SENATE JOURNAL

STATE OF ILLINOIS

NINETY-NINTH GENERAL ASSEMBLY

29TH LEGISLATIVE DAY

THURSDAY, APRIL 16, 2015

12:08 O'CLOCK P.M.

NO. 29
[April 16, 2015]

SENATE
Daily Journal Index
29th Legislative Day

The Senate met pursuant to adjournment.
Senator Don Harmon, Oak Park, Illinois, presiding.
Prayer by Pastor Roy Newman, Fresh Visions Community Church, Springfield, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, April 15, 2015, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Report 12-15 Pursuant to the Taxpayer Accountability and Budget Stabilization Act, submitted by the Office of the Auditor General.

DOC Quarterly Report, April 1, 2015, submitted by the Department of Corrections.

FY 2016 Liabilities of the State Employees' Group Health Insurance Program, March 2015, submitted by the Commission on Government Forecasting and Accountability.

Report of Social Services Block Grant Fund and Local Initiative Fund Receipts and Transfers, Fiscal Year 2015, submitted by the Department of Human Services.

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:

Floor Amendment No. 2 to Senate Bill 201
Floor Amendment No. 1 to Senate Bill 205
Floor Amendment No. 1 to Senate Bill 207
Floor Amendment No. 1 to Senate Bill 504
Floor Amendment No. 2 to Senate Bill 750
Floor Amendment No. 1 to Senate Bill 903
Floor Amendment No. 1 to Senate Bill 914
Floor Amendment No. 1 to Senate Bill 918
Floor Amendment No. 1 to Senate Bill 928
Floor Amendment No. 1 to Senate Bill 993
Floor Amendment No. 1 to Senate Bill 1095
Floor Amendment No. 1 to Senate Bill 1270
Floor Amendment No. 3 to Senate Bill 1339
Floor Amendment No. 1 to Senate Bill 1390
Floor Amendment No. 2 to Senate Bill 1554
Floor Amendment No. 1 to Senate Bill 1657
Floor Amendment No. 2 to Senate Bill 1746
Floor Amendment No. 1 to Senate Bill 1747
Floor Amendment No. 3 to Senate Bill 1813

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

April 16, 2015

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Steve Stadelman to temporarily replace Senator Patricia Van Pelt as a member of the Senate Energy & Public Utilities Committee. This appointment will automatically expire upon adjournment of the Senate Energy & Public Utilities Committee.

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

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 326

Offered by Senator Righter and all Senators:
Mourns the death of Kevin M. Hansen of Homewood.

SENATE RESOLUTION NO. 327

Offered by Senator McGuire and all Senators
Mourns the death of Mary A. (nee Patrick) Doyle-Mikulich of Lockport.

SENATE RESOLUTION NO. 328

Offered by Senator Haine and all Senators:
Mourns the death of Dorothy Nicolet Schulz of Alton.

SENATE RESOLUTION NO. 329

Offered by Senator Harmon and all Senators:
Mourns the death of Paul J. Dunn, M.D., of Oak Park.

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

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

SENATE RESOLUTION NO. 325

WHEREAS, Delta Sigma Theta Sorority, Inc. is a public service organization founded on January 13, 1913 by 22 young women with a vision on the campus of the prestigious Howard University in Washington, D.C.; and

WHEREAS, Only weeks after its founding, Delta Sigma Theta Sorority, Inc.'s first public act of service was participation in the women's suffrage movement demanding rights for women, particularly the right to vote; and

WHEREAS, More than 250,000 women have joined this illustrious organization, with 1,000 collegiate and alumnae chapters located in the United States and around the world, including chapters in England, Japan (Tokyo and Okinawa), Germany, the Virgin Islands, Bermuda, the Bahamas, Jamaica, and the Republic of Korea; and

WHEREAS, Delta Sigma Theta Sorority, Inc., is composed of college-educated women committed to a lifetime of implementing the sorority's mission through its 5-point program thrust of educational development, economic development, political awareness and involvement, physical and mental health, and international awareness and involvement; and

WHEREAS, Delta Sigma Theta Sorority, Inc. is celebrating 102 years of exemplary service and dedication toward impacting communities, leading dialogues on national and global public policy, supporting quality education and removing barriers, stimulating current and future economic growth, and promoting quality of life overall; and

WHEREAS, In 1989, the National Social Action Commission instituted Delta Days in the nation's capital, an annual legislative conference to increase member involvement in the public policy-making process; Delta Sigma Theta Sorority, Inc. became a Non-Governmental Organization at the United Nations in 2003; and

WHEREAS, Legislative briefings, issue forums, and advocacy skills development and meeting with key policy makers, members of the United States Congress staff members, and experts are all part of the sorority's established platform; and

WHEREAS, Delta Days at the Illinois State Capitol occur on an annual basis, with members from across the entire State of Illinois, and, in 2015, will embrace the theme of "Advocacy in Action - A Stronger Voice - A Stronger Presence"; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we commend the efforts of Delta Sigma Theta Sorority, Inc., for its continued commitment to public service, recognize its collective contributions in helping to make the State of Illinois a better place to live, work, and play, and designate April 29, 2015 as Delta Day at the Illinois State Capitol; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Delta Sigma Theta Sorority, Inc. as a symbol of our respect and esteem.

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

SENATE RESOLUTION NO. 330

WHEREAS, The Illinois Endangered Species Act makes it unlawful for any person to possess or transport any animal species which occurs on the Illinois Endangered and Threatened Species List; and

WHEREAS, Under the Illinois Wildlife Code, it is illegal to possess, transport, or care for sick, injured, or orphaned wildlife in Illinois unless you have a permit from the Department of Natural Resources; and

WHEREAS, Members of the public sometimes find sick, injured, or orphaned animals in the wild; and

WHEREAS, The public is not always aware of the laws prohibiting possession or transport of protected animals; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we show our support for a robust Department of Natural Resources public education campaign that informs the public about the exact steps to take if a sick, injured, or orphaned animal is encountered in the wild; and be it further

RESOLVED, That we support the Department of Natural Resources increasing public education outreach in the spring months when many baby animals are mistaken as orphaned and should be left as they were found; and be it further

RESOLVED, That we support the Department of Natural Resources entering into public-private partnerships for the purpose of developing and sharing educational materials such as posters, videos, programs, advertisements, and public service announcements; and be it further

RESOLVED, That we support public-private collaboration in the dissemination of said educational materials to places such as schools, public and private newsletters, public and private websites, and television and radio stations.

REPORTS FROM STANDING COMMITTEES

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Resolution No. 198,** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 198** was placed on the Secretary's Desk.

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bills Numbered 200, 362, 1365 and 2797,** reported the same back with the recommendation that the bills do pass.

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

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **Senate Bill No. 1595,** reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 46
Senate Amendment No. 2 to Senate Bill 1381

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

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **House Bills Numbered 1345 and 1496,** reported the same back with the recommendation that the bills do pass.

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

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

Senate Amendment No. 1 to Senate Bill 636
Senate Amendment No. 1 to Senate Bill 637
Senate Amendment No. 1 to Senate Bill 669
Senate Amendment No. 2 to Senate Bill 1339

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

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **Senate Bill No. 368,** reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

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

Senate Amendment No. 3 to Senate Bill 780

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

Senator Hunter, Chairperson of the Committee on Energy and Public Utilities, to which was referred **Senate Bill No. 1586,** reported the same back with the recommendation that the bill do pass.

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

Senator Hunter, Chairperson of the Committee on Energy and Public Utilities, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 66
Senate Amendment No. 1 to Senate Bill 373

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

Senator Hunter, Chairperson of the Committee on Energy and Public Utilities, to which was referred **House Bill No. 313,** reported the same back with the recommendation that the bill do pass.

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

MESSAGES FROM THE HOUSE

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

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

HOUSE BILL NO. 303
A bill for AN ACT concerning government.

HOUSE BILL NO. 1424
A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2812
A bill for AN ACT concerning public aid.

HOUSE BILL NO. 3359
A bill for AN ACT concerning safety.

HOUSE BILL NO. 3457
A bill for AN ACT concerning finance.

HOUSE BILL NO. 4097
A bill for AN ACT concerning local government.

Passed the House, April 15, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 303, 1424, 2812, 3359, 3457 and 4097** 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. 356
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 2459
A bill for AN ACT concerning local government.
HOUSE BILL NO. 2677
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3079
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 4107
A bill for AN ACT concerning State government.
Passed the House, April 15, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 356, 2459, 2677, 3079 and 4107** 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. 2482
A bill for AN ACT concerning public aid.
HOUSE BILL NO. 2811
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 3143
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 3673
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3763
A bill for AN ACT concerning appropriations.
HOUSE BILL NO. 3882
A bill for AN ACT concerning local government.
Passed the House, April 15, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2482, 2811, 3143, 3673, 3763 and 3882** 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. 2685
A bill for AN ACT concerning local government.
Passed the House, April 15, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2685** 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 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. 3389

A bill for AN ACT concerning local government.

HOUSE BILL NO. 3485

A bill for AN ACT concerning finance.

HOUSE BILL NO. 3493

A bill for AN ACT concerning domestic violence.

HOUSE BILL NO. 4105

A bill for AN ACT concerning transportation.

Passed the House, April 15, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 3389, 3485, 3493 and 4105** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 303, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 356, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 369, sponsored by Senator Sandoval, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 377, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

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

House Bill No. 1424, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1530, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2557, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2567, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2673, sponsored by Senator McConnaughay, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2677, sponsored by Senator Connelly, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2698, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2731, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2790, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

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

House Bill No. 3079, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3103, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3184, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3262, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3363, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3425, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3448, sponsored by Senator McGuire, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3485, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3543, sponsored by Senator Nybo, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3599, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3673, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3692, sponsored by Senator Bertino-Tarrant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3718, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

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

House Bill No. 3753, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3763, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3977, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4105, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4107, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Stadelman, **Senate Bill No. 141** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Haine, **Senate Bill No. 155** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Financial Institutions.

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

On motion of Senator Kotowski, **Senate Bill No. 184** having been printed, was taken up, read by title a second time.

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 Kotowski, **Senate Bill No. 223** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Bush, **Senate Bill No. 224** having been printed, was taken up, read by title a second time.

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 Harris, **Senate Bill No. 275** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Commerce and Economic Development.

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

On motion of Senator Harris, **Senate Bill No. 276** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Commerce and Economic Development.

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

On motion of Senator Stadelman, **Senate Bill No. 373** having been printed, was taken up, read by title a second time.

Senator Stadelman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 373

AMENDMENT NO. 1. Amend Senate Bill 373 by replacing everything after the enacting clause with the following:

"Section 5. The Township Code is amended by adding Section 200-14c as follows:

(60 ILCS 1/200-14c new)

Sec. 200-14c. Notification of sale of or changes to private or semi-private water systems.

(a) For purposes of this Section, "private water system" and "semi-private water system" shall have the meanings ascribed to them in subsection (a) of Section 9 of the Illinois Groundwater Protection Act.

(b) A township that provides fire protection services shall receive notice of the sale of a private water system or semi-private water system from the individuals or entities selling and purchasing the water

system. The notice to the township shall include the status and capacity of the water system and the ability of the water system to be used for fire protection.

(c) A township that provides fire protection services shall also receive notice from the owner of a private water system or semi-private water system if there are any changes to the water system that would affect fire protection services to areas served by the water system.

Section 10. The Illinois Municipal Code is amended by adding Section 11-6-8 as follows:

(65 ILCS 5/11-6-8 new)

Sec. 11-6-8. Notification of sale of or changes to private or semi-private water systems.

(a) For purposes of this Section, "private water system" and "semi-private water system" shall have the meanings ascribed to them in subsection (a) of Section 9 of the Illinois Groundwater Protection Act.

(b) A municipality that provides and operates fire stations or otherwise provides firefighting services shall receive notice of the sale of a private water system or semi-private water system from the individuals or entities selling and purchasing the water system. The notice to the municipality shall include the status and capacity of the water system and the ability of the water system to be used for fire protection.

(c) A municipality that provides and operates fire stations or otherwise provides firefighting services shall also receive notice from the owner of a private water system or semi-private water system if there are any changes to the water system that would affect fire protection services to areas served by the water system.

Section 15. The Fire Protection District Act is amended by adding Section 27 as follows:

(70 ILCS 705/27 new)

Sec. 27. Notification of sale of or changes to private or semi-private water systems.

(a) For purposes of this Section, "private water system" and "semi-private water system" shall have the meanings ascribed to them in subsection (a) of Section 9 of the Illinois Groundwater Protection Act.

(b) A fire protection district shall receive notice of the sale of a private water system or semi-private water system from the individuals or entities selling and purchasing the water system. The notice to the fire protection district shall include the status and capacity of the water system and the ability of the water system to be used for fire protection.

(c) A fire protection district shall also receive notice from the owner of a private water system or semi-private water system if there are any changes to the water system that would affect fire protection services to areas served by the water system.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Collins, **Senate Bill No. 417** having been printed, was taken up, read by title a second time.

Senator Collins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 417

AMENDMENT NO. 1. Amend Senate Bill 417 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 12-4.48 as follows:

(305 ILCS 5/12-4.48)

Sec. 12-4.48 ~~12-4.47~~. Long-Term Services and Supports Disparities Task Force.

(a) The Department of Healthcare and Family Services shall establish a Long-Term Services and Supports Disparities Task Force.

(b) Members of the Task Force shall be appointed by the Director of the Department of Healthcare and Family Services and shall include representatives of the following agencies, organizations, or groups:

(1) The Governor's office.

(2) The Department of Healthcare and Family Services.

(3) The Department of Human Services.

(4) The Department on Aging.

(5) The Department of Human Rights.

(6) Area Agencies on Aging.

(7) The Department of Public Health.

(8) Managed Care Plans.

(9) The for-profit urban nursing home or assisted living industry.

(10) The for-profit rural nursing home or assisted living industry.

(11) The not-for-profit nursing home or assisted living industry.

(12) The home care association or home care industry.

(13) The adult day care association or adult day care industry.

(14) An association representing workers who provide long-term services and supports.

(15) A representative of providers that serve the predominantly ethnic minority populations.

(16) Case Management Organizations.

(17) Three consumer representatives which may include a consumer of long-term services and supports or an individual who advocates for such consumers. For purposes of this provision, "consumer representative" means a person who is not an elected official and who has no financial interest in a health or long-term care delivery system.

(c) The Task Force shall not meet unless all consumer representative positions are filled. The Task Force shall reflect diversity in race, ethnicity, and gender.

(d) The Chair of the Task Force shall be appointed by the Director of the Department of Healthcare and Family Services.

