Floor Amendment No. 1 to Senate Bill 3144; Senate Floor Amendment No. 2 to Senate Bill 3144; Senate Floor Amendment No. 3 to Senate Bill 3144; Senate Floor Amendment No. 3 to Senate Bill 3312; Senate Floor Amendment No. 2 to Senate Bill 3318.

Higher Education: Senate Floor Amendment No. 1 to Senate Bill 230; Senate Floor Amendment No. 2 to Senate Bill 2846; Senate Floor Amendment No. 3 to Senate Bill 2846; Senate Floor Amendment No. 2 to Senate Bill 3306; Senate Floor Amendment No. 3 to Senate Bill 3306.

Human Services: Senate Floor Amendment No. 2 to Senate Bill 799; Senate Floor Amendment No. 2 to Senate Bill 1999; Senate Floor Amendment No. 4 to Senate Bill 2586; Senate Floor Amendment No. 1 to Senate Bill 3421.

Insurance: Senate Floor Amendment No. 1 to Senate Bill 644; Senate Floor Amendment No. 1 to Senate Bill 645; Senate Floor Amendment No. 1 to Senate Bill 646; Senate Floor Amendment No. 3 to Senate Bill 3014.

Judiciary: Senate Floor Amendment No. 1 to Senate Bill 506; Senate Floor Amendment No. 1 to Senate Bill 590; Senate Floor Amendment No. 1 to Senate Bill 978; Senate Floor Amendment No. 1 to Senate Bill 1048; Senate Floor Amendment No. 1 to Senate Bill 1098; Senate Floor Amendment No. 1 to Senate Bill 1099; Senate Floor Amendment No. 1 to Senate Bill 2002; Senate Floor Amendment No. 1 to Senate Bill 2012; Senate Floor Amendment No. 1 to Senate Bill 2013; Senate Floor Amendment No. 4 to Senate Bill 2829; Senate Floor Amendment No. 2 to Senate Bill 3023; Senate Floor Amendment No. 3 to Senate Bill 3023; Senate Floor Amendment No. 2 to Senate Bill 3110; Senate Floor Amendment No. 2 to Senate Bill 3112.

Labor and Commerce: Senate Floor Amendment No. 1 to Senate Bill 1103; Senate Floor Amendment No. 1 to Senate Bill 2003; Senate Floor Amendment No. 1 to Senate Bill 3038; Senate Floor Amendment No. 2 to Senate Bill 3411; Senate Floor Amendment No. 3 to Senate Bill 3514.

Licensed Activities and Pensions: Senate Floor Amendment No. 1 to Senate Bill 122; Senate Floor Amendment No. 1 to Senate Bill 642; Senate Floor Amendment No. 2 to Senate Bill 642; Senate Floor Amendment No. 1 to Senate Bill 643; Senate Floor Amendment No. 2 to Senate Bill 2774; Senate Floor Amendment No. 1 to Senate Bill 3109; Senate Floor Amendment No. 1 to Senate Bill 3513; Senate Floor Amendment No. 2 to Senate Bill 3513.

[April 7, 2014]

Local Government: **Senate Floor Amendment No. 1 to Senate Bill 505; Senate Floor Amendment No. 1 to Senate Bill 507; Senate Floor Amendment No. 1 to Senate Bill 585; Senate Floor Amendment No. 2 to Senate Bill 3313.**

Public Health: **Senate Floor Amendment No. 1 to Senate Bill 2928; Senate Floor Amendment No. 3 to Senate Bill 3409; Senate Floor Amendment No. 2 to Senate Bill 3465; Senate Floor Amendment No. 1 to Senate Bill 3512.**

Revenue: **Senate Floor Amendment No. 1 to Senate Bill 218; Senate Floor Amendment No. 2 to Senate Bill 218; Senate Floor Amendment No. 3 to Senate Bill 3108; Senate Floor Amendment No. 4 to Senate Bill 3108; Senate Floor Amendment No. 1 to Senate Bill 3369; Senate Floor Amendment No. 2 to Senate Bill 3397; Senate Floor Amendment No. 2 to Senate Bill 3574.**

State Government and Veterans Affairs: **Senate Floor Amendment No. 1 to Senate Bill 121; Senate Floor Amendment No. 2 to Senate Bill 121; Senate Floor Amendment No. 2 to Senate Bill 217; 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 226; Senate Floor Amendment No. 2 to Senate Bill 226; Senate Floor Amendment No. 1 to Senate Bill 231; Senate Floor Amendment No. 1 to Senate Bill 276; Senate Floor Amendment No. 2 to Senate Bill 2628; Senate Floor Amendment No. 1 to Senate Bill 3276.**

Transportation: **Senate Floor Amendment No. 2 to Senate Bill 927; Senate Floor Amendment No. 3 to Senate Bill 927; Senate Floor Amendment No. 2 to Senate Bill 928; Senate Floor Amendment No. 2 to Senate Bill 930; Senate Floor Amendment No. 2 to Senate Bill 3139; Senate Floor Amendment No. 1 to Senate Bill 3270; Senate Floor Amendment No. 2 to Senate Bill 3338; Senate Floor Amendment No. 1 to Senate Bill 3548.**

Executive Subcommittee on Special Issues: **Senate Floor Amendment No. 1 to Senate Bill 16.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 7, 2014 meeting, reported the following House Resolution has been assigned to the indicated Standing Committee of the Senate:

Transportation: **House Joint Resolution No. 86.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 7, 2014 meeting, reported that the Committee recommends that **Senate Floor Amendment No. 1 Senate Bill No. 928** be re-referred from the Committee on Education to the Committee on Transportation.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 7, 2014 meeting, reported that the following Legislative Measures have been approved for consideration:

**Senate Floor Amendment No. 1 to Senate Bill 227
Senate Floor Amendment No. 2 to Senate Bill 499
Senate Floor Amendment No. 1 to Senate Bill 2717
Senate Floor Amendment No. 2 to Senate Bill 2764
Senate Floor Amendment No. 2 to Senate Bill 3433**

The foregoing floor amendments were placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 7, 2014 meeting, to which was referred **Senate Bill No. 742** on April 16, 2013, reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

[April 7, 2014]

And **Senate Bill No. 742** was returned to the order of third reading.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 3:15 o'clock p.m.:

Education in Room 400
Public Health in Room 409

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

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

The Chair announced the following committee to meet at 6:00 o'clock p.m.:

Transportation in Room 212

COMMITTEE MEETING ANNOUNCEMENTS FOR APRIL 8, 2014

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

Local Government in Room 212
Criminal Law in Room 409

The Chair announced the following committees to meet at 10:00 o'clock a.m.:

Insurance in Room 400
Revenue in Room 212

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

Environment in Room 212

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Hastings, **Senate Bill No. 500** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 35; NAYS 17.

The following voted in the affirmative:

Bertino-Tarrant	Haine	Lightford	Raoul
Biss	Harmon	Link	Sandoval
Bush	Harris	Manar	Stadelman
Clayborne	Hastings	Martinez	Steans
Collins	Holmes	McGuire	Sullivan
Cullerton, T.	Hunter	Morrison	Syverson
Cunningham	Hutchinson	Mulroe	Van Pelt
Delgado	Koehler	Muñoz	Mr. President
Frerichs	Kotowski	Noland	

[April 7, 2014]

The following voted in the negative:

Althoff	LaHood	Murphy	Rose
Barickman	Luechtefeld	Oberweis	Trotter
Bivins	McCann	Radogno	
Connelly	McCarter	Rezin	
Dillard	McConnaughay	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 Noland, **Senate Bill No. 2609** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Haine, **Senate Bill No. 499** was recalled from the order of third reading to the order of second reading.

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 499

AMENDMENT NO. 1. Amend Senate Bill 499 by replacing everything after the enacting clause with the following:

"Section 5. The Tri-City Regional Port District Act is amended by changing the title of the Act and Sections 1, 2, 3, 4, 6, 7.5, 8, 13, 15, 15.5, 16, 18, 19, 25, 33, and 34 as follows:

(70 ILCS 1860/Act title)

[April 7, 2014]

An Act to create the America's Central Tri-City Regional Port District (formerly known as the "Tri-City Regional Port District Act") and to define its powers and duties.

(70 ILCS 1860/1) (from Ch. 19, par. 284)

Sec. 1. This Act shall be known and may be cited as the "America's Central Tri-City Regional Port District Act."

(Source: Laws 1959, p. 71.)

(70 ILCS 1860/2) (from Ch. 19, par. 285)

Sec. 2. When used in this Act:

"District" or "Port District" means America's Central the Tri-City Regional Port District created by this Act.

"Terminal" means a public place, station or depot for receiving and delivering baggage, mail, freight or express matter and for any combination of such purposes, in connection with the transportation of persons and property on water or land or in the air.

"Terminal facilities" means all land, buildings, structures, improvements, equipment and appliances useful in the operation of public warehouse, storage and transportation facilities and industrial, manufacturing, processing and conversion activities for the accommodation of or in connection with commerce by water or land or in the air or useful as an aid to further the public interest, or constituting an advantage or convenience to, the safe landing, taking off and navigation of aircraft, or the safe and efficient operation or maintenance of a public airport; except that nothing in this definition contained shall be interpreted as granting authority to the District to acquire, purchase, create, erect or construct a bridge across any waterway which serves as a boundary between the State of Illinois and any other state.

"Port facilities" means all public structures, except terminal facilities as defined herein, that are in, over, under or adjacent to navigable waters and are necessary for or incident to the furtherance of water commerce and includes the widening and deepening of slips, harbors and navigable waters.

"Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of, or flight in, the air.

"Airport" means any locality, either land or water, which is used or designed for the landing and taking off of aircraft, or for the location of runways, landing fields, airdromes, hangars, buildings, structures, airport roadways and other facilities.

"Airport hazard" means any structure, or object of natural growth, located on or in the vicinity of an airport, or any use of land near an airport which is hazardous to the use of such airport for the landing and take-off of aircraft.

"Approach" means any path, course or zone defined by an ordinance of the District or by other lawful regulation, on the ground or in the air, or both, for the use of aircraft in landing and taking off from an airport located within the District.

"Commercial aircraft" means any aircraft other than public aircraft engaged in the business of transporting persons or property.

"Private aircraft" means any aircraft other than public and commercial aircraft.

"Public aircraft" means an aircraft used exclusively in the governmental service of the United States, or of any state or of any public agency, including military and naval aircraft.

"Public airport" means an airport owned by a Port District, an airport authority or other public agency which is used or is intended for use by public, commercial and private aircraft and by persons owning, managing, operating or desiring to use, inspect or repair any such aircraft or to use any such airport for aeronautical purposes.

"Public incinerator" means a facility for the disposal of waste by incineration by any means or method for public use, including, but not limited to, incineration and disposal of industrial wastes.

"Public interest" means the protection, furtherance and advancement of the general welfare and of public health and safety and public necessity and convenience.

"Navigable waters" means any public waters which are or can be made usable for water commerce.

"Governmental agency" means the Federal, State and any local governmental body, and any agency or instrumentality, corporate or otherwise, thereof.

"Person" means any individual, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association; and includes any trustee, receiver, assignee or personal representative thereof.