(e) The Director of the Department of Healthcare and Family Services shall assign appropriate staff and resources to support the efforts of the Task Force. The Task Force shall meet as often as necessary but not less than 4 times per calendar year.

(f) The Task Force shall promote and facilitate communication, coordination, and collaboration among relevant State agencies and communities of color, limited English-speaking communities, and the private and public entities providing services to those communities.

(g) The Task Force shall do all of the following:

(1) Document the number and types of Long-Term Services and Supports (LTSS) providers in the State and the number of clients served in each setting.

(2) Document the number and racial profiles of residents using LTSS, including, but not limited to, residential nursing facilities, assisted living facilities, adult day care, home health services, and other home and community based long-term care services.

(3) Document the number and profiles of family or informal caregivers who provide care for minority elders.

(4) Compare data over multiple years to identify trends in the delivery of LTSS for each racial or ethnic category including: Alaskan Native or American Indian, Asian or Pacific Islander, black or African American, Hispanic, or white.

(5) Identify any racial disparities in the provision of care in various LTSS settings and determine factors that might influence the disparities found.

(6) Identify any disparities uniquely experienced in metropolitan or rural areas and make recommendations to address these areas.

(7) Assess whether the LTSS industry, including managed care plans and independent providers, is equipped to offer culturally sensitive, competent, and linguistically appropriate care to meet the needs of a diverse aging population and their informal and formal caregivers.

(8) Consider whether to recommend that the State require all home and community based services as a condition of licensure to report data similar to that gathered under the Minimum Data Set and required when a new resident is admitted to a nursing home.

(9) Identify and prioritize recommendations for actions to be taken by the State to address disparity issues identified in the course of these studies.

(10) Monitor the progress of the State in eliminating racial disparities in the delivery of LTSS.

(h) The Task Force shall conduct public hearings, inquiries, studies, and other forms of information gathering to identify how the actions of State government contribute to or reduce racial disparities in long-term care settings.

(i) The Task Force shall report its findings and recommendations to the Governor and the General Assembly no later than 2 years ~~one year~~ after the effective date of this amendatory Act of the 98th General Assembly. Annual reports shall be issued every year thereafter and shall include documentation of progress made to eliminate disparities in long-term care service settings.

(Source: P.A. 98-825, eff. 8-1-14; revised 10-14-14.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Morrison, **Senate Bill No. 453** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **Senate Bill No. 544** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Environment and Conservation.

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

On motion of Senator Silverstein, **Senate Bill No. 621** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 621

AMENDMENT NO. 1. Amend Senate Bill 621 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 12-215 and by adding Section 1-220 as follows:

(625 ILCS 5/1-220 new)

Sec. 1-220. Volunteer EMS provider. An Emergency Medical Services (EMS) Volunteer Ambulance provider who, on the effective date of this amendatory Act of the 99th General Assembly, has a valid memorandum of understanding with a municipality with a population of more than 1,000,000 to provide voluntary assistance to and for the benefit of the residents of that municipality.

(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:

(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

4.5. Vehicles which are occasionally used as rescue vehicles that have been authorized for use as rescue vehicles by a volunteer EMS provider, provided that the operator of the vehicle has successfully completed an emergency vehicle operation training course recognized by the Department of Public Health; furthermore, the lights shall not be lighted except when responding to an emergency call for the sick or injured;

5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;

6. Vehicles of the Illinois Emergency Management Agency, vehicles of the Office of the Illinois State Fire Marshal, vehicles of the Illinois Department of Public Health, vehicles of the Illinois Department of Corrections, and vehicles of the Illinois Department of Juvenile Justice;

7. Vehicles operated by a local or county emergency management services agency as

defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization;

10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response; ~~and~~

11. Vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; the lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency; and

12. Vehicles of the Illinois State Toll Highway Authority identified as Highway Emergency Lane Patrol; the lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except as required in this paragraph 1; such lights shall be lighted when such vehicles are actually being used at the scene of an accident or disablement; if the towing vehicle is equipped with a flat bed that supports all wheels of the vehicle being transported, the lights shall not be lighted while the vehicle is engaged in towing on a highway; if the towing vehicle is not equipped with a flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code; in addition, these vehicles may use white oscillating, rotating, or flashing lights in combination with amber oscillating, rotating, or flashing lights as provided in this paragraph;

2. Motor vehicles or equipment of the State of Illinois, the Illinois State Toll Highway Authority, local authorities and contractors; furthermore, such lights shall not be lighted except while such vehicles are engaged in maintenance or construction operations within the limits of construction projects;

3. Vehicles or equipment used by engineering or survey crews; furthermore, such lights shall not be lighted except while such vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other construction, maintenance or automotive service vehicles except that such lights shall be lighted only as a means for indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing while such vehicles are engaged in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only be lighted when moving under permit issued by the Department under Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways;

6.1. The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local authorities;

9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;

9.5. Propane delivery trucks;

10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;

10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;

11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;

13. Vehicles used by a security company, alarm responder, control agency, or the Illinois Department of Corrections;

14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and

15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:

voluntary firefighter;

paid firefighter;

part-paid firefighter;

call firefighter;

member of the board of trustees of a fire protection district;

paid or unpaid member of a rescue squad;

paid or unpaid member of a voluntary ambulance unit; or

paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(C) the member's term of service; and

(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.

7. Vehicles of the Illinois Emergency Management Agency, vehicles of the Office of the Illinois State Fire Marshal, vehicles of the Illinois Department of Public Health, vehicles of the Illinois Department of Corrections, and vehicles of the Illinois Department of Juvenile Justice, when used in combination with red oscillating, rotating, or flashing lights.

8. Vehicles operated by a local or county emergency management services agency as

defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white headlights and blue grill lights, which may be used only in responding to an emergency call or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on second division vehicles designed and used for towing or hoisting vehicles or motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives; furthermore, such lights shall not be lighted on second division vehicles designed and used for towing or hoisting vehicles or vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in a tow operation, highway maintenance, or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative or authorized vendor from temporarily mounting such lights on a vehicle for demonstration purposes only. If the lights are not covered while the vehicle is operated upon a highway, the vehicle shall display signage indicating that the vehicle is out of service or not an emergency vehicle. The signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one-half inch wide. A vehicle authorized to have oscillating, rotating, or flashing lights mounted for demonstration purposes may not activate the lights while the vehicle is operated upon a highway.

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.

(Source: P.A. 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12; 97-1173, eff. 1-1-14; 98-80, eff. 7-15-13; 98-123, eff. 1-1-14; 98-468, eff. 8-16-13; 98-756, eff. 7-16-14; 98-873, eff. 1-1-15; revised 10-6-14.)".

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

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 Morrison, **Senate Bill No. 659** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 659

AMENDMENT NO. 1. Amend Senate Bill 659 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-1007 as follows:

(20 ILCS 605/605-1007 new)

Sec. 605-1007. New business permitting portal.

(a) By July 1, 2017, the Department shall create and maintain a website to help persons wishing to create new businesses or relocate businesses to Illinois. The Department shall consult with at least one organization representing small businesses in this State while creating the website.

(b) The website shall include:

(1) an estimate of license and permitting fees for different businesses;

(2) State government application forms for business licensing or registration;

(3) hyperlinks to websites of the responsible agency or organization responsible for accepting the application; and

(4) contact information for any local government permitting agencies that may be relevant.

(c) The Department shall contact all agencies to obtain business forms and other information for this website. Those agencies shall respond to the Department before July 1, 2016.

(d) The website shall also include some mechanism for the potential business owner to request more information from the Department that may be helpful in starting the business, including, but not limited to, State-based incentives that the business owner may qualify for when starting or relocating a business.

(e) The Department shall update the website at least once a year before July 1. The Department shall request that other State agencies report any changes in applicable application forms to the Department by June 1 of every year after 2016.".

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. 666** 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 666

AMENDMENT NO. 1. Amend Senate Bill 666 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 16-180 and 16-185 as follows:

(35 ILCS 200/16-180)

Sec. 16-180. Procedure for determination of correct assessment. The Property Tax Appeal Board shall establish by rules an informal procedure for the determination of the correct assessment of property which is the subject of an appeal. The procedure, to the extent that the Board considers practicable, shall eliminate formal rules of pleading, practice and evidence, and except for any reasonable filing fee determined by the Board, may provide that costs shall be in the discretion of the Board. A copy of the appellant's petition shall be mailed or sent by electronic means by the clerk of the Property Tax Appeal Board to the board of review whose decision is being appealed. In all cases where a change in assessed valuation of $100,000 or more is sought, the board of review shall serve a copy of the petition on all taxing districts as shown on the last available tax bill. The chairman of the Property Tax Appeal Board shall provide for the speedy hearing of all such appeals. Each appeal shall be limited to the grounds listed in the petition filed with the Property Tax Appeal Board. All appeals shall be considered de novo and the Property Tax Appeal Board shall not be limited to the evidence presented to the board of review of the county. A party participating in the hearing before the Property Tax Appeal Board is entitled to introduce evidence that is otherwise proper and admissible without regard to whether that evidence has previously been introduced at a hearing before the board of review of the county. Where no complaint has been made to the board of review of the county where the property is located and the appeal is based solely on the effect of an equalizing factor assigned to all property or to a class of property by the board of review, the Property Tax Appeal Board shall not grant a reduction in assessment greater than the amount that was added as the result of the equalizing factor.

The provisions added to this Section by this amendatory Act of the 93rd General Assembly shall be construed as declaratory of existing law and not as a new enactment.

(Source: P.A. 93-248, eff. 7-22-03; 93-758, eff. 7-16-04.)

(35 ILCS 200/16-185)

Sec. 16-185. Decisions. The Board shall make a decision in each appeal or case appealed to it, and the decision shall be based upon equity and the weight of evidence and not upon constructive fraud, and shall be binding upon appellant and officials of government. The extension of taxes on any assessment so appealed shall not be delayed by any proceeding before the Board, and, in case the assessment is altered by the Board, any taxes extended upon the unauthorized assessment or part thereof shall be abated, or, if already paid, shall be refunded with interest as provided in Section 23-20.

The decision or order of the Property Tax Appeal Board in any such appeal, shall, within 10 days thereafter, be certified at no charge to the appellant and to the proper authorities, including the board of review or board of appeals whose decision was appealed, the county clerk who extends taxes upon the assessment in question, and the county collector who collects property taxes upon such assessment. The final administrative decision of the Property Tax Appeal Board shall be deemed served when a copy of the decision is: (1) deposited in the United States mail, in a sealed envelope or package, with postage prepaid, addressed to the party affected by the decision at his or her last known residence or place of business, or (2) sent electronically to the party affected by the decision at his or her last known e-mail address.

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the board of review or board of appeals or after adjournment of the session of the board of review or board of appeals at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board.

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.
(Source: P.A. 88-455; 88-660, eff. 9-16-94; 89-671, eff. 8-14-96.)

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 T. Cullerton, **Senate Bill No. 669** having been printed, was taken up, read by title a second time.

Senator T. Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 669

AMENDMENT NO. 1. Amend Senate Bill 669 as follows:

on page 2, by replacing lines 3 through 5 with the following:

"(7.5) Each of the following offices if election to such office is on a nonpartisan basis: elected members of school boards, directors of boards of school directors, and members of boards of school inspectors; however, this paragraph (7.5) does not apply to school boards in school districts that"; and

on page 9, line 23, by replacing "2016" with "2018"; and

on page 10, line 18, by replacing "2016" with "2018"; and

on page 32, immediately below line 11, by inserting the following:

"Section 99. Effective date. This Act takes effect January 1, 2018.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Stadelman, **Senate Bill No. 728** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 728

AMENDMENT NO. 2. Amend Senate Bill 728, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-76-2 as follows:

(65 ILCS 5/11-76-2) (from Ch. 24, par. 11-76-2)

Sec. 11-76-2. An ordinance directing a sale, or a lease of real estate for any term in excess of 20 years, shall specify the location of the real estate, the use thereof, and such conditions with respect to further use of the real estate as the corporate authorities may deem necessary and desirable to the public interest. Before the corporate authorities of a city or village make a sale, by virtue of such an ordinance, notice of the proposal to sell shall be published once each week for 3 successive weeks in a daily or weekly paper published in the city or village, or if there is none, then in some paper published in the county in which the city or village is located. The first publication shall be not less than 30 days before the day provided in the notice for the opening of bids for the real estate. The notice shall contain an accurate description of the property, state the purpose for which it is used and at what meeting the bids will be considered and opened, and shall advertise for bids therefor. All such bids shall be opened only at a regular meeting of the corporate authorities. The corporate authorities may accept the high bid or any other bid determined to be in the best interest of the city or village by a vote of 3/4 of the corporate authorities then holding office, but by a majority vote of those holding office, they may reject any and all bids. The consideration for such a sale may include but need not be limited to the provision of off-street parking facilities by the purchaser, which parking facilities may be made part of the municipal parking system. Such consideration also may include the provision of other public facilities by the purchaser.

Before the corporate authorities of the city or village make a lease of real estate for a term in excess of 20 years, they shall give notice of intent to adopt such an ordinance. The notice must be published at least once in a daily or weekly newspaper published in the city or village, and if there is none, then in some paper published in the county in which the city or village is located. The publication must be not less than 15 nor more than 30 days before the date on which it is proposed to adopt such an ordinance. The notice must contain an accurate description of the property, state the purpose for which it is used and the restrictions upon the proposed use of the property to be leased. The corporate authorities may negotiate the consideration and terms of such lease. Such consideration may include the provision of off-street parking facilities by the lessee, which parking facilities may be made part of the municipal parking system. Such consideration also may include the provision of other public facilities by the lessee on the real estate acquired. The corporate authorities may contract with the lessee for the use of a portion of a structure or improvement to be constructed on the real estate leased.

If such real estate is utilized in part for private use and in part for public use, those portions of the improvements devoted to private use are fully taxable. The land shall be exempt from taxation to the extent that the uses thereon are public and taxable to the extent that the uses are private. The taxable portion of the land is that percentage of the land's total assessed valuation that the private development thereon bears to the total development thereon. Nothing in this Section prevents the corporate authorities from determining to sell or lease such property to the highest responsible bidder. The corporate authorities may provide by ordinance for the procedure to be followed in securing bids for the sale or lease of the subject property. The disposition of real estate acquired pursuant to (a) Section 6 of the "Urban Community Conservation Act", approved July 13, 1953, as now or hereafter amended, (b) Sections 12, 22 and 31 of the "Urban Renewal Consolidation Act of 1961", approved August 15, 1961, as now or hereafter amended, or (c) Division 11 of this Article by a municipality as the Local Public Agency under an urban renewal program as defined therein, is exempt from the requirements of this Section. Additionally, leases to persons or corporations of municipally-owned or operated airport lands, buildings, structures or other facilities for the shelter, servicing, manufacturing and repair of aircraft, aircraft parts or accessories, or for receiving and discharging passengers and, or cargo, are exempt from the requirements of this Section.

A municipality with a population of under 1,000,000 that has acquired real estate following demolition under Section 11-31-1 of this Code shall, prior to disposing of the property, publish notice as required by this Section not less than 30 days before the day provided in the notice for the opening of bids for the real estate. If the property is being sold to an adjacent property owner, the first notice shall be published in a

newspaper and all subsequent notices may be published in a newspaper or on the municipality's official website. The notice on the municipality's website shall contain an accurate description of the property, state the purpose for which it is used or to be used, state at what meeting the bids will be considered and opened, and shall advertise for bids therefor.
(Source: Laws 1968, p. 519.)

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

Senator Stadelman offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 728

AMENDMENT NO. 3. Amend Senate Bill 728 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-76-2 as follows:
(65 ILCS 5/11-76-2) (from Ch. 24, par. 11-76-2)

Sec. 11-76-2. An ordinance directing a sale, or a lease of real estate for any term in excess of 20 years, shall specify the location of the real estate, the use thereof, and such conditions with respect to further use of the real estate as the corporate authorities may deem necessary and desirable to the public interest. Before the corporate authorities of a city or village make a sale, by virtue of such an ordinance, notice of the proposal to sell shall be published once each week for 3 successive weeks in a daily or weekly paper published in the city or village, or if there is none, then in some paper published in the county in which the city or village is located. The first publication shall be not less than 30 days before the day provided in the notice for the opening of bids for the real estate. The notice shall contain an accurate description of the property, state the purpose for which it is used and at what meeting the bids will be considered and opened, and shall advertise for bids therefor. All such bids shall be opened only at a regular meeting of the corporate authorities. The corporate authorities may accept the high bid or any other bid determined to be in the best interest of the city or village by a vote of 3/4 of the corporate authorities then holding office, but by a majority vote of those holding office, they may reject any and all bids. The consideration for such a sale may include but need not be limited to the provision of off-street parking facilities by the purchaser, which parking facilities may be made part of the municipal parking system. Such consideration also may include the provision of other public facilities by the purchaser.

Before the corporate authorities of the city or village make a lease of real estate for a term in excess of 20 years, they shall give notice of intent to adopt such an ordinance. The notice must be published at least once in a daily or weekly newspaper published in the city or village, and if there is none, then in some paper published in the county in which the city or village is located. The publication must be not less than 15 nor more than 30 days before the date on which it is proposed to adopt such an ordinance. The notice must contain an accurate description of the property, state the purpose for which it is used and the restrictions upon the proposed use of the property to be leased. The corporate authorities may negotiate the consideration and terms of such lease. Such consideration may include the provision of off-street parking facilities by the lessee, which parking facilities may be made part of the municipal parking system. Such consideration also may include the provision of other public facilities by the lessee on the real estate acquired. The corporate authorities may contract with the lessee for the use of a portion of a structure or improvement to be constructed on the real estate leased.

If such real estate is utilized in part for private use and in part for public use, those portions of the improvements devoted to private use are fully taxable. The land shall be exempt from taxation to the extent that the uses thereon are public and taxable to the extent that the uses are private. The taxable portion of the land is that percentage of the land's total assessed valuation that the private development thereon bears to the total development thereon. Nothing in this Section prevents the corporate authorities from determining to sell or lease such property to the highest responsible bidder. The corporate authorities may provide by ordinance for the procedure to be followed in securing bids for the sale or lease of the subject property. The disposition of real estate acquired pursuant to (a) Section 6 of the "Urban Community Conservation Act", approved July 13, 1953, as now or hereafter amended, (b) Sections 12, 22 and 31 of the "Urban Renewal Consolidation Act of 1961", approved August 15, 1961, as now or hereafter amended, or (c) Division 11 of this Article by a municipality as the Local Public Agency under an urban renewal program as defined therein, is exempt from the requirements of this Section. Additionally, leases to persons or corporations of municipally-owned or operated airport lands, buildings, structures or other facilities for the shelter, servicing, manufacturing and repair of aircraft, aircraft parts or accessories, or for receiving and discharging passengers and, or cargo, are exempt from the requirements of this Section.

A municipality with a population of under 1,000,000 that has acquired fee simple title to real estate, free of liens except liens held by the municipality, following demolition under Section 11-31-1 of this Code may dispose of the property without further notice under this Article, but in full compliance with notice requirements of the Open Meetings Act, if the municipality, by ordinance, determines that the fair market value of the real estate is less than $5,000, that an adjoining landowner is willing to purchase the real estate, and that the adjoining landowner has not been the subject of building or public health violations in the preceding 12 months.
(Source: Laws 1968, p. 519.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Martinez, **Senate Bill No. 742** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 742

AMENDMENT NO. 1. Amend Senate Bill 742 by replacing everything after the enacting clause with the following:

"Section 5. The Rental Housing Support Program Act is amended by changing Sections 7, 10, and 25 as follows:

(310 ILCS 105/7)

Sec. 7. Definitions. In this Act:

"Annual receipts" means revenue derived from the Rental Housing Support Program State surcharge from July 1 to June 30.

"Authority" means the Illinois Housing Development Authority.

"Developer" means any entity that receives a grant under Section 20.

"Program" means the Rental Housing Support Program.

"Real estate-related document" means any recorded document that affects an interest in real property excluding documents which solely affect or relate to an easement for water, sewer, electricity, gas, telephone or other public service.

"Unit" means a rental apartment unit receiving a subsidy by means of a grant under this Act. "Unit" does not include housing units intended as transitional or temporary housing.
(Source: P.A. 94-118, eff. 7-5-05.)

(310 ILCS 105/10)

Sec. 10. Creation of Program and distribution of funds.

(a) The Rental Housing Support Program is created within the Illinois Housing Development Authority. The Authority shall administer the Program ~~program~~ and adopt rules for its implementation.

(b) The Authority shall distribute amounts for the Program solely from annual receipts on deposit in the Rental Housing Support Program Fund that are appropriated in each year for distribution by the Authority for the Program, and not from any other source of funds for the Authority, ~~The Authority shall distribute amounts appropriated for the Program from the Rental Housing Support Program Fund and any other appropriations provided for the Program~~ as follows:

(1) A proportionate share of annual receipts on deposit appropriated to the Fund each year ~~the annual appropriation~~, as determined under subsection (d) of Section 15 of this Act, shall be distributed to municipalities with a population greater than 2,000,000. Those municipalities shall use at least 10% of those funds in accordance with Section 20 of this Act, and all provisions governing the Authority's actions under Section 20 shall govern the actions of the corporate authorities of a municipality under this Section. As to the balance of the annual distribution, the municipality shall designate a non-profit organization that meets the specific criteria set forth in Section 25 of this Act to serve as the "local administering agency" under Section 15 of this Act.

(2) Of the remaining annual receipts on deposit appropriated to the Fund each year ~~appropriation~~ after the distribution in paragraph (1) of this subsection, the

Authority shall designate at least 10% for the purposes of Section 20 of this Act in areas of the State not covered under paragraph (1) of this subsection.

(3) The remaining annual receipts on deposit appropriated to the Fund each year ~~appropriation~~ after the distributions in paragraphs (1) and (2) of this subsection shall be distributed according to Section 15 of this Act in areas of the State not covered under paragraph (1) of this subsection.

(Source: P.A. 94-118, eff. 7-5-05.)

(310 ILCS 105/25)

Sec. 25. Criteria for awarding grants. The Authority shall adopt rules to govern the awarding of grants and the continuing eligibility for grants under Sections 15 and 20. Requests for proposals under Section 20 must specify that proposals must satisfy these rules. The rules must contain and be consistent with, but need not be limited to, the following criteria:

(1) Eligibility for tenancy in the units supported by grants to local administering agencies must be limited to households with gross income at or below 30% of the median family income for the area in which the grant will be made. Fifty percent of the units that are supported by any grant must be set aside for households whose income is at or below 15% of the area median family income for the area in which the grant will be made, provided that local administering agencies may negotiate flexibility in this set-aside with the Authority if they demonstrate that they have been unable to locate sufficient tenants in this lower income range. Income eligibility for units supported by grants to local administering agencies must be verified annually by landlords and submitted to local administering agencies. Tenants must have sufficient income to be able to afford the tenant's share of the rent. For grants awarded under Section 20, eligibility for tenancy in units supported by grants must be limited to households with a gross income at or below 30% of area median family income for the area in which the grant will be made. Fifty percent of the units that are supported by any grant must be set aside for households whose income is at or below 15% of the median family income for the area in which the grant will be made, provided that developers may negotiate flexibility in this set-aside with the Authority or municipality as defined in subsection (b) of Section 10 if it demonstrates that it has been unable to locate sufficient tenants in this lower income range. The Authority shall determine what sources qualify as a tenant's income.

(2) Local administering agencies must include 2-bedroom, 3-bedroom, and 4-bedroom units among those intended to be supported by grants under the Program ~~program~~. In grants under Section 15, the precise number of these units among all the units intended to be supported by a grant must be based on need in the community for larger units and other factors that the Authority specifies in rules. The local administering agency must specify the basis for the numbers of these units that are proposed for support under a grant. Local administering agencies must make a good faith effort to comply with this allocation of unit sizes. In grants awarded under Section 20, developers and the Authority or municipality, as defined in subsection (b) of Section 10, shall negotiate the numbers and sizes of units to be built in a project and supported by the grant.

(3) Under grants awarded under Section 15, local administering agencies must enter into a payment contract with the landlord that defines the method of payment and must pay subsidies to landlords on a quarterly basis and in advance of the quarter paid for.

(4) Local administering agencies and developers must specify how vacancies in units supported by a grant must be advertised and they must include provisions for outreach to local homeless shelters, organizations that work with people with disabilities, and others interested in affordable housing.

(5) The local administering agency or developer must establish a schedule for the tenant's rental obligation for units supported by a grant. The tenant's share of the rent must be a flat amount, calculated annually, based on the size of the unit and the household's income category. In establishing the schedule for the tenant's rental obligation, the local administering agency or developer must use 30% of gross income within an income range as a guide, and it may charge an additional or lesser amount.

(6) The amount of the subsidy provided under a grant for a unit must be the difference between the amount of the tenant's obligation and the total amount of rent for the unit. The total amount of rent for the unit must be negotiated between the local administering authority and the landlord under Section 15, or between the Authority or municipality, as defined in subsection (b) of Section 10, and the developer under Section 20, using comparable rents for units of comparable size and condition in the surrounding community as a guideline.

(7) Local administering agencies and developers, pursuant to criteria the Authority

develops in rules, must ensure that there are procedures in place to maintain the safety and habitability of units supported under grants. Local administering agencies must inspect units before supporting them under a grant awarded under Section 15.

(8) Local administering agencies must provide or ensure that tenants are provided with a "bill of rights" with their lease setting forth local landlord-tenant laws and procedures and contact information for the local administering agency.

(9) A local administering agency must create a plan detailing a process for helping to provide information, when necessary, on how to access education, training, and other supportive services to tenants living in units supported under the grant. The plan must be submitted as a part of the administering agency's proposal to the Authority required under Section 15.

(10) Local administering agencies and developers may not use funding under the grant to develop or support housing that requires that a tenant has a particular diagnosis or type of disability as a condition of eligibility for occupancy unless the requirement is mandated by another funding source for the housing. Local administering agencies and developers may use grant funding to develop integrated housing opportunities for persons with disabilities, but not housing restricted to a specific disability type.

(11) In order to plan for periodic fluctuations in annual receipts on deposit appropriated to the Fund each year ~~program revenue~~, the Authority shall establish by rule a mechanism for establishing a reserve fund and the level of funding that shall be held in reserve either by the Authority or by local administering agencies.

(12) The Authority shall perform annual reconciliations of all distributions made in connection with the Program and may offset future distributions to balance geographic distribution requirements of this Act.

(Source: P.A. 97-892, eff. 8-3-12.)

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

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

On motion of Senator T. Cullerton, **Senate Bill No. 743** 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 743

AMENDMENT NO. 1. Amend Senate Bill 743 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Section 2 as follows:

(35 ILCS 105/2) (from Ch. 120, par. 439.2)

Sec. 2. Definitions.

"Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it does not include the sale of such property in any form as tangible personal property in the regular course of business to the extent that such property is not first subjected to a use for which it was purchased, and does not include the use of such property by its owner for demonstration purposes: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. "Use" does not mean the demonstration use or interim use of tangible personal property by a retailer before he sells that tangible personal property. For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay on the retailers' original cost price the tax imposed by this Act, and no credit for that tax is permitted if the watercraft or aircraft is subsequently sold by the retailer. "Use" does not mean the physical incorporation of tangible personal property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, into other tangible personal property (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing.

"Watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of tangible personal property for a valuable consideration.

"Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced by-product of manufacturing. "Sale at retail" includes any such transfer made for resale unless made in compliance with Section 2c of the Retailers' Occupation Tax Act, as incorporated by reference into Section 12 of this Act. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price are sales.

"Sale at retail" shall also be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's tax liability under the "Retailers' Occupation Tax Act", or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

Notwithstanding any law to the contrary, for any motor vehicle, as defined in Section 1-146 of the Vehicle Code, that is sold on or after January 1, 2015 for the purpose of leasing the vehicle for a defined period that is longer than one year and (1) is a motor vehicle of the second division that: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers; or (C) has a gross vehicle weight rating of 8,000 pounds or less or (2) is a motor vehicle of the first division, "selling price" or "amount of sale" means the consideration received by the lessor pursuant to the lease contract, including amounts due at lease signing and all monthly or other regular payments charged over the term of the lease. Also included in the selling price is any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, including, but not limited to, excess mileage charges and charges for excess wear and tear. For sales that occur in Illinois, with respect

to any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, the lessor who purchased the motor vehicle does not incur the tax imposed by the Use Tax Act on those amounts, and the retailer who makes the retail sale of the motor vehicle to the lessor is not required to collect the tax imposed by this Act or to pay the tax imposed by the Retailers' Occupation Tax Act on those amounts. However, the lessor who purchased the motor vehicle assumes the liability for reporting and paying the tax on those amounts directly to the Department in the same form (Illinois Retailers' Occupation Tax, and local retailers' occupation taxes, if applicable) in which the retailer would have reported and paid such tax if the retailer had accounted for the tax to the Department. For amounts received by the lessor from the lessee that are not calculated at the time the lease is executed, the lessor must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. If the retailer is entitled under this Act to a discount for collecting and remitting the tax imposed under this Act to the Department with respect to the sale of the motor vehicle to the lessor, then the right to the discount provided in this Act shall be transferred to the lessor with respect to the tax paid by the lessor for any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed; provided that the discount is only allowed if the return is timely filed and for amounts timely paid.