"General obligation bond" means any bond issued by the District any part of the principal or interest of which bond is to be paid by taxation.

"Revenue bond" means any bond issued by the District the principal and interest of which bond is payable solely from revenues or income derived from terminal, terminal facilities or port facilities of the District.

"Board" means the America's Central Tri-City Port District Board.

"Governor" means the Governor of the State of Illinois.

"Mayor" means the Mayor of the city of Venice, the Mayor of the city of Madison or the Mayor of the city of Granite City, as the case may require.

(Source: P.A. 92-643, eff. 1-1-03.)

(70 ILCS 1860/3) (from Ch. 19, par. 286)

Sec. 3. There is created a political subdivision, body politic, and municipal corporation by the name of America's Central the Tri-City-Regional Port District embracing the following territory in Madison and Jersey Counties County: all the territory included within the townships of Granite City, Venice, and Nameoki, Chouteau, Wood River, Alton, Godfrey, Elsay, and Quarry; ~~and that part of the township of Chouteau which lies south of the Cahokia diversion canal; and all of Chouteau and Gaboret Islands.~~ Territory may be annexed to the District in the manner hereinafter provided in this Act. The District may sue and be sued in its corporate name but execution shall not in any case issue against any property of the District. It may adopt a common seal and change the same at its pleasure.

(Source: Laws 1959, p. 71.)

(70 ILCS 1860/4) (from Ch. 19, par. 287)

Sec. 4. The Port District has the following rights and powers:

1. To issue permits: for the construction of all wharves, piers, dolphins, booms, weirs, breakwaters, bulkheads, jetties, bridges or other structures of any kind, over, under, in, or within 40 feet of any navigable waters within the Port District; for the deposit of rock, earth, sand or other material, or any matter of any kind or description in such waters; except that nothing contained in this paragraph 1 shall be construed so that it will be deemed necessary to obtain a permit from the District for the erection, operation or maintenance of any bridge crossing a waterway which serves as a boundary between the State of Illinois and any other State, when such erection, operation or maintenance is performed by any city within the District;

2. To prevent or remove obstructions in navigable waters, including the removal of wrecks;

3. To locate and establish dock lines and shore or harbor lines;

4. To regulate the anchorage, moorage and speed of water borne vessels and to establish and enforce regulations for the operation of bridges, except nothing contained in this paragraph 4 shall be construed to give the District authority to regulate the operation of any bridge crossing a waterway which serves as a boundary between the State of Illinois and any other State, when such operation is performed or to be performed by any city within the District;

5. To acquire, own, construct, lease for any period not exceeding 99 years, operate and maintain terminals, terminal facilities and port facilities, to fix and collect just, reasonable, and nondiscriminatory charges for the use of such facilities, and, except as provided herein for short term financing, to use the charges so collected to defray the reasonable expenses of the Port District and to pay the principal of and interest on any revenue bonds issued by the District;

6. To acquire, erect, construct, reconstruct, improve, maintain, operate and lease in whole or part for any period not exceeding 99 years, central office or administrative facilities for use by the Port District, any tenant, occupant or user of the District facilities, or anyone engaged in commerce in the District.

7. To sell, assign, pledge or hypothecate in whole or in part any contract, lease, income, charges, tolls, rentals or fees of the District to provide short term interim financing pending the issuance of revenue bonds by the District, provided that when such revenue bonds are issued, such contracts, leases, income, charges, tolls, rentals or fees shall be used to defray the reasonable expenses of the Port District and pay the principal of and income on any revenue bonds issued by the District;

8. To acquire, own, construct, lease for any period not exceeding 99 years, operate, develop and maintain Port District water and sewerage systems including but not limited to pipes, mains, lines, sewers, pumping stations, settling tanks, treatment plants, water purification equipment, wells, storage facilities and all other equipment, material and facilities necessary to such systems, for the use upon payment of a reasonable fee as set by the District, of any tenant, occupant or user of the District facilities, or anyone engaged in commerce in the District, provided that the District shall not acquire, own, construct, lease, operate, develop and maintain such water and sewerage systems if such services can be provided by a public utility or municipal corporation upon request of the District, and provided further that if the District develops its own water and sewerage systems such systems may be sold or disposed of at anytime to any public utility or municipal corporation which will continue to service the Port District.

9. To create, establish, maintain and operate a public incinerator for waste disposal by incineration by any means or method, for use by municipalities for the disposal of municipal wastes and by industries for the disposal of industrial waste; and to lease land and said incineration facilities for the operation of an incinerator for a term not exceeding 99 years and to fix and collect just, reasonable and non-discriminatory

charges for the use of such incinerating facilities, and to use the charges or lease proceeds to defray the reasonable expenses of the Port District, and to pay the principal of and interest on any revenue bonds issued by the Port District.

10. To locate, establish and maintain a public airport, public airports and public airport facilities within its corporate limits or within or upon any body of water adjacent thereto, and to construct, develop, expand, extend and improve any such airport or airport facilities;

11. To operate, maintain, manage, lease or sublease for any period not exceeding 99 years, and to make and enter into contracts for the use, operation or management of, and to provide rules and regulations for, the operation, management or use of, any public airport or public airport facility;

12. To fix, charge and collect reasonable rentals, tolls, fees, and charges for the use of any public airport, or any part thereof, or any public airport facility;

13. To establish, maintain, extend and improve roadways and approaches by land, water or air to any such airport and to contract or otherwise provide, by condemnation if necessary, for the removal of any airport hazard or the removal or relocation of all private structures, railways, mains, pipes, conduits, wires, poles, and all other facilities and equipment which may interfere with the location, expansion, development, or improvement of airports or with the safe approach thereto or take-off therefrom by aircraft, and to pay the cost of removal or relocation; and, subject to the "Airport Zoning Act", approved July 17, 1945, as amended, to adopt, administer and enforce airport zoning regulations for territory which is within its corporate limits or which extends not more than 2 miles beyond its corporate limits;

14. To restrict the height of any object of natural growth or structure or structures within the vicinity of any airport or within the lines of an approach to any airport and, when necessary, for the reduction in the height of any such existing object or structure, to enter into an agreement for such reduction or to accomplish same by condemnation;

15. To agree with the state or federal governments or with any public agency in respect to the removal and relocation of any object of natural growth, airport hazard or any structure or building within the vicinity of any airport or within an approach and which is owned or within the control of such government or agency and to pay all or an agreed portion of the cost of such removal or relocation;

16. For the prevention of accidents, for the furtherance and protection of public health, safety and convenience in respect to aeronautics, for the protection of property and persons within the District from any hazard or nuisance resulting from the flight of aircraft, for the prevention of interference between, or collision of, aircraft while in flight or upon the ground, for the prevention or abatement of nuisances in the air or upon the ground or for the extension or increase in the usefulness or safety of any public airport or public airport facility owned by the District, the District may regulate and restrict the flight of aircraft while within or above the incorporated territory of the District;

17. To police its physical property only and all waterways and to exercise police powers in respect thereto or in respect to the enforcement of any rule or regulation provided by the ordinances of the District and to employ and commission police officers and other qualified persons to enforce the same. The use of any such public airport or public airport facility of the District shall be subject to the reasonable regulation and control of the District and upon such reasonable terms and conditions as shall be established by its Board. A regulatory ordinance of the District adopted under any provision of this Section may provide for a suspension or revocation of any rights or privileges within the control of the District for a violation of any such regulatory ordinance. Nothing in this Section or in other provisions of this Act shall be construed to authorize such Board to establish or enforce any regulation or rule in respect to aviation, or the operation or maintenance of any airport facility within its jurisdiction, which is in conflict with any federal or state law or regulation applicable to the same subject matter;

18. To enter into agreements with the corporate authorities or governing body of any other municipal corporation or any political subdivision of this State to pay the reasonable expense of services furnished by such municipal corporation or political subdivision for or on account of income producing properties of the District;

19. To enter into contracts dealing in any manner with the objects and purposes of this Act;

20. To acquire, own, lease, sell or otherwise dispose of interests in and to real property and improvements situate thereon and in personal property necessary to fulfill the purposes of the District;

21. To designate the fiscal year for the District;

22. To engage in any activity or operation which is incidental to and in furtherance of efficient operation to accomplish the District's primary purpose;

23. To apply to proper authorities of the United States of America pursuant to appropriate appropriated Federal Law for the right to establish, operate, maintain and lease foreign trade zones and sub-zones within the limits of ~~America's Central~~ the Tri-City Regional Port District, or its limits as approved by the United States Foreign-Trade Zones Board, or within the jurisdiction of the United States Customs Service Office

of the St. Louis Port of Entry and to establish, operate, maintain and lease such foreign trade zones and the sub-zones;

24. To operate, maintain, manage, lease, or sublease for any period not exceeding 99 years any former military base owned or leased by the District and within its jurisdictional boundaries, to make and enter into any contract for the use, operation, or management of any former military base owned or leased by the District and located within its jurisdictional boundaries, and to provide rules and regulations for the development, redevelopment, and expansion of any former military base owned or leased by the District and located within its jurisdictional boundaries;

25. To locate, establish, re-establish, expand or renew, construct or reconstruct, operate, and maintain any facility, building, structure, or improvement for a use or a purpose consistent with any use or purpose of any former military base owned or leased by the District and located within its jurisdictional boundaries;

26. To acquire, own, sell, convey, construct, lease for any period not exceeding 99 years, manage, operate, expand, develop, and maintain any telephone system, including, but not limited to, all equipment, materials, and facilities necessary or incidental to that telephone system, for use, at the option of the District and upon payment of a reasonable fee set by the District, of any tenant or occupant situated on any former military base owned or leased by the District and located within its jurisdictional boundaries;

27. To cause to be incorporated one or more subsidiary business corporations, wholly owned by the District, to own, operate, maintain, and manage facilities and services related to any telephone system, pursuant to paragraph 26. A subsidiary corporation formed pursuant to this paragraph shall (i) be deemed a telecommunications carrier, as that term is defined in Section 13-202 of the Public Utilities Act, (ii) have the right to apply to the Illinois Commerce Commission for a Certificate of Service Authority or a Certificate of Interexchange Service Authority, and (iii) have the powers necessary to carry out lawful orders of the Illinois Commerce Commission;

28. To improve, develop, or redevelop any former military base situated within the boundaries of the District, in Madison County, Illinois, and acquired by the District from the federal government, acting by and through the United States Maritime Administration, pursuant to any plan for redevelopment, development, or improvement of that military base by the District that is approved by the United States Maritime Administration under the terms and conditions of conveyance of the former military base to the District by the federal government; -

29. To acquire, erect, construct, maintain and operate aquariums, museums, planetariums, climatrons and other edifices for the collection and display of objects pertaining to natural history or the arts and sciences, or sports facilities and to permit the directors or trustees of any corporation or society organized for the erection, construction, maintenance and operation of an aquarium, museum, planetarium, climatrons, sports facilities or other such edifice to perform such erection, construction, maintenance and operation on or within any property now or hereafter owned by or under the control or supervision of the District; and to contract with any such directors or trustees relative to such acquisition, erection, construction, maintenance and operation and to authorize such directors or trustees to charge an admission fee, the proceeds of which shall be devoted exclusively to such erection, construction, maintenance and operation;