The "selling price" of a motor vehicle that is sold on or after January 1, 2015 for the purpose of leasing for a defined period of longer than one year shall not be reduced by the value of or credit given for traded-in tangible personal property owned by the lessor, nor shall it be reduced by the value of or credit given for traded-in tangible personal property owned by the lessee, regardless of whether the trade-in value thereof is assigned by the lessee to the lessor. In the case of a motor vehicle that is sold for the purpose of leasing for a defined period of longer than one year, the sale occurs at the time of the delivery of the vehicle, regardless of the due date of any lease payments. A lessor who incurs a Retailers' Occupation Tax liability on the sale of a motor vehicle coming off lease may not take a credit against that liability for the Use Tax the lessor paid upon the purchase of the motor vehicle (or for any tax the lessor paid with respect to any amount received by the lessor from the lessee for the leased vehicle that was not calculated at the time the lease was executed) if the selling price of the motor vehicle at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph. Notwithstanding any other provision of this Act to the contrary, lessors shall file all returns and make all payments required under this paragraph to the Department by electronic means in the manner and form as required by the Department. This paragraph does not apply to leases of motor vehicles for which, at the time the lease is entered into, the term of the lease is not a defined period, including leases with a defined initial period with the option to continue the lease on a month-to-month or other basis beyond the initial defined period.

Notwithstanding any other provision of law, for any tangible personal property that is sold on or after July 1, 2015 to a merchant who will act as lessor of that tangible personal property under a rental-purchase agreement, as defined in Section 1 of the Rental-Purchase Agreement Act, "selling price" or "amount of sale" means consideration received by the merchant pursuant to the rental-purchase agreement, including amounts due at signing and all monthly or other regular payments charged over the term of the agreement. The retailer who makes the retail sale of that property to the merchant is not required to collect the tax imposed by this Act or to pay the tax imposed by the Retailers' Occupation Tax Act on those amounts. The merchant assumes the liability for reporting, collecting, and remitting tax on the selling price directly to the Department in the same form and manner in which the retailer would have reported and paid such tax if the retailer had been required to pay the tax to the Department. The merchant must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. A merchant who incurs a retailers' occupation tax liability on the sale of the tangible personal property at the end of the rental-purchase agreement may not take a credit against that liability for the use tax the merchant paid upon the purchase of the tangible personal property (or for any tax the merchant paid with respect to any amount received by the merchant from the consumer for the leased property that was not calculated at the time the rental-purchase agreement was executed) if the selling price of the property at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph; however, the merchant may file for a one-time credit with the Department for the use tax paid on and after July 1, 2014 and prior to July 1, 2015.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a retailer hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is a retailer with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. This paragraph does not apply to nor subject to taxation occasional dinners, social or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not a retailer under this Act with respect to such transactions.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are retailers hereunder when engaged in such business.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail or a sale through a bulk vending machine does not make such person a retailer hereunder. However, any person who is engaged in a business which is not subject to the tax imposed by the "Retailers' Occupation Tax Act" because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is a retailer to the extent of the value of the tangible personal property so transferred. If, in such transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purposes of this Act, is the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property.

"Retailer maintaining a place of business in this State", or any like term, means and includes any of the following retailers:

1. A retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State. However, the ownership of property that is located at the premises of a printer with which the retailer has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the printed product is produced shall not result in the retailer being deemed to have or maintain an office, distribution house, sales house, warehouse, or other place of business within this State.

1.1. A retailer having a contract with a person located in this State under which the person, for a commission or other consideration based upon the sale of tangible personal property by the retailer, directly or indirectly refers potential customers to the retailer by providing to the potential customers a promotional code or other mechanism that allows the retailer to track purchases referred by such persons. Examples of mechanisms that allow the retailer to track purchases referred by such

persons include but are not limited to the use of a link on the person's Internet website, promotional codes distributed through the person's hand-delivered or mailed material, and promotional codes distributed by the person through radio or other broadcast media. The provisions of this paragraph 1.1 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers who are referred to the retailer by all persons in this State under such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December. A retailer meeting the requirements of this paragraph 1.1 shall be presumed to be maintaining a place of business in this State but may rebut this presumption by submitting proof that the referrals or other activities pursued within this State by such persons were not sufficient to meet the nexus standards of the United States Constitution during the preceding 4 quarterly periods.

1.2. Beginning July 1, 2011, a retailer having a contract with a person located in this State under which:

A. the retailer sells the same or substantially similar line of products as the person located in this State and does so using an identical or substantially similar name, trade name, or trademark as the person located in this State; and

B. the retailer provides a commission or other consideration to the person located in this State based upon the sale of tangible personal property by the retailer.

The provisions of this paragraph 1.2 shall apply only if the cumulative gross receipts from sales of tangible personal property by the retailer to customers in this State under all such contracts exceed $10,000 during the preceding 4 quarterly periods ending on the last day of March, June, September, and December.

2. A retailer soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State.

3. A retailer, pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions.

4. A retailer soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities.

5. A retailer that is owned or controlled by the same interests that own or control any retailer engaging in business in the same or similar line of business in this State.

6. A retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section.

7. A retailer, pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State.

8. A retailer engaging in activities in Illinois, which activities in the state in which the retail business engaging in such activities is located would constitute maintaining a place of business in that state.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 98-628, eff. 1-1-15; 98-1080, eff. 8-26-14; 98-1089, eff. 1-1-15; revised 10-1-14.)

Section 10. The Retailers' Occupation Tax Act is amended by changing Section 1 as follows:

(35 ILCS 120/1) (from Ch. 120, par. 440)

Sec. 1. Definitions. "Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use or consumption, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced byproduct of manufacturing. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price shall be deemed to be sales.

"Sale at retail" shall be construed to include any transfer of the ownership of or title to tangible personal property to a purchaser, for use or consumption by any other person to whom such purchaser may transfer the tangible personal property without a valuable consideration, and to include any transfer, whether made for or without a valuable consideration, for resale in any form as tangible personal property unless made in compliance with Section 2c of this Act.

Sales of tangible personal property, which property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, goes into and forms a part of tangible personal property subsequently the subject of a "Sale at retail", are not sales at retail as defined in this Act: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing.

"Sale at retail" shall be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is engaged in the business of selling tangible personal property at retail with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. The provisions of this paragraph shall not apply to nor subject to taxation occasional dinners, socials or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not engaged in the business of selling tangible personal property at retail with respect to such transactions.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of or title to tangible personal property for a valuable consideration.

"Reseller of motor fuel" means any person engaged in the business of selling or delivering or transferring title of motor fuel to another person other than for use or consumption. No person shall act as a reseller of motor fuel within this State without first being registered as a reseller pursuant to Section 2c or a retailer pursuant to Section 2a.

"Selling price" or the "amount of sale" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property, other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include charges that are added to prices by sellers on account of the seller's tax liability under this Act, or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by the Use Tax Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1,

1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the sellers' duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

Notwithstanding any law to the contrary, for any motor vehicle, as defined in Section 1-146 of the Vehicle Code, that is sold on or after January 1, 2015 for the purpose of leasing the vehicle for a defined period that is longer than one year and (1) is a motor vehicle of the second division that: (A) is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat; (B) is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers; or (C) has a gross vehicle weight rating of 8,000 pounds or less or (2) is a motor vehicle of the first division, "selling price" or "amount of sale" means the consideration received by the lessor pursuant to the lease contract, including amounts due at lease signing and all monthly or other regular payments charged over the term of the lease. Also included in the selling price is any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, including, but not limited to, excess mileage charges and charges for excess wear and tear. For sales that occur in Illinois, with respect to any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed, the lessor who purchased the motor vehicle does not incur the tax imposed by the Use Tax Act on those amounts, and the retailer who makes the retail sale of the motor vehicle to the lessor is not required to collect the tax imposed by the Use Tax Act or to pay the tax imposed by this Act on those amounts. However, the lessor who purchased the motor vehicle assumes the liability for reporting and paying the tax on those amounts directly to the Department in the same form (Illinois Retailers' Occupation Tax, and local retailers' occupation taxes, if applicable) in which the retailer would have reported and paid such tax if the retailer had accounted for the tax to the Department. For amounts received by the lessor from the lessee that are not calculated at the time the lease is executed, the lessor must file the return and pay the tax to the Department by the due date otherwise required by this Act for returns other than transaction returns. If the retailer is entitled under this Act to a discount for collecting and remitting the tax imposed under this Act to the Department with respect to the sale of the motor vehicle to the lessor, then the right to the discount provided in this Act shall be transferred to the lessor with respect to the tax paid by the lessor for any amount received by the lessor from the lessee for the leased vehicle that is not calculated at the time the lease is executed; provided that the discount is only allowed if the return is timely filed and for amounts timely paid.

The "selling price" of a motor vehicle that is sold on or after January 1, 2015 for the purpose of leasing for a defined period of longer than one year shall not be reduced by the value of or credit given for traded-in tangible personal property owned by the lessor, nor shall it be reduced by the value of or credit given for traded-in tangible personal property owned by the lessee, regardless of whether the trade-in value thereof is assigned by the lessee to the lessor. In the case of a motor vehicle that is sold for the purpose of leasing for a defined period of longer than one year, the sale occurs at the time of the delivery of the vehicle, regardless of the due date of any lease payments. A lessor who incurs a Retailers' Occupation Tax liability on the sale of a motor vehicle coming off lease may not take a credit against that liability for the Use Tax the lessor paid upon the purchase of the motor vehicle (or for any tax the lessor paid with respect to any amount received by the lessor from the lessee for the leased vehicle that was not calculated at the time the lease was executed) if the selling price of the motor vehicle at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph. Notwithstanding any other provision of this Act to the contrary, lessors shall file all returns and make all payments required under this paragraph to the Department by electronic means in the manner and form as required by the Department. This paragraph does not apply to leases of motor vehicles for which, at the time the lease is entered into, the term of the lease is not a defined period, including leases with a defined initial period with the option to continue the lease on a month-to-month or other basis beyond the initial defined period.

Notwithstanding any other provision of law, for any tangible personal property that is sold on or after July 1, 2015 to a merchant who will act as lessor of that tangible personal property under a rental-purchase agreement, as defined in Section 1 of the Rental-Purchase Agreement Act, "selling price" or "amount of sale" means consideration received by the merchant pursuant to the rental-purchase agreement, including amounts due at signing and all monthly or other regular payments charged over the term of the agreement. The retailer who makes the retail sale of that property to the merchant is not required to collect the tax imposed by the Use Tax Act or to pay the tax imposed by this Act on those amounts. The merchant assumes the liability for reporting, collecting, and remitting tax on the selling price directly to the Department in the same form and manner in which the retailer would have reported and paid such tax if the retailer had been required to pay the tax to the Department. The merchant must file the return and pay the tax to the

Department by the due date otherwise required by this Act for returns other than transaction returns. A merchant who incurs a retailers' occupation tax liability on the sale of the tangible personal property at the end of the rental-purchase agreement may not take a credit against that liability for the use tax the merchant paid upon the purchase of the tangible personal property (or for any tax the merchant paid with respect to any amount received by the merchant from the consumer for the leased property that was not calculated at the time the rental-purchase agreement was executed) if the selling price of the property at the time of purchase was calculated using the definition of "selling price" as defined in this paragraph; however, the merchant may file for a one-time credit with the Department for the use tax paid on and after July 1, 2014 and prior to July 1, 2015.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Gross receipts" from the sales of tangible personal property at retail means the total selling price or the amount of such sales, as hereinbefore defined. In the case of charge and time sales, the amount thereof shall be included only as and when payments are received by the seller. Receipts or other consideration derived by a seller from the sale, transfer or assignment of accounts receivable to a wholly owned subsidiary will not be deemed payments prior to the time the purchaser makes payment on such accounts.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail, or a sale through a bulk vending machine, does not constitute engaging in a business of selling such tangible personal property at retail within the meaning of this Act; provided that any person who is engaged in a business which is not subject to the tax imposed by this Act because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate or a construction contract to engineer, install, and maintain an integrated system of products, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate or was not engineered and installed, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is engaged in the business of selling tangible personal property at retail to the extent of the value of the tangible personal property so transferred. If, in such a transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purpose of this Act, shall be the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property. Construction contracts for the improvement of real estate consisting of engineering, installation, and maintenance of voice, data, video, security, and all telecommunication systems do not constitute engaging in a business of selling tangible personal property at retail within the meaning of this Act if they are sold at one specified contract price.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a person engaged in the business of selling tangible personal property at retail hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are engaged in the business of selling such property at retail and shall be liable for and shall pay the tax imposed by this Act on the basis of the retail value of the property transferred upon redemption of such stamps.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 98-628, eff. 1-1-15; 98-1080, eff. 8-26-14.)".

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

On motion of Senator Mulroe, **Senate Bill No. 764** having been printed, was taken up, read by title a second time.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 764

AMENDMENT NO. 1. Amend Senate Bill 764 on page 3, line 5, after "police department", by inserting "that employs 100 or more police officers".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Harris, **Senate Bill No. 785** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 785

AMENDMENT NO. 1. Amend Senate Bill 785 as follows:

on page 1, line 12, after "group", by adding "from outside the State of Illinois"; and

on page 1, by replacing lines 15 and 16 with "therapist, athletic trainer, or acupuncturist.".

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. 810** 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 810

AMENDMENT NO. 1. Amend Senate Bill 810 as follows:

on page 2, by replacing lines 3 and 4 with the following:

"examination on his or her first attempt must wait 7 ~~90~~ days prior to rescheduling an examination. An individual who fails to pass the examination on his or her second or subsequent attempt must wait 30 days prior to rescheduling an examination.".

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

On motion of Senator Mulroe, **Senate Bill No. 843** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **Senate Bill No. 845** 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 845

AMENDMENT NO. 1. Amend Senate Bill 845 on page 2, line 1, by replacing "." with the following:

":

(d) Increase the use of specialty courts if appropriate to address the continuing needs of offenders with substance abuse problems, mental health needs, domestic violence, for those offenders who are veterans of the armed forces of the United States, and for other instances in which specialization of cases and probation caseloads will improve outcomes for offenders and expand diversion opportunities."; and

on page 6, by deleting lines 10 through 16; and

on page 6, by deleting lines 18 and 19.