30. To acquire, erect, construct, reconstruct, improve, maintain and operate one or more, or a combination or combinations of, industrial buildings, office buildings, residential buildings, buildings to be used as a factory, mill shops, processing plants, packaging plants, assembly plants, fabricating plants, and buildings to be used as warehouses and other storage facilities;

31. To cause to be incorporated one or more subsidiary business corporations to own, operate, maintain, and manage facilities and services related to any terminal, terminal facilities, airfields, airports, port facilities, or real property of the District, whether as shareholder, partner, or co-venturer, alone or in cooperation with federal, state, or local governmental authorities or any other public or private corporation or person or persons. Such subsidiary business corporations and all of the property thereof, wholly or partly owned, directly or indirectly, by the District, shall have the same privileges and immunities as accorded to the District; and subsidiary business corporations may borrow money or obtain financial assistance from private lenders or federal and state governmental authorities or issue revenue bonds with the same kinds of security, and in accordance with the same procedures, restrictions and privileges applicable when the District obtains financial assistance or issues bonds for any of its other authorized purposes.

(Source: P.A. 93-874, eff. 8-6-04.)

(70 ILCS 1860/6) (from Ch. 19, par. 289)

Sec. 6. The District has power to apply for and accept grants, loans, or appropriations from the federal government, the State of Illinois, and Madison or Jersey Counties County, or any agency or instrumentality

thereof to be used for any of the purposes of the District and to enter into any agreements with the federal, State, and county governments in relation to such grants, loans or appropriations.

The District may petition any federal, state, municipal, or local authority, administrative, judicial and legislative, having jurisdiction in the premises, for the adoption and execution of any physical improvement, change in method or system of handling freight, warehousing, docking, lightering, and transfer of freight, which in the opinion of the District is designed to improve or better the handling of commerce in and through the Port District or improve terminal or transportation facilities therein. (Source: P.A. 92-643, eff. 1-1-03.)

(70 ILCS 1860/7.5)

Sec. 7.5. Authorization to borrow moneys. The District's Board may borrow money from any bank or other financial institution and may provide appropriate security for that borrowing, if the money is repaid within 20 years after the money is borrowed. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, and any federally chartered commercial bank or savings and loan association organized and operated in this State pursuant to the laws of the United States. (Source: P.A. 94-562, eff. 1-1-06.)

(70 ILCS 1860/8) (from Ch. 19, par. 291)

Sec. 8. The District has the continuing power to borrow money and issue either general obligation bonds, after approval by referendum as hereinafter provided, or revenue bonds without referendum approval for the purpose of acquiring, constructing, reconstructing, extending or improving terminals, terminal facilities, airfields, airports and port facilities, and for acquiring any property and equipment useful for the construction, reconstruction, extension, improvement or operation of its terminals, terminal facilities, airfields, airports and port facilities, and for acquiring necessary working cash funds.

The District may, pursuant to ordinance adopted by the Board and without submitting the question to referendum, from time to time issue and dispose of its interest bearing revenue bonds and may also in the same manner from time to time issue and dispose of its interest bearing revenue bonds to refund any revenue bonds at maturity or pursuant to redemption provisions or at any time before maturity with the consent of the holders thereof.

If the Board desires to issue general obligation bonds it shall adopt an ordinance specifying the amount of bonds to be issued, the purpose for which they will be issued, the maximum rate of interest they will bear which shall not be greater than that permitted in "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as now or hereafter amended. Such interest may be paid semiannually. The ordinance shall also specify the date of maturity which shall not be more than 20 years after the date of issuance, and levying a tax that will be required to amortize such bonds. This ordinance is not effective until it has been submitted to referendum of, and approved by, the legal voters of the District. The Board shall certify the ordinance and the question to the proper election officials, who shall submit the question to the voters at an election in accordance with the general election law. If a majority of the vote is in favor of the issuance of the general obligation bonds the county clerk shall annually extend taxes against all taxable property within the District at a rate sufficient to pay the maturing principal and interest of these bonds.

The question shall be in substantially the following form:

Shall general obligation bonds in the amount of \$... be issued	YES
by <u>America's Central</u> <u>the Tri-City Regional Port</u> District for the purpose of	-----
maturing in not more than years, bearing not more than% interest, and a tax levied to pay the principal and interest thereof?	NO

(Source: P.A. 82-902.)

(70 ILCS 1860/13) (from Ch. 19, par. 296)

Sec. 13. The Board may, after referendum approval, levy a tax for corporate purposes of the District annually at the rate approved by referendum, but which rate shall not exceed .05% of the value of all taxable property within the Port District as equalized or assessed by the Department of Revenue.

If the Board desires to levy such a tax it shall order that the question be submitted at a referendum to be held within the District. The Board shall certify the order and the question to the proper election officials, who shall submit the question to the voters at an election in accordance with the general election law. The Board shall cause the result of the election to be entered upon the records of the Port District. If a majority of the vote is in favor of the proposition, the Board may thereafter levy a tax for corporate purposes at a rate not to exceed that approved by referendum but in no event to exceed .05% of the value of all taxable property within the District as equalized or assessed by the Department of Revenue.

The question shall be in substantially the following form:

 Shall America's Central
~~the Tri-City Regional~~
 Port District levy a tax for YES
 corporate purposes annually at
 a rate not to exceed% of -----
 the value of taxable property
 as equalized or assessed by the NO
 Department of Revenue?

(Source: P.A. 81-1489; 81-1509.)