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. 1057** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Barickman, **Senate Bill No. 1062** having been printed, was taken up, read by title a second time.

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 Haine, **Senate Bill No. 1222** having been printed, was taken up, read by title a second time and ordered to a third reading.

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

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

AMENDMENT NO. 1 TO SENATE BILL 1228

AMENDMENT NO. 1. Amend Senate Bill 1228 by replacing everything after the enacting clause with the following:

"Section 5. The Grade A Pasteurized Milk and Milk Products Act is amended by changing Section 3 as follows:

(410 ILCS 635/3) (from Ch. 56 1/2, par. 2203)

Sec. 3. Definitions.

(a) As used in this Act "Grade A" means that milk and milk products are produced and processed in accordance with the current Grade A Pasteurized Milk Ordinance as adopted by the National Conference on Interstate Milk Shipments and the United States Public Health Service - Food and Drug Administration and all other applicable federal regulations. The term Grade A is applicable to "dairy farm", "milk hauler-sampler", "milk plant", "milk product", "receiving station", "transfer station", "milk tank truck", and "certified pasteurizer sealer" whenever used in this Act.

(b) Unless the context clearly indicates otherwise, terms have the meaning ascribed as follows:

(1) (Blank).

(2) "Milk" means the milk of cows, goats, sheep, water buffalo~~, or other hooved mammals~~ and includes skim milk and cream.

(3) (Blank).

(4) (Blank).

(5) "Receiving station" means any place, premise, or establishment where raw milk is received, collected, handled, stored or cooled and prepared for further transporting.

(6) "Transfer station" means any place, premise, or establishment where milk or milk products are transferred directly from one milk tank truck to another.

(7) "Department" means the Illinois Department of Public Health.

(8) "Director" means the Director of the Illinois Department of Public Health.

(9) "Embargo or hold for investigation" means a detention or seizure designed to deny

the use of milk or milk products which may be unwholesome or to prohibit the use of equipment which may result in contaminated or unwholesome milk or dairy products.

(10) "Imminent hazard to the public health" means any hazard to the public health when the evidence is sufficient to show that a product or practice, posing or contributing to a significant threat of danger to health, creates or may create a public health situation (1) that should be corrected immediately to prevent injury and (2) that should not be permitted to continue while a hearing or other formal proceeding is being held.

(11) "Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois, or any political subdivision or department thereof, or any other entity.

(12) "Enforcing agency" means the Illinois Department of Public Health or a unit of local government electing to administer and enforce this Act as provided for in this Act.

(13) "Permit" means a document awarded to a person for compliance with the provisions of and under conditions set forth in this Act.

(14) (Blank).

(15) (Blank).

(16) (Blank).

(17) "Certified pasteurizer sealer" means a person who has satisfactorily completed a course of instruction and has demonstrated the ability to satisfactorily conduct all pasteurization control tests, as required by rules adopted by the Department.

(Source: P.A. 97-135, eff. 7-14-11; 98-958, eff. 1-1-15.)".

Senator Silverstein offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1228

AMENDMENT NO. 2. Amend Senate Bill 1228, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Grade A Pasteurized Milk and Milk Products Act is amended by changing Section 3 as follows:

(410 ILCS 635/3) (from Ch. 56 1/2, par. 2203)

Sec. 3. Definitions.

(a) As used in this Act "Grade A" means that milk and milk products are produced and processed in accordance with the current Grade "A" ~~A~~ Pasteurized Milk Ordinance as adopted by the National Conference on Interstate Milk Shipments and the United States Public Health Service - Food and Drug Administration and all other applicable federal regulations. The term Grade A is applicable to "dairy farm", "milk hauler-sampler", "milk plant", "milk product", "receiving station", "transfer station", "milk tank truck", and "certified pasteurizer sealer" whenever used in this Act.

(b) Unless the context clearly indicates otherwise, terms have the meaning ascribed as follows:

(1) (Blank).

(2) "Milk" means the milk of cows, goats, sheep, water buffalo, or other hooved mammals, provided that it must be labeled in accordance with the current Grade "A" Pasteurized Milk Ordinance as adopted by the United States Public Health Service - Food and Drug Administration, and includes skim milk and cream.

(3) (Blank).

(4) (Blank).

(5) "Receiving station" means any place, premise, or establishment where raw milk is received, collected, handled, stored or cooled and prepared for further transporting.

(6) "Transfer station" means any place, premise, or establishment where milk or milk products are transferred directly from one milk tank truck to another.

(7) "Department" means the Illinois Department of Public Health.

(8) "Director" means the Director of the Illinois Department of Public Health.

(9) "Embargo or hold for investigation" means a detention or seizure designed to deny the use of milk or milk products which may be unwholesome or to prohibit the use of equipment which may result in contaminated or unwholesome milk or dairy products.

(10) "Imminent hazard to the public health" means any hazard to the public health when the evidence is sufficient to show that a product or practice, posing or contributing to a significant threat of danger to health, creates or may create a public health situation (1) that should be corrected

immediately to prevent injury and (2) that should not be permitted to continue while a hearing or other formal proceeding is being held.

(11) "Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois, or any political subdivision or department thereof, or any other entity.

(12) "Enforcing agency" means the Illinois Department of Public Health or a unit of local government electing to administer and enforce this Act as provided for in this Act.

(13) "Permit" means a document awarded to a person for compliance with the provisions of and under conditions set forth in this Act.

(14) (Blank).

(15) (Blank).

(16) (Blank).

(17) "Certified pasteurizer sealer" means a person who has satisfactorily completed a course of instruction and has demonstrated the ability to satisfactorily conduct all pasteurization control tests, as required by rules adopted by the Department.

(Source: P.A. 97-135, eff. 7-14-11; 98-958, eff. 1-1-15.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Koehler, **Senate Bill No. 1229** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 1255** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 1256** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1256

AMENDMENT NO. 1. Amend Senate Bill 1256 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-11 as follows:

(235 ILCS 5/6-11)

Sec. 6-11. Sale near churches, schools, and hospitals.

(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000 persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.

(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least $1,000,000 to construct, (iii) the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food

where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in this Section shall prohibit issuance of a retail license authorizing the sale of alcoholic beverages to a restaurant, banquet facility, grocery store, or hotel having not fewer than 150 guest room accommodations located in a municipality of more than 500,000 persons, notwithstanding the proximity of such hotel, restaurant, banquet facility, or grocery store to any church or school, if the licensed premises described on the license are located within an enclosed mall or building of a height of at least 6 stories, or 60 feet in the case of a building that has been registered as a national landmark, or in a grocery store having a minimum of 56,010 square feet of floor space in a single story building in an open mall of at least 3.96 acres that is adjacent to a public school that opened as a boys technical high school in 1934, or in a grocery store having a minimum of 31,000 square feet of floor space in a single story building located a distance of more than 90 feet but less than 100 feet from a high school that opened in 1928 as a junior high school and became a senior high school in 1933, and in each of these cases if the sale of alcoholic liquors is not the principal business carried on by the licensee.

For purposes of this Section, a "banquet facility" is any part of a building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such sales are limited to periods when groups are assembled on the premises solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church affiliated school located in a home rule municipality or in a municipality with 75,000 or more inhabitants from locating within 100 feet of a property for which there is a preexisting license to sell alcoholic liquor at retail. In these instances, the local zoning authority may, by ordinance adopted simultaneously with the granting of an initial special use zoning permit for the church or church affiliated school, provide that the 100-foot restriction in this Section shall not apply to that church or church affiliated school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at premises within 100 feet, but not less than 90 feet, of a public school if (1) the premises have been continuously licensed to sell alcoholic liquor for a period of at least 50 years, (2) the premises are located in a municipality having a population of over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food,

(2) the sale of liquor is not the principal business carried on by the licensee at the premises,

(3) the premises are less than 1,000 square feet,

(4) the premises are owned by the University of Illinois,

(5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and

(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and

(2) the principal religious leader at the place of worship has not indicated his or her

opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;

(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;

(3) the school was built in 1978;

(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and

(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(l) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;

(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;

(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;

(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and

(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

(1) the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;

(2) the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;

(3) the church was established at the current location in 1916 and the present structure was erected in 1925;

(4) the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;

(5) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(6) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and

(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the school is a City of Chicago School District 299 school;

(2) the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;

(3) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;

(4) the sale of alcoholic liquor at the premises is incidental to the sale of food; and

(5) the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.

(o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(3) the premises is located on a street that runs perpendicular to the street on which the church is located;

(4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;

(5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;

(6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and

(7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;

(2) the church was established at the current location in 1889; and

(3) liquor has been sold on the premises since at least 1985.

(q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church-owned property if:

(1) the premises is located within a larger building operated as a grocery store;

(2) the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;

(3) the larger building containing the premises is within 100 feet of the nearest property line of a church-owned property on which a church-affiliated school is located;

(4) the sale of liquor is not the principal business carried on within the larger building;

(5) the primary entrance of the larger building and the premises and the primary entrance of the church-affiliated school are on different, parallel streets, and the distance between the 2 primary entrances is more than 100 feet;

(6) the larger building is separated from the church-owned property and church-affiliated school by an alley;

(7) the larger building containing the premises and the church building front are on perpendicular streets and are separated by a street; and

(8) (Blank).

(r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the

sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;

(2) the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;

(3) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and

(5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

(1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;

(2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and

(3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school and a church if:

(1) the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;

(2) the area of the premises does not exceed 31,050 square feet;

(3) the area of the restaurant does not exceed 5,800 square feet;

(4) the building has no less than 78 condominium units;

(5) the construction of the building in which the restaurant is located was completed in 2006;

(6) the building has 10 storefront properties, 3 of which are used for the restaurant;

(7) the restaurant will open for business in 2010;

(8) the building is north of the school and separated by an alley; and

(9) the principal religious leader of the church and either the alderman of the ward in which the school is located or the principal of the school have delivered a written statement to the local liquor control commissioner stating that he or she does not object to the issuance of a license under this subsection (t).

(u) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the premises operates as a restaurant and has been in operation since February 2008;

(2) the applicant is the owner of the premises;

(3) the sale of alcoholic liquor is incidental to the sale of food;

(4) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;

(5) the premises occupy the first floor of a 3-story building that is at least 90 years old;

(6) the rear lot of the school and the rear corner of the building that the premises occupy are separated by an alley;

(7) the distance from the southwest corner of the property line of the school and the northeast corner of the building that the premises occupy is at least 16 feet, 5 inches;

(8) the distance from the rear door of the premises to the southwest corner of the property line of the school is at least 93 feet;

(9) the school is a City of Chicago School District 299 school;

(10) the school's main structure was erected in 1902 and an addition was built to the main structure in 1959; and

(11) the principal of the school and the alderman in whose district the premises are

located have expressed, in writing, their support for the issuance of the license.

(v) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the total land area of the premises for which the license or renewal is sought is more than 600,000 square feet;

(2) the premises for which the license or renewal is sought has more than 600 parking stalls;

(3) the total area of all buildings on the premises for which the license or renewal is sought exceeds 140,000 square feet;

(4) the property line of the premises for which the license or renewal is sought is separated from the property line of the school by a street;

(5) the distance from the school's property line to the property line of the premises for which the license or renewal is sought is at least 60 feet;

(6) as of the effective date of this amendatory Act of the 97th General Assembly, the premises for which the license or renewal is sought is located in the Illinois Medical District.

(w) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(3) the premises occupy the first floor and basement of a 2-story building that is 106 years old;

(4) the premises is at least 7,000 square feet and located on a lot that is at least 11,000 square feet;

(5) the premises is located directly west of the church, on perpendicular streets, and separated by an alley;

(6) the distance between the property line of the premises and the property line of the church is at least 20 feet;

(7) the distance between the primary entrance of the premises and the primary entrance of the church is at least 130 feet; and

(8) the church has been at its location for at least 40 years.

(x) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the church has been operating in its current location since 1973;

(3) the premises has been operating in its current location since 1988;

(4) the church and the premises are owned by the same parish;

(5) the premises is used for cultural and educational purposes;

(6) the primary entrance to the premises and the primary entrance to the church are located on the same street;

(7) the principal religious leader of the church has indicated his support of the issuance of the license;

(8) the premises is a 2-story building of approximately 23,000 square feet; and

(9) the premises houses a ballroom on its ground floor of approximately 5,000 square feet.

(y) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(3) according to the municipality, the distance between the east property line of the

premises and the west property line of the school is 97.8 feet;

(4) the school is a City of Chicago School District 299 school;

(5) the school has been operating since 1959;

(6) the primary entrance to the premises and the primary entrance to the school are located on the same street;

(7) the street on which the entrances of the premises and the school are located is a major diagonal thoroughfare;

(8) the premises is a single-story building of approximately 2,900 square feet; and

(9) the premises is used for commercial purposes only.

(z) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors at the premises;

(3) the licensee is a national retail chain having over 100 locations within the municipality;

(4) the licensee has over 8,000 locations nationwide;

(5) the licensee has locations in all 50 states;

(6) the premises is located in the North-East quadrant of the municipality;

(7) the premises is a free-standing building that has "drive-through" pharmacy service;

(8) the premises has approximately 14,490 square feet of retail space;

(9) the premises has approximately 799 square feet of pharmacy space;

(10) the premises is located on a major arterial street that runs east-west and accepts truck traffic; and

(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(aa) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors at the premises;

(3) the licensee is a national retail chain having over 100 locations within the municipality;

(4) the licensee has over 8,000 locations nationwide;

(5) the licensee has locations in all 50 states;

(6) the premises is located in the North-East quadrant of the municipality;

(7) the premises is located across the street from a national grocery chain outlet;

(8) the premises has approximately 16,148 square feet of retail space;

(9) the premises has approximately 992 square feet of pharmacy space;

(10) the premises is located on a major arterial street that runs north-south and accepts truck traffic; and

(11) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(bb) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(3) the primary entrance to the premises and the primary entrance to the church are located on the same street;

(4) the premises is across the street from the church;

(5) the street on which the premises and the church are located is a major arterial street that runs east-west;

(6) the church is an elder-led and Bible-based Assyrian church;

(7) the premises and the church are both single-story buildings;

(8) the storefront directly west of the church is being used as a restaurant; and

(9) the distance between the northern-most property line of the premises and the southern-most property line of the church is 65 feet.