(70 ILCS 1860/15) (from Ch. 19, par. 298)

Sec. 15. The governing and administrative body of the Port District shall be a Board of Commissioners consisting of 9 7 members, to be known as the America's Central Tri-City Regional Port District Board. All members of the Board shall be residents of the District and shall be known as Commissioners of the America's Central Tri-City Regional Port District Board. The members of the Board shall serve without compensation but shall be reimbursed for actual expenses incurred by them in the performance of their duties. However, any Commissioner of the Board who is appointed to the office of secretary or treasurer may receive compensation for his services as such officer. No Commissioner of the Board or employee of the District shall have any private financial interest, profit or benefit in any contract, work or business of the District nor in the sale or lease of any property to or from the District, except to the extent allowed under "An Act to prevent fraudulent and corrupt practices in the making or accepting of official appointments and contracts by public officers", approved April 9, 1872, as now or hereafter amended.

(Source: P.A. 86-681.)

(70 ILCS 1860/15.5)

Sec. 15.5. A mayor may hold the office of Commissioner of America's Central the Tri-City Regional Port District simultaneously with the office of mayor. Notwithstanding any statute to the contrary, a mayor's acceptance of an appointment as a Commissioner of America's Central the Tri-City Regional Port District does not terminate or impair the mayor's public office.

(Source: P.A. 92-643, eff. 1-1-03.)

(70 ILCS 1860/16) (from Ch. 19, par. 299)

Sec. 16. The Governor shall appoint 6 members of the Board and the Mayor of the cities of Venice, Madison and Granite City shall each appoint one member of the Board, for a total of 9 Board members. Within 60 days following passage of this amendatory Act of the 98th General Assembly, the Governor shall appoint 2 members residing in the area north of the Cahokia Diversion Canal to represent that area, with one member appointed for an initial term expiring May 31, 2016 and one member appointed for an initial term expiring May 31, 2017. The number of Board members appointed by the Governor from the area north of the Cahokia Diversion Canal shall remain at 2 members until such time that the gross operating revenues from the area north of the Cahokia Diversion Canal exceeds 33% of the Port District's total gross operating revenue, as certified by the Port District's certified public accountant. When the gross operating revenue exceeds this amount, the Governor shall, upon the expiration of their term, replace a Board member who resides in the area south of the Cahokia Diversion Canal with an appointee that resides to the north of the Cahokia Diversion Canal, for a total of 3 members who reside in the area north of the Cahokia Diversion Canal. When the gross operating revenue exceeds 45% of the Port District's total gross operating revenue, as certified by the Port District's certified public accountant, the Governor shall replace a Board member who resides in the area south of the Cahokia Diversion Canal, upon the expiration of their term, with an appointee that resides to the north of the Cahokia Diversion Canal, for a total of 4 members who reside in the area north of the Cahokia Diversion Canal. In no case shall there be more than 2 members appointed by the Governor from the area to the south or to the north of the Cahokia Diversion Canal whose terms expire in the same year. At the expiration of the term of any member, the member's successor shall be appointed by the Governor or the respective Mayor in the same manner as the original

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~~appointment. No more than 4 members may reside in the area north of the Cahokia Diversion Canal. The Governor shall appoint 4 members of the Board and each Mayor of the cities of Venice, Madison and Granite City shall appoint one member of the Board. All initial appointments shall be made within 60 days after this Act takes effect. Of the 4 members initially appointed by the Governor 2 shall be appointed for initial terms expiring June 1, 1960, one for an initial term expiring June 1, 1961 and one for an initial term expiring June 1, 1962. The terms of the members initially appointed by the respective Mayors shall expire June 1, 1962. At the expiration of the term of any member, his successor shall be appointed by the Governor or the respective Mayors in like manner and with like regard to place of residence of the appointee, as in the case of appointments for the initial terms.~~

After the expiration of initial terms, each successor shall hold office for the term of 3 years from the first day of June of the year in which the term of office commences. In the case of a vacancy during the term of office of any member appointed by the Governor, the Governor shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified. In case of a vacancy during the term of office of any member appointed by a Mayor, the proper Mayor shall make an appointment for the remainder of the term vacant and until a successor is appointed and qualified. The Governor and each Mayor shall certify their respective appointments to the Secretary of State. Within 30 days after certification of his appointment, and before entering upon the duties of his office, each member of the Board shall take and subscribe the constitutional oath of office and file it in the office of the Secretary of State.

(Source: Laws 1959, p. 71.)

(70 ILCS 1860/18) (from Ch. 19, par. 301)

~~Sec. 18. As soon as possible after the appointment of the initial members, the Board shall organize for the transaction of business, select a chairman and a temporary secretary from its own number, and adopt bylaws and regulations to govern its proceedings. The initial chairman and successors shall be elected by the Board from time to time for a term of office as provided in the District bylaws. However, such term of office shall not exceed his term of office as a member of the Board.~~

(Source: Laws 1965, p. 393.)

(70 ILCS 1860/19) (from Ch. 19, par. 302)

Sec. 19. Regular meetings of the Board shall be held at least once in each calendar month, the time and place of such meetings to be fixed by the Board. ~~Five~~ ~~Four~~ members of the Board shall constitute a quorum for the transaction of business. All action of the Board shall be by ordinance or resolution and the affirmative vote of at least ~~5~~ 4 members shall be necessary for the adoption of any ordinance or resolution. All such ordinances and resolutions before taking effect shall be approved by the chairman of the Board, and if he approves thereof he shall sign the same, and such as he does not approve he shall return to the Board with his objections thereto in writing at the next regular meeting of the Board occurring after the passage thereof. But in the case the chairman fails to return any ordinance or resolution with his objections thereto by the time aforesaid, he shall be deemed to have approved the same and it shall take effect accordingly. Upon the return of any ordinance or resolution by the chairman with his objections, the vote by which the same was passed shall be reconsidered by the Board, and if upon such reconsideration said ordinance or resolution is passed by the affirmative vote of at least ~~6~~ 5 members, it shall go into effect notwithstanding the veto of the chairman. All ordinances, resolutions and all proceedings of the District and all documents and records in its possession shall be public records, and open to public inspection, except such documents and records as are kept or prepared by the Board for use in negotiations, legal actions or proceedings to which the District is a party.