(cc) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors at the premises;

(3) the licensee is a national retail chain;

(4) as of October 25, 2011, the licensee has 1,767 stores operating nationwide, 87 stores operating in the State, and 10 stores operating within the municipality;

(5) the licensee shall occupy approximately 124,000 square feet of space in the basement and first and second floors of a building located across the street from a school;

(6) the school opened in August of 2009 and occupies approximately 67,000 square feet of space; and

(7) the building in which the premises shall be located has been listed on the National Register of Historic Places since April 17, 1970.

(dd) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that was purchased from the municipality at a fair market price;

(2) the premises is constructed on land that was previously used as a parking facility for public safety employees;

(3) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(4) the main entrance to the store is more than 100 feet from the main entrance to the school;

(5) the premises is to be new construction;

(6) the school is a private school;

(7) the principal of the school has given written approval for the license;

(8) the alderman of the ward where the premises is located has given written approval of the issuance of the license;

(9) the grocery store level of the premises is between 60,000 and 70,000 square feet; and

(10) the owner and operator of the grocery store operates 2 other grocery stores that have alcoholic liquor licenses within the same municipality.

(ee) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a full-service grocery store at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the premises is constructed on land that once contained an industrial steel facility;

(2) the premises is located on land that has undergone environmental remediation;

(3) the premises is located within a retail complex containing retail stores where some of the stores sell alcoholic beverages;

(4) the principal activity of any restaurant in the retail complex is the sale of food, and the sale of alcoholic liquor is incidental to the sale of food;

(5) the sale of alcoholic liquor is not the principal business carried on by the grocery store;

(6) the entrance to any business that sells alcoholic liquor is more than 100 feet from the entrance to the school;

(7) the alderman of the ward where the premises is located has given written approval of the issuance of the license; and

(8) the principal of the school has given written consent to the issuance of the license.

(ff) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on at the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;

(3) the premises is a one and one-half-story building of approximately 10,000 square feet;

(4) the school is a City of Chicago School District 299 school;

(5) the primary entrance of the premises and the primary entrance of the school are at least 300 feet apart and no more than 400 feet apart;

(6) the alderman of the ward in which the premises is located has expressed, in writing, his support for the issuance of the license; and

(7) the principal of the school has expressed, in writing, that there is no objection to the issuance of a license under this subsection (ff).

(gg) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the property on which the church is located and the property on which the premises are located are both within a district originally listed on the National Register of Historic Places on February 14, 1979;

(3) the property on which the premises are located contains one or more multi-story buildings that are at least 95 years old and have no more than three stories;

(4) the building in which the church is located is at least 120 years old;

(5) the property on which the church is located is immediately adjacent to and west of the property on which the premises are located;

(6) the western boundary of the property on which the premises are located is no less than 118 feet in length and no more than 122 feet in length;

(7) as of December 31, 2012, both the church property and the property on which the premises are located are within 250 feet of City of Chicago Business-Residential Planned Development Number 38;

(8) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing; and

(9) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

For the purposes of this subsection, "banquet facility" means the part of the building that is located on the floor above a restaurant and caters to private parties and where the sale of alcoholic liquors is not the principal business.

(hh) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a hotel and at an outdoor patio area attached to the hotel that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the hotel;

(2) the hotel is located within the City of Chicago Business Planned Development Number 468; and

(3) the hospital is located within the City of Chicago Institutional Planned Development Number 3.

(ii) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a restaurant and at an outdoor patio area attached to the restaurant that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a church if:

(1) the sale of alcoholic liquor at the premises is not the principal business carried on by the licensee and is incidental to the sale of food;

(2) the restaurant has been operated on the street level of a 2-story building located on a corner lot since 2008;

(3) the restaurant is between 3,700 and 4,000 square feet and sits on a lot that is no more than 6,200 square feet;

(4) the primary entrance to the restaurant and the primary entrance to the church are located on the same street;

(5) the street on which the restaurant and the church are located is a major east-west street;

(6) the restaurant and the church are separated by a one-way northbound street;

(7) the church is located to the west of and no more than 65 feet from the restaurant; and

(8) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing.

(jj) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor is incidental to the sale of food;

(3) the premises are located east of the church, on perpendicular streets, and separated by an alley;

(4) the distance between the primary entrance of the premises and the primary entrance of the church is at least 175 feet;

(5) the distance between the property line of the premises and the property line of the church is at least 40 feet;

(6) the licensee has been operating at the premises since 2012;

(7) the church was constructed in 1904;

(8) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license; and

(9) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (jj).

(kk) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors on the premises;

(3) the licensee is a national retail chain;

(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;

(5) the licensee shall occupy approximately 169,048 square feet of space within a building that is located across the street from a tuition-based preschool; and

(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(ll) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the licensee shall only sell packaged liquors on the premises;

(3) the licensee is a national retail chain;

(4) as of February 27, 2013, the licensee had 1,778 stores operating nationwide, 89 operating in this State, and 11 stores operating within the municipality;

(5) the licensee shall occupy approximately 191,535 square feet of space within a building that is located across the street from an elementary school; and

(6) the alderman of the ward in which the premises is located has expressed, in writing, his or her support for the issuance of the license.

(mm) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio or sidewalk cafe, or both, attached to premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and that are within 100 feet of a hospital if:

(1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;

(2) as a restaurant, the premises may or may not offer catering as an incidental part of food service;

(3) the primary business of the restaurant is conducted in space owned by a hospital or an entity owned or controlled by, under common control with, or that controls a hospital, and the chief hospital administrator has expressed his or her support for the issuance of the license in writing; and

(4) the hospital is an adult acute care facility primarily located within the City of Chicago Institutional Planned Development Number 3.

(nn) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried out on the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the operation of a theater;

(3) the premises are a building that was constructed in 1913 and opened on May 24, 1915 as a vaudeville theater, and the premises were converted to a motion picture theater in 1935;

(4) the church was constructed in 1889 with a stone exterior;

(5) the primary entrance of the premises and the primary entrance of the church are at least 100 feet apart; and

(6) the principal religious leader at the place of worship has indicated his or her consent to the issuance of the license in writing; and

(7) the alderman in whose ward the premises are located has expressed his or her support for the issuance of the license in writing.

(oo) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a mosque, church, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the mosque, church, or other place of worship are perpendicular and are on different streets;

(2) the primary entrance to the premises faces West and the primary entrance to the mosque, church, or other place of worship faces South;

(3) the distance between the 2 primary entrances is at least 100 feet;

(4) the mosque, church, or other place of worship was established in a location within 100 feet of the premises after a license for the sale of alcohol at the premises was first issued;

(5) the mosque, church, or other place of worship was established on or around January 1, 2011;

(6) a license for the sale of alcohol at the premises was first issued on or before January 1, 1985;

(7) a license for the sale of alcohol at the premises has been continuously in effect since January 1, 1985, except for interruptions between licenses of no more than 90 days; and

(8) the premises are a single-story, single-use building of at least 3,000 square feet and no more than 3,380 square feet.

(pp) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant or banquet facility established on premises that are located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of at least one church if:

(1) the sale of liquor shall not be the principal business carried on by the licensee at the premises;

(2) the premises are at least 2,000 square feet and no more than 10,000 square feet and is located in a single-story building;

(3) the property on which the premises are located is within an area that, as of 2009,

was designated as a Renewal Community by the United States Department of Housing and Urban Development;

(4) the property on which the premises are located and the properties on which the churches are located are on the same street;

(5) the property on which the premises are located is immediately adjacent to and east of the property on which at least one of the churches is located;

(6) the property on which the premises are located is across the street and southwest of the property on which another church is located;

(7) the principal religious leaders of the churches have indicated their support for the issuance of the license in writing; and

(8) the alderman in whose ward the premises are located has expressed his or her support for the issuance of the license in writing.

For purposes of this subsection (pp), "banquet facility" means the part of the building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(qq) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor on premises that are located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school are at least 200 feet apart and no greater than 300 feet apart;

(2) the shortest distance between the premises and the church or school is at least 66 feet apart and no greater than 81 feet apart;

(3) the premises are a single-story, steel-framed commercial building with at least 18,042 square feet, and was constructed in 1925 and 1997;

(4) the owner of the business operated within the premises has been the general manager of a similar supermarket within one mile from the premises, which has had a valid license authorizing the sale of alcoholic liquor since 2002, and is in good standing with the City of Chicago;

(5) the principal religious leader at the place of worship has indicated his or her support to the issuance or renewal of the license in writing;

(6) the alderman of the ward has indicated his or her support to the issuance or renewal of the license in writing; and

(7) the principal of the school has indicated his or her support to the issuance or renewal of the license in writing.

(rr) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a club that leases space to a school if:

(1) the sale of alcoholic liquor is not the principal business carried out on the premises;

(2) the sale of alcoholic liquor at the premises is incidental to the operation of a grocery store;

(3) the premises are a building of approximately 1,750 square feet and is rented by the owners of the grocery store from a family member;

(4) the property line of the premises is approximately 68 feet from the property line of the club;

(5) the primary entrance of the premises and the primary entrance of the club where the school leases space are at least 100 feet apart;

(6) the director of the club renting space to the school has indicated his or her consent to the issuance of the license in writing; and

(7) the alderman in whose district the premises are located has expressed his or her support for the issuance of the license in writing.

(ss) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the premises are located within a 15 unit building with 13 residential apartments and 2 commercial spaces, and the licensee will occupy both commercial spaces;

(2) a restaurant has been operated on the premises since June 2011;

(3) the restaurant currently occupies 1,075 square feet, but will be expanding to include 975 additional square feet;

(4) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(5) the premises are located south of the church and on the same street and are separated by a one-way westbound street;

(6) the primary entrance of the premises is at least 93 feet from the primary entrance of the church;

(7) the shortest distance between any part of the premises and any part of the church is at least 72 feet;

(8) the building in which the restaurant is located was built in 1910;

(9) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license; and

(10) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (ss).

(tt) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor is incidental to the sale of food;

(3) the sale of alcoholic liquor at the premises was previously authorized by a package goods liquor license;

(4) the premises are at least 40,000 square feet with 25 parking spaces in the contiguous surface lot to the north of the store and 93 parking spaces on the roof;

(5) the shortest distance between the lot line of the parking lot of the premises and the exterior wall of the church is at least 80 feet;

(6) the distance between the building in which the church is located and the building in which the premises are located is at least 180 feet;

(7) the main entrance to the church faces west and is at least 257 feet from the main entrance of the premises; and

(8) the applicant is the owner of 10 similar grocery stores within the City of Chicago and the surrounding area and has been in business for more than 30 years.

(uu) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor is incidental to the operation of a grocery store;

(3) the premises are located in a building that is approximately 68,000 square feet with 157 parking spaces on property that was previously vacant land;

(4) the main entrance to the church faces west and is at least 500 feet from the entrance of the premises, which faces north;

(5) the church and the premises are separated by an alley;

(6) the applicant is the owner of 9 similar grocery stores in the City of Chicago and the surrounding area and has been in business for more than 40 years; and

(7) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license.

(vv) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of alcoholic liquor is the principal business carried on by the licensee at the premises;

(2) the sale of alcoholic liquor is primary to the sale of food;

(3) the premises are located south of the church and on perpendicular streets and are separated by a driveway;

(4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;

(5) the shortest distance between any part of the premises and any part of the church is at least 15 feet;

(6) the premises are less than 100 feet from the church center, but greater than 100

feet from the area within the building where church services are held;

(7) the premises are 25,830 square feet and sit on a lot that is 0.48 acres;

(8) the premises were once designated as a Korean American Presbyterian Church and were once used as a Masonic Temple;

(9) the premises were built in 1910;

(10) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license; and

(11) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (vv).

For the purposes of this subsection (vv), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

(ww) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

(1) the school is located within Sub Area III of City of Chicago Residential-Business Planned Development Number 523, as amended; and

(2) the premises are located within Sub Area I, Sub Area II, or Sub Area IV of City of Chicago Residential-Business Planned Development Number 523, as amended.

(xx) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the sale of wine or wine-related products is the exclusive business carried on by the licensee at the premises;

(2) the primary entrance of the premises and the primary entrance of the church are at least 100 feet apart and are located on different streets;

(3) the building in which the premises are located and the building in which the church is located are separated by an alley;

(4) the premises consists of less than 2,000 square feet of floor area dedicated to the sale of wine or wine-related products;

(5) the premises are located on the first floor of a 2-story building that is at least 99 years old and has a residential unit on the second floor; and

(6) the principal religious leader at the church has indicated his or her support for the issuance or renewal of the license in writing.

(yy) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the premises are a 27-story hotel containing 191 guest rooms;

(2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises and is limited to a restaurant located on the first floor of the hotel;

(3) the hotel is adjacent to the church;

(4) the site is zoned as DX-16;

(5) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (yy); and

(6) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license.

(zz) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at premises located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

(1) the premises are a 15-story hotel containing 143 guest rooms;

(2) the premises are approximately 85,691 square feet;

(3) a restaurant is operated on the premises;

(4) the restaurant is located in the first floor lobby of the hotel;

(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(6) the hotel is located approximately 50 feet from the church and is separated from the church by a public street on the ground level and by air space on the upper level, which is where the public entrances are located;

(7) the site is zoned as DX-16;

(8) the principal religious leader of the church has delivered a written statement that he or she does not object to the issuance of a license under this subsection (zz); and

(9) the alderman of the ward in which the premises are located has expressed, in writing, his or her support for the issuance of the license.

(Source: P.A. 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634, eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12; 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-274, eff. 8-9-13; 98-463, eff. 8-16-13; 98-571, eff. 8-27-13; 98-592, eff. 11-15-13; 98-1092, eff. 8-26-14; 98-1158, eff. 1-9-15.)

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 Koehler, **Senate Bill No. 1380** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1380

AMENDMENT NO. 1. Amend Senate Bill 1380 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Sections 11-20-15 and 11-20-15.1 as follows:

(65 ILCS 5/11-20-15)

Sec. 11-20-15. Lien for removal costs.

(a) If the municipality incurs a removal cost under Section 11-20-7, 11-20-8, 11-20-12, or 11-20-13 with respect to any underlying parcel, then that cost is a lien upon that underlying parcel. This lien is superior to all other liens and encumbrances, except tax liens and as otherwise provided in subsection (c) of this Section.

(b) To perfect a lien under this Section, the municipality must, within one year after the removal cost is incurred, file notice of lien in the office of the recorder in the county in which the underlying parcel is located or, if the underlying parcel is registered under the Torrens system, in the office of the Registrar of Titles of that county. The notice must consist of a sworn statement setting out:

(1) a description of the underlying parcel that sufficiently identifies the parcel;

(2) the amount of the removal cost; and

(3) the date or dates when the removal cost was incurred by the municipality.

If, for any one parcel, the municipality engaged in any removal activity on more than one occasion during the course of one year, then the municipality may combine any or all of the costs of each of those activities into a single notice of lien.

(c) A lien under this Section is not valid as to: (i) any purchaser whose rights in and to the underlying parcel arose after the removal activity but before the filing of the notice of lien; or (ii) any mortgagee, judgment creditor, or other lienor whose rights in and to the underlying parcel arose before the filing of the notice of lien.

(d) The removal cost is not a lien on the underlying parcel unless a notice is personally served on, or sent by certified mail to, the person to whom was sent the tax bill for the general taxes on the property for the taxable year immediately preceding the removal activities. The notice must be delivered or sent after the removal activities have been performed, and it must: (i) state the substance of this Section and the substance of any ordinance of the municipality implementing this Section; (ii) identify the underlying parcel, by common description; and (iii) describe the removal activity.

(e) A lien under this Section may be enforced by proceedings to foreclose as in case of mortgages or mechanics' liens. An action to foreclose a lien under this Section must be commenced within 2 years after the date of filing notice of lien.

(f) Any person who performs a removal activity by the authority of the municipality may, in his or her own name, file a lien and foreclose on that lien in the same manner as a municipality under this Section.

(g) A failure to file a foreclosure action does not, in any way, affect the validity of the lien against the underlying parcel.

(h) Upon payment of the lien cost by the owner of the underlying parcel after notice of lien has been filed, the municipality (or its agent under subsection (f)) shall release the lien, and the release may be filed of record by the owner at his or her sole expense as in the case of filing notice of lien.

(h-5) In any case where a municipality has obtained a lien under subsection (a), the municipality may also bring an action for a money judgment against the owner or owners of the real estate in the amount of the lien in the same manner as provided for bringing causes of action in Article II of the Code of Civil Procedure and, upon obtaining a judgment, file a judgment lien against all of the real estate of the owner or owners and enforce that lien as provided for in Article XII of the Code of Civil Procedure.

(i) For the purposes of this Section:

"Lien cost" means the removal cost and the filing costs for any notice of lien under subsection (b).

"Removal activity" means any activity for which a removal cost was incurred.

"Removal cost" means a removal cost as defined under Section 11-20-7, 11-20-8, 11-20-12, or 11-20-13.

"Underlying parcel" means a parcel of private property upon which a removal activity was performed.

"Year" means a 365-day period.

(j) This Section applies only to liens filed after August 14, 2009 (the effective date of Public Act 96-462).

(k) This Section shall not apply to a lien filed pursuant to Section 11-20-15.1.

(Source: P.A. 96-462, eff. 8-14-09; 96-856, eff. 3-1-10; 96-1000, eff. 7-2-10.)

(65 ILCS 5/11-20-15.1)

Sec. 11-20-15.1. Lien for costs of removal, securing, and enclosing on abandoned residential property.

(a) If the municipality elects to incur a removal cost pursuant to subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, or subsection (e) of Section 11-20-13, or a securing or enclosing cost pursuant to Section 11-31-1.01 with respect to an abandoned residential property, then that cost is a lien upon the underlying parcel of that abandoned residential property. This lien is superior to all other liens and encumbrances, except tax liens and as otherwise provided in this Section.

(b) To perfect a lien under this Section, the municipality must, within one year after the cost is incurred for the activity, file notice of the lien in the office of the recorder in the county in which the abandoned residential property is located or, if the abandoned residential property is registered under the Torrens system, in the office of the Registrar of Titles of that county, a sworn statement setting out:

(1) a description of the abandoned residential property that sufficiently identifies the parcel;

(2) the amount of the cost of the activity;

(3) the date or dates when the cost for the activity was incurred by the municipality; and

(4) a statement that the lien has been filed pursuant to subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, subsection (e) of Section 11-20-13, or Section 11-31-1.01, as applicable.

If, for any abandoned residential property, the municipality engaged in any activity on more than one occasion during the course of one year, then the municipality may combine any or all of the costs of each of those activities into a single notice of lien.

(c) To enforce a lien pursuant to this Section, the municipality must maintain contemporaneous records that include, at a minimum: (i) a dated statement of finding by the municipality that the property for which the work is to be performed has become abandoned residential property, which shall include (1) the date when the property was first known or observed to be unoccupied by any lawful occupant or occupants, (2) a description of the actions taken by the municipality to contact the legal owner or owners of the property identified on the recorded mortgage, or, if known, any agent of the owner or owners, including the dates such actions were taken, and (3) a statement that no contacts were made with the legal owner or owners or their agents as a result of such actions, (ii) a dated certification by an authorized official of the municipality of the necessity and specific nature of the work to be performed, (iii) a copy of the agreement with the person or entity performing the work that includes the legal name of the person or entity, the rate or rates to be charged for performing the work, and an estimate of the total cost of the work to be performed, (iv) detailed invoices and payment vouchers for all payments made by the municipality for such work, and (v) a statement as to whether the work was engaged through a competitive bidding process, and if so, a copy of all proposals submitted by the bidders for such work.

(d) A lien under this Section shall be enforceable exclusively at the hearing for confirmation of sale of the abandoned residential property that is held pursuant to subsection (b) of Section 15-1508 of the Code of Civil Procedure and shall be limited to a claim of interest in the proceeds of the sale and subject to the requirements of this Section. Any mortgagee who holds a mortgage on the property, or any beneficiary or trustee who holds a deed of trust on the property, may contest the lien or the amount of the lien at any time during the foreclosure proceeding upon motion and notice in accordance with court rules applicable to

motions generally. Grounds for forfeiture of the lien or the superior status of the lien granted by subsection (a) of this Section shall include, but not be limited to, a finding by the court that: (i) the municipality has not complied with subsection (b) or (c) of this Section, (ii) the scope of the work was not reasonable under the circumstances, (iii) the work exceeded the authorization for the work to be performed under subsection (a) of Section 11-20-7, subsection (a) of Section 11-20-8, subsection (a) of Section 11-20-12, subsection (a) of Section 11-20-13, or subsection (a) of Section 11-31-1.01, as applicable, or (iv) the cost of the services rendered or materials provided was not commercially reasonable. Forfeiture of the superior status of the lien otherwise granted by this Section shall not constitute a forfeiture of the lien as a subordinate lien.

(e) Upon payment of the amount of a lien filed under this Section by the mortgagee, servicer, owner, or any other person, the municipality shall release the lien, and the release may be filed of record by the person making such payment at the person's sole expense as in the case of filing notice of lien.

(f) Notwithstanding any other provision of this Section, a municipality may not file a lien pursuant to this Section for activities performed pursuant to Section 11-20-7, Section 11-20-8, Section 11-20-12, Section 11-20-13, or Section 11-31-1.01, if: (i) the mortgagee or servicer of the abandoned residential property has provided notice to the municipality that the mortgagee or servicer has performed or will perform the remedial actions specified in the notice that the municipality otherwise might perform pursuant to subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, subsection (e) of Section 11-20-13, or Section 11-31-1.01, provided that the remedial actions specified in the notice have been performed or are performed or initiated in good faith within 30 days of such notice; or (ii) the municipality has provided notice to the mortgagee or servicer of a problem with the property requiring the remedial actions specified in the notice that the municipality otherwise would perform pursuant to subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, subsection (e) of Section 11-20-13, or Section 11-31-1.01, and the mortgagee or servicer has performed or performs or initiates in good faith the remedial actions specified in the notice within 30 days of such notice.

(g) This Section and subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, subsection (e) of Section 11-20-13, or Section 11-31-1.01 shall apply only to activities performed, costs incurred, and liens filed after the effective date of this amendatory Act of the 96th General Assembly.

(h) For the purposes of this Section and subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, subsection (e) of Section 11-20-13, or Section 11-31-1.01:

"Abandoned residential property" means any type of permanent residential dwelling unit, including detached single family structures, and townhouses, condominium units and multifamily rental apartments covering the entire property, and manufactured homes treated under Illinois law as real estate and not as personal property, that has been unoccupied by any lawful occupant or occupants for at least 90 days, and for which after such 90 day period, the municipality has made good faith efforts to contact the legal owner or owners of the property identified on the recorded mortgage, or, if known, any agent of the owner or owners, and no contact has been made. A property for which the municipality has been given notice of the order of confirmation of sale pursuant to subsection (b-10) of Section 15-1508 of the Code of Civil Procedure shall not be deemed to be an abandoned residential property for the purposes of subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, subsection (e) of Section 11-20-13, and Section 11-31-1.01 of this Code.

"MERS program" means the nationwide Mortgage Electronic Registration System approved by Fannie Mae, Freddie Mac, and Ginnie Mae that has been created by the mortgage banking industry with the mission of registering every mortgage loan in the United States to lawfully make information concerning each residential mortgage loan and the property securing it available by Internet access to mortgage originators, servicers, warehouse lenders, wholesale lenders, retail lenders, document custodians, settlement agents, title companies, insurers, investors, county recorders, units of local government, and consumers.

(i) Any entity or person who performs a removal, securing, or enclosing activity pursuant to the authority of a municipality under subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, subsection (e) of Section 11-20-13, or Section 11-31-1.01, may, in its, his, or her own name, file a lien pursuant to subsection (b) of this Section and appear in a foreclosure action on that lien pursuant to subsection (d) of this Section in the place of the municipality, provided that the municipality shall remain subject to subsection (c) of this Section, and such party shall be subject to all of the provisions in this Section as if such party were the municipality.

(i-5) All amounts received by the municipality for costs incurred pursuant to this Section for which the municipality has been reimbursed under Section 7.31 of the Illinois Housing Development Act shall be

remitted to the State Treasurer for deposit into the Abandoned Residential Property Municipality Relief Fund.

(j) If prior to subsection (d) of Section 11-20-7, subsection (d) of Section 11-20-8, subsection (d) of Section 11-20-12, and subsection (e) of Section 11-20-13 becoming inoperative a lien is filed pursuant to any of those subsections, then the lien shall remain in full force and effect after the subsections have become inoperative, subject to all of the provisions of this Section. If prior to the repeal of Section 11-31-1.01 a lien is filed pursuant to Section 11-31-1.01, then the lien shall remain in full force and effect after the repeal of Section 11-31-1.01, subject to all of the provisions of this Section.

(k) In any case where a municipality has obtained a lien under subsection (a), the municipality may also bring an action for a money judgment against the owner or owners of the real estate in the amount of the lien in the same manner as provided for bringing causes of action in Article II of the Code of Civil Procedure and, upon obtaining a judgment, file a judgment lien against all of the real estate of the owner or owners and enforce that lien as provided for in Article XII of the Code of Civil Procedure.

(Source: P.A. 96-856, eff. 3-1-10; 96-1419, eff. 10-1-10.)".

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

On motion of Senator Martinez, **Senate Bill No. 1381** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1381

AMENDMENT NO. 1. Amend Senate Bill 1381 by replacing everything after the enacting clause:

"Section 5. The Fire Sprinkler Contractor Licensing Act is amended by changing Section 120 as follows:

(225 ILCS 317/120)

Sec. 120. Grandfather clause. Any person or business that, as of the effective date of this Act, is installing or repairing fire sprinkler systems in the State of Illinois and has a minimum of 3 years of experience in installing or repairing fire sprinkler systems is exempt from having a designated certified person as required in Section 20. After January 1, 2016, no initial licenses shall be issued under this Section.

(Source: P.A. 92-871, eff. 1-3-03.)".

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1381

AMENDMENT NO. 2. Amend Senate Bill 1381, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Fire Sprinkler Contractor Licensing Act is amended by changing Sections 15, 20, and 120 as follows:

(225 ILCS 317/15)

Sec. 15. Licensing requirements.

(a) It shall be unlawful for any person or business to engage in, advertise, or hold itself out to be in the business of installing or repairing fire sprinkler systems in this State after 6 months after the effective date of this Act, unless such person or business is licensed by the State Fire Marshal.

(b) In order to obtain a license, a person or business must submit an application to the State Fire Marshal, on a form provided by the State Fire Marshal containing the information prescribed, along with the application fee.

(c) A business applying for a license must have a designated certified person employed at the business location and the designated certified person shall be identified on the license application.

(d) A person or business applying for a license must show proof of having liability and property damage insurance in such amounts and under such circumstances as may be determined by the State Fire Marshal. The amount of liability and property damage insurance, however, shall not be less than the amount specified in Section 35 of this Act.

(e) A person or business applying for a license must show proof of having workers' compensation insurance covering its employees or be approved as a self-insurer of workers' compensation in accordance with the laws of this State.

(f) A person or business so licensed shall have a separate license for each business location within the State or outside the State when the business location is responsible for any installation or repair of fire sprinkler systems performed within the State.

(g) When an individual proposes to do business in her or his own name, a license, when granted, shall be issued only to that individual.

(h) If the applicant requesting licensure to engage in contracting is a business organization, such as a partnership, corporation, business trust, or other legal entity, the application shall state the name of the partnership and its partners, the name of the corporation and its officers and directors, the name of the business trust and its trustees, or the name of such other legal entity and its members and shall furnish evidence of statutory compliance if a fictitious name is used. Such application shall also show that the business entity employs a designated certified person as required under Section 20. The license, when issued upon application of a business organization, shall be in the name of the business organization and the name of the qualifying designated certified person shall be noted thereon.

(i) No license is required for a person or business that is engaged in the installation of fire sprinkler systems only in single family or multiple family residential dwellings up to and including 8 family units that do not exceed 2 1/2 stories in height from the lowest grade level.

(j) All fire protection system layout documents of fire sprinkler systems, as defined in Section 10 of this Act, shall be prepared by (i) a professional engineer who is licensed under the Professional Engineering Practice Act of 1989, (ii) an architect who is licensed under the Illinois Architecture Practice Act of 1989, or (iii) a holder of a valid NICET level 3 or 4 certification in water-based (formerly automatic sprinkler) systems ~~fire protection technology automatic sprinkler system~~ layout who is either licensed under this Act or employed by an organization licensed under this Act.

(Source: P.A. 97-112, eff. 7-14-11.)

(225 ILCS 317/20)

Sec. 20. Designated certified person requirements.

(a) A designated certified person must either be a current Illinois licensed professional engineer or hold a valid NICET level 3 or higher certification in "water-based (formerly automatic sprinkler) systems ~~fire protection technology, automatic sprinkler system~~ layout".

(b) At least one member of every firm, association, or partnership and at least one corporate officer of every corporation engaged in the installation and repair of fire sprinkler systems must be a designated certified person.