(Source: Laws 1959, p. 71.)

(70 ILCS 1860/25) (from Ch. 19, par. 308)

Sec. 25. Within 60 days after the end of each fiscal year, the Board shall cause to be prepared and printed a complete and detailed report and financial statement of the operations and assets and liabilities of the Port District. A reasonably sufficient number of copies of such report shall be printed for distribution to persons interested, upon request, and a copy thereof shall be filed with the Governor and the county ~~clerk~~ ~~clerk~~ and the presiding ~~officers~~ ~~officer~~ of the county ~~boards~~ ~~board~~ of Madison and Jersey Counties ~~County~~. A copy of such report shall be addressed to and mailed to the Mayor and city council or president and board of trustees of each municipality within the area of the District.

(Source: Laws 1959, p. 71.)

(70 ILCS 1860/33) (from Ch. 19, par. 316)

Sec. 33. At least 5% of the legal voters resident within the limits of such proposed addition to the District shall petition the circuit court for the county in which the major part of the District is situated, to cause the question to be submitted to the legal voters of such proposed additional territory, whether such proposed additional territory shall become a part of the District and assume a proportionate share of the general

obligation bonded indebtedness, if any, of the District. Such petition shall be addressed to the court and shall contain a definite description of the boundaries of the territory to be embraced in the proposed addition.

Upon filing any such petition with the clerk of the court, the court shall fix a time and place for a hearing upon the subject of the petition.

Notice shall be given by the court to whom the petition is addressed, or by the circuit clerk or sheriff of the county in which such petition is made at the order and direction of the court, of the time and place of the hearing upon the subject of the petition at least 20 days prior thereto by at least one publication thereof in any newspaper having general circulation within the area proposed to be annexed, and by mailing a copy of such notice to the mayor or president of the board of trustees of all cities, villages and incorporated towns within the District.

At the hearing all persons residing in or owning property situated in the area proposed to be annexed to the District may appear and be heard touching upon the sufficiency of the petition. If the court finds that the petition does not comply with the requirements of the law, the court shall dismiss the petition; but if the court finds that the petition is sufficient the court shall enter an appropriate order and the clerk of the circuit court shall certify the order and the proposition to the proper election officials, who shall submit the proposition to the voters at an election in accordance with the general election law. In addition to the requirements of the general election law the notice of the referendum shall specify the purpose of such referendum with a description of the area proposed to be annexed to the District.

The proposition shall be in substantially the following form:

For joining America's Central
~~the Tri-City Regional~~ Port
 District and assuming a proportionate
 share of general obligation bonded
 indebtedness, if any.

Against joining America's Central
~~the Tri-City Regional~~
 Port District and assuming a proportionate
 share of general obligation bonded
 indebtedness, if any.

The court shall cause a statement of the result of such election to be filed in the records of the court.

If a majority of the votes cast upon the question of annexation to the District are in favor of becoming a part of such District, the court shall then enter an order stating that such additional territory shall thenceforth be an integral part of the America's Central Tri-City Regional Port District and subject to all of the benefits of service and responsibilities of the District. The circuit clerk shall transmit a certified copy of the order to the circuit clerk of any other county in which any of the territory affected is situated. (Source: P.A. 83-343.)

(70 ILCS 1860/34) (from Ch. 19, par. 317)

Sec. 34. If there is territory contiguous to the District which has no legal voters residing therein, a petition to annex such territory, signed by all the owners of record of such territory may be filed with the circuit court for the county in which the major part of the District is situated. A time and place for a hearing on the subject of the petition shall be fixed and notice thereof shall be given in the manner provided in Section 33. At such hearing any owner of land in the territory proposed to be annexed, the District and any resident of the District may appear and be heard touching on the sufficiency of the petition. If the court finds that the petition satisfies the requirements of this Section it shall enter an order stating that thenceforth such territory shall be an integral part of the America's Central Tri-City Regional Port District and subject to all of the benefits of service and responsibilities, including the assumption of a proportionate share of the general obligation bonded indebtedness, if any, of the District. The circuit clerk shall transmit a certified copy of the order of the court to the circuit clerk of any other county in which the annexed territory is situated.

(Source: Laws 1967, p. 3692.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Haine offered the following amendment and moved its adoption:

[April 7, 2014]

AMENDMENT NO. 2 TO SENATE BILL 499

AMENDMENT NO. 2. Amend Senate Bill 499, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 22, line 12, by replacing "following passage" with "after the effective date".

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 Haine, **Senate Bill No. 499** 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; Present 1.

The following voted in the affirmative:

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

The following voted present:

McCarter

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

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

POSTING NOTICE WAIVED

Senator Rose moved to waive the six-day posting requirement on **House Joint Resolution No. 86** so that the measure may be heard in the Committee on Transportation that is scheduled to meet this evening..

The motion prevailed.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the appointment messages.

[April 7, 2014]

The motion prevailed.

EXECUTIVE SESSION

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 185, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0185

Title of Office: Inspector General

Agency or Other Body: Illinois Department of Healthcare and Family Services

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Bradley K. Hart

Residence: 11105 Walshville Trail, Hillsboro, IL 62049

Annual Compensation: Determined by the Agency

Per diem: Not Applicable

Nominee's Senator: Senator Andy Manar

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 37; NAY 1; Present 16.

The following voted in the affirmative:

Bertino-Tarrant	Haine	Lightford	Sandoval
Biss	Harmon	Link	Stadelman
Bush	Harris	Manar	Steans
Clayborne	Hastings	Martinez	Sullivan
Collins	Holmes	McGuire	Trotter
Cullerton, T.	Hunter	Morrison	Van Pelt
Cunningham	Hutchinson	Mulroe	Mr. President
Delgado	Jones, E.	Muñoz	
Forby	Koehler	Noland	
Frerichs	Kotowski	Raoul	

The following voted in the negative:

Righter

The following voted present:

Althoff	Duffy	Murphy	Syverson
Barickman	LaHood	Oberweis	
Bivins	Luechtefeld	Radogno	

[April 7, 2014]

Connelly
Dillard

McCarter
McConnaughay

Rezin
Rose

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

On motion of Senator Muñoz, the Executive Session arose and the Senate resumed consideration of business.

Senator Sullivan, presiding., 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 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. 671

A bill for AN ACT concerning children.

HOUSE BILL NO. 2513

A bill for AN ACT concerning education.

HOUSE BILL NO. 4266

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4576

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5696

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 5845

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5967

A bill for AN ACT concerning education.

Passed the House, April 7, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 671, 2513, 4266, 4576, 5696, 5845 and 5967** 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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4598

A bill for AN ACT concerning regulation.

Passed the House, April 7, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 4598** was 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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 5326

A bill for AN ACT concerning transportation.

Passed the House, April 7, 2014.

[April 7, 2014]

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 5326** was 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 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. 68

WHEREAS, During Operation Iraqi Freedom, Pentagon officials discovered a trove of thousands of centuries-old artifacts from Iraq's Jewish community in the basement of Saddam Hussein's intelligence service headquarters; and

WHEREAS, These artifacts were improperly seized by force from their rightful owners by the regime of Saddam Hussein, which then stored them in a flooded basement, most likely in an effort to marginalize the culture and history of Mesopotamian Jews; and

WHEREAS, The artifacts were brought to the United States in 2003, where they were carefully cleaned, preserved, photographed, and displayed at the National Archives; and

WHEREAS, The United States Department of State has announced its plans to return the Iraqi Jewish Archive collection to the government of Iraq in the summer of 2014, claiming the Iraqi people are the rightful owners; and

WHEREAS, More than 40 American Jewish groups have expressed their deep misgivings about returning the artifacts to Iraq, citing "uncertain conditions" in Iraq and calling for the artifacts to be given to the synagogues of Iraqi Jews around the world; and

WHEREAS, The Pentagon official who discovered the collection, Harold Rhode, has likened the prospective return of the artifacts to "giving the personal effects of Jews killed in the Holocaust back to Germany"; and

WHEREAS, Religious documents and artifacts such as these are sacred and should properly be returned to the Jewish communities from which they were stolen; and

WHEREAS, The United States Senate has unanimously passed Senate Resolution 333 calling for the United States to renegotiate the return of the Iraqi Jewish Archive collection to Iraq; and

WHEREAS, United States House Resolution 505, which echoes United States Senate Resolution 333, was introduced into the United States House of Representatives; 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 urge the United States Department of State to renegotiate with the Government of Iraq the provisions of the original agreement in order to ensure that the Iraqi Jewish Archive collection be kept in a place where its long-term preservation and care can be guaranteed; and be it further

RESOLVED, That we urge the relevant authorities to house the Iraqi Jewish Archive collection in a location that is accessible to scholars and to Iraqi Jews and their descendants who have a personal interest in it; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, the Secretary of State of the United States, and the members of the Illinois congressional delegation.

[April 7, 2014]

Adopted by the House, April 7, 2014.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 68 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 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. 72

WHEREAS, The members of the Illinois General Assembly are continuously looking for ways to improve the quality of mass transit and help its citizens move about the State more efficiently; and

WHEREAS, Establishing an East-West passenger rail corridor in the State of Illinois would improve access to nearly a dozen universities and community colleges and nearly a half-dozen private colleges; and

WHEREAS, A passenger rail connection between the Quad Cities campus of Western Illinois University and the Macomb campus would greatly improve the efficiency of intercampus service by staff and access by students; and

WHEREAS, An East-West passenger rail corridor would provide citizens across Illinois better, quicker, and easier access to the high-speed railroad corridor from Chicago to St. Louis; and

WHEREAS, An East-West passenger rail corridor from the Moline/Rock Island area to Danville, via Galesburg, Peoria, Bloomington-Normal, and Champaign-Urbana, could be constructed using existing railroad lines; and

WHEREAS, An East-West passenger rail corridor would contribute to further economic development including increased mobility for workers across the State; and

WHEREAS, An East-West passenger rail corridor would help reduce highway congestion, improve quality of life, and reduce air pollution; and

WHEREAS, An East-West passenger rail corridor is in the best interest of national security, should large numbers of people need to be moved quickly due to a natural disaster or an act of aggression; rail service would be the most reliable, available, and efficient means of transport; and

WHEREAS, An East-West passenger rail corridor from Moline/Rock Island to Danville would provide a connection between all 3 existing North-South railroad corridors; 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 support the development of an East-West passenger rail corridor in the State; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Secretary of the Illinois Department of Transportation, Ann L. Schneider.

Adopted by the House, April 7, 2014.

TIMOTHY D. MAPES, Clerk of the House

[April 7, 2014]

The foregoing message from the House of Representatives reporting House Joint Resolution No. 72 was referred to the Committee on Assignments.

At the hour of 3:05 o'clock p.m., the Chair announced the Senate stand adjourned until Tuesday, April 8, 2014, at 11:30 o'clock a.m.