(c) A designated certified person must be employed by the licensee at a business location with a valid license.

(d) A designated certified person must perform his or her normal duties at a business location with a valid license.

(e) A designated certified person may only be the designated certified person for one business location and one business entity.

(f) A designated certified person must be directly involved in supervision. The designated certified person does not, however, have to be at the site of the installation or repair of the fire sprinkler system at all times.

(Source: P.A. 92-871, eff. 1-3-03.)

(225 ILCS 317/120)

Sec. 120. Grandfather clause. Any person or business that, as of the effective date of this Act, is installing or repairing fire sprinkler systems in the State of Illinois and has a minimum of 3 years of experience in installing or repairing fire sprinkler systems is exempt from having a designated certified person as required in Section 20. After January 1, 2016, no initial licenses shall be issued under this Section.

(Source: P.A. 92-871, eff. 1-3-03.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Holmes, **Senate Bill No. 1404** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 1405** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **Senate Bill No. 1410** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1410

AMENDMENT NO. 1. Amend Senate Bill 1410 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-8.1 as follows:

(105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

Sec. 27-8.1. Health examinations and immunizations.

(1) In compliance with rules and regulations which the Department of Public Health shall promulgate, and except as hereinafter provided, all children in Illinois shall have a health examination as follows: within one year prior to entering kindergarten or the first grade of any public, private, or parochial elementary school; upon entering the sixth and ninth grades of any public, private, or parochial school; prior to entrance into any public, private, or parochial nursery school; and, irrespective of grade, immediately prior to or upon entrance into any public, private, or parochial school or nursery school, each child shall present proof of having been examined in accordance with this Section and the rules and regulations promulgated hereunder. Any child who received a health examination within one year prior to entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination in order to comply with the provisions of Public Act 95-422 when he or she attends school for the 2008-2009 school year, unless the child is attending school for the first time as provided in this paragraph.

A tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. Additional health examinations of pupils, including eye examinations, may be required when deemed necessary by school authorities. Parents are encouraged to have their children undergo eye examinations at the same points in time required for health examinations.

(1.5) In compliance with rules adopted by the Department of Public Health and except as otherwise provided in this Section, all children in kindergarten and the second and sixth grades of any public, private, or parochial school shall have a dental examination. Each of these children shall present proof of having been examined by a dentist in accordance with this Section and rules adopted under this Section before May 15th of the school year. If a child in the second or sixth grade fails to present proof by May 15th, the school may hold the child's report card until one of the following occurs: (i) the child presents proof of a completed dental examination or (ii) the child presents proof that a dental examination will take place within 60 days after May 15th. The Department of Public Health shall establish, by rule, a waiver for children who show an undue burden or a lack of access to a dentist. Each public, private, and parochial school must give notice of this dental examination requirement to the parents and guardians of students at least 60 days before May 15th of each school year.

(1.10) Except as otherwise provided in this Section, all children enrolling in kindergarten in a public, private, or parochial school on or after the effective date of this amendatory Act of the 95th General Assembly and any student enrolling for the first time in a public, private, or parochial school on or after the effective date of this amendatory Act of the 95th General Assembly shall have an eye examination. Each of these children shall present proof of having been examined by a physician licensed to practice medicine in all of its branches or a licensed optometrist within the previous year, in accordance with this Section and rules adopted under this Section, before October 15th of the school year. If the child fails to present proof by October 15th, the school may hold the child's report card until one of the following occurs: (i) the child presents proof of a completed eye examination or (ii) the child presents proof that an eye examination will take place within 60 days after October 15th. The Department of Public Health shall establish, by rule, a waiver for children who show an undue burden or a lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or to a licensed optometrist. Each public, private, and parochial school must give notice of this eye examination requirement to the parents and guardians of students in compliance with rules of the Department of Public

Health. Nothing in this Section shall be construed to allow a school to exclude a child from attending because of a parent's or guardian's failure to obtain an eye examination for the child.

(2) The Department of Public Health shall promulgate rules and regulations specifying the examinations and procedures that constitute a health examination, which shall include the collection of data relating to obesity (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), and a dental examination and may recommend by rule that certain additional examinations be performed. The rules and regulations of the Department of Public Health shall specify that a tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. The Department of Public Health shall specify that a diabetes screening as defined by rule shall be included as a required part of each health examination. Diabetes testing is not required.

Physicians licensed to practice medicine in all of its branches, advanced practice nurses who have a written collaborative agreement with a collaborating physician which authorizes them to perform health examinations, or physician assistants who have been delegated the performance of health examinations by their supervising physician shall be responsible for the performance of the health examinations, other than dental examinations, eye examinations, and vision and hearing screening, and shall sign all report forms required by subsection (4) of this Section that pertain to those portions of the health examination for which the physician, advanced practice nurse, or physician assistant is responsible. If a registered nurse performs any part of a health examination, then a physician licensed to practice medicine in all of its branches must review and sign all required report forms. Licensed dentists shall perform all dental examinations and shall sign all report forms required by subsection (4) of this Section that pertain to the dental examinations. Physicians licensed to practice medicine in all its branches or licensed optometrists shall perform all eye examinations required by this Section and shall sign all report forms required by subsection (4) of this Section that pertain to the eye examination. For purposes of this Section, an eye examination shall at a minimum include history, visual acuity, subjective refraction to best visual acuity near and far, internal and external examination, and a glaucoma evaluation, as well as any other tests or observations that in the professional judgment of the doctor are necessary. Vision and hearing screening tests, which shall not be considered examinations as that term is used in this Section, shall be conducted in accordance with rules and regulations of the Department of Public Health, and by individuals whom the Department of Public Health has certified. In these rules and regulations, the Department of Public Health shall require that individuals conducting vision screening tests give a child's parent or guardian written notification, before the vision screening is conducted, that states, "Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months."

(3) Every child shall, at or about the same time as he or she receives a health examination required by subsection (1) of this Section, present to the local school proof of having received such immunizations against preventable communicable diseases as the Department of Public Health shall require by rules and regulations promulgated pursuant to this Section and the Communicable Disease Prevention Act.

(4) The individuals conducting the health examination, dental examination, or eye examination shall record the fact of having conducted the examination, and such additional information as required, including for a health examination data relating to obesity (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), on uniform forms which the Department of Public Health and the State Board of Education shall prescribe for statewide use. The examiner shall summarize on the report form any condition that he or she suspects indicates a need for special services, including for a health examination factors relating to obesity. The individuals confirming the administration of required immunizations shall record as indicated on the form that the immunizations were administered.

(5) If a child does not submit proof of having had either the health examination or the immunization as required, then the child shall be examined or receive the immunization, as the case may be, and present proof by October 15 of the current school year, or by an earlier date of the current school year established by a school district. To establish a date before October 15 of the current school year for the health examination or immunization as required, a school district must give notice of the requirements of this Section 60 days prior to the earlier established date. If for medical reasons one or more of the required immunizations must be given after October 15 of the current school year, or after an earlier established date of the current school year, then the child shall present, by October 15, or by the earlier established date, a schedule for the administration of the immunizations and a statement of the medical reasons causing the delay, both the schedule and the statement being issued by the physician, advanced practice nurse, physician assistant, registered nurse, or local health department that will be responsible for administration of the remaining required immunizations. If a child does not comply by October 15, or by the earlier

established date of the current school year, with the requirements of this subsection, then the local school authority shall exclude that child from school until such time as the child presents proof of having had the health examination as required and presents proof of having received those required immunizations which are medically possible to receive immediately. During a child's exclusion from school for noncompliance with this subsection, the child's parents or legal guardian shall be considered in violation of Section 26-1 and subject to any penalty imposed by Section 26-10. This subsection (5) does not apply to dental examinations and eye examinations. If the student is an out-of-state transfer student and does not have the proof required under this subsection (5) before October 15 of the current year or whatever date is set by the school district, then he or she may only attend classes (i) if he or she has proof that an appointment for the required vaccinations has been scheduled with a party authorized to submit proof of the required vaccinations. If the proof of vaccination required under this subsection (5) is not submitted within 30 days after the student is permitted to attend classes, then the student is not to be permitted to attend classes until proof of the vaccinations has been properly submitted. No school district or employee of a school district shall be held liable for any injury or illness to another person that results from admitting an out-of-state transfer student to class that has an appointment scheduled pursuant to this subsection (5).

(6) Every school shall report to the State Board of Education by November 15, in the manner which that agency shall require, the number of children who have received the necessary immunizations and the health examination (other than a dental examination or eye examination) as required, indicating, of those who have not received the immunizations and examination as required, the number of children who are exempt from health examination and immunization requirements on religious or medical grounds as provided in subsection (8). On or before December 1 of each year, every public school district and registered nonpublic school shall make publicly available the immunization data they are required to submit to the State Board of Education by November 15. The immunization data made publicly available must be identical to the data the school district or school has reported to the State Board of Education.

Every school shall report to the State Board of Education by June 30, in the manner that the State Board requires, the number of children who have received the required dental examination, indicating, of those who have not received the required dental examination, the number of children who are exempt from the dental examination on religious grounds as provided in subsection (8) of this Section and the number of children who have received a waiver under subsection (1.5) of this Section.

Every school shall report to the State Board of Education by June 30, in the manner that the State Board requires, the number of children who have received the required eye examination, indicating, of those who have not received the required eye examination, the number of children who are exempt from the eye examination as provided in subsection (8) of this Section, the number of children who have received a waiver under subsection (1.10) of this Section, and the total number of children in noncompliance with the eye examination requirement.

The reported information under this subsection (6) shall be provided to the Department of Public Health by the State Board of Education.

(7) Upon determining that the number of pupils who are required to be in compliance with subsection (5) of this Section is below 90% of the number of pupils enrolled in the school district, 10% of each State aid payment made pursuant to Section 18-8.05 to the school district for such year may be withheld by the State Board of Education until the number of students in compliance with subsection (5) is the applicable specified percentage or higher.

(8) Children of parents or legal guardians who object to health, dental, or eye examinations or any part thereof, to immunizations, or to vision and hearing screening tests on religious grounds shall not be required to undergo the examinations, tests, or immunizations to which they so object if such parents or legal guardians present to the appropriate local school authority a signed Certificate of Religious Exemption detailing the grounds for objection and the specific immunizations, tests, or examinations to which they object. The grounds for objection must set forth the specific religious belief that conflicts with the examination, test, immunization, or other medical intervention. The signed certificate shall also reflect the parent's or legal guardian's understanding of the school's exclusion policies in the case of a vaccine-preventable disease outbreak or exposure. The certificate must also be signed by the authorized examining health care provider responsible for the performance of the child's health examination confirming that the provider provided education to the parent or legal guardian on the benefits of immunization and the health risks to the student and to the community of the communicable diseases for which immunization is required in this State. The Certificate of Religious Exemption shall be created by the Department of Public Health and shall be made available and used by parents and legal guardians by the beginning of the 2015-2016 school year. Parents or legal guardians must submit the Certificate of Religious Exemption to their local school authority annually for each child for which they are requesting an exemption. The religious objection stated need not be directed by the tenets of an established religious organization. However,

general philosophical or moral reluctance to allow physical examinations, eye examinations, immunizations, vision and hearing screenings, or dental examinations does not provide a sufficient basis for an exception to statutory requirements. The local school authority is responsible for determining if the content of the Certificate of Religious Exemption constitutes a valid religious objection. The local school authority shall inform the parent or legal guardian of exclusion procedures, in accordance with the Department's rules under Part 690 of Title 77 of the Illinois Administrative Code, at the time the objection is presented. ~~Parents or legal guardians who object to health, dental, or eye examinations or any part thereof, or to immunizations, on religious grounds shall not be required to submit their children or wards to the examinations or immunizations to which they so object if such parents or legal guardians present to the appropriate local school authority a signed statement of objection, detailing the grounds for the objection.~~

If the physical condition of the child is such that any one or more of the immunizing agents should not be administered, the examining physician, advanced practice nurse, or physician assistant responsible for the performance of the health examination shall endorse that fact upon the health examination form.

Exempting a child from the health, dental, or eye examination does not exempt the child from participation in the program of physical education training provided in Sections 27-5 through 27-7 of this Code.

(9) For the purposes of this Section, "nursery schools" means those nursery schools operated by elementary school systems or secondary level school units or institutions of higher learning.

(Source: P.A. 97-216, eff. 1-1-12; 97-910, eff. 1-1-13; 98-673, eff. 6-30-14.)

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 Koehler, **Senate Bill No. 1421** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McGuire, **Senate Bill No. 1424** 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 1424

AMENDMENT NO. 1. Amend Senate Bill 1424 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 12-215 as follows:

(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in this Code:

(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;

6. Vehicles of the Illinois Emergency Management Agency, vehicles of the Office of the Illinois State Fire Marshal, vehicles of the Illinois Department of Public Health, vehicles of the Illinois Department of Corrections, and vehicles of the Illinois Department of Juvenile Justice;

7. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization;

10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response; ~~and~~

11. Vehicles of the Illinois Department of Transportation identified as Emergency Traffic Patrol; the lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency; and

12. Vehicles of the Illinois State Toll Highway Authority identified as Highway Emergency Lane Patrol; the lights shall not be lighted except when responding to an emergency call or when parked or stationary while engaged in motor vehicle assistance or at the scene of the emergency.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except as required in this paragraph 1; such lights shall be lighted when such vehicles are actually being used at the scene of an accident or disablement; if the towing vehicle is equipped with a flat bed that supports all wheels of the vehicle being transported, the lights shall not be lighted while the vehicle is engaged in towing on a highway; if the towing vehicle is not equipped with a flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code; in addition, these vehicles may use white oscillating, rotating, or flashing lights in combination with amber oscillating, rotating, or flashing lights as provided in this paragraph;

2. Motor vehicles or equipment of the State of Illinois, the Illinois State Toll Highway Authority, local authorities and contractors; furthermore, such lights shall not be lighted except while such vehicles are engaged in maintenance or construction operations within the limits of construction projects;

3. Vehicles or equipment used by engineering or survey crews; furthermore, such lights shall not be lighted except while such vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other construction, maintenance or automotive service vehicles except that such lights shall be lighted only as a means for indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing while such vehicles are engaged in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only be lighted when moving under permit issued by the Department under Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways;

6.1. The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except when the motorized equipment or vehicle is actually being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local authorities;

9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;

9.5. Propane delivery trucks;

10. Vehicles used for collecting or delivering mail for the United States Postal Service

provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;

10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;

11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage, recycling, or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;

13. Vehicles used by a security company, alarm responder, control agency, or the Illinois Department of Corrections;

14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and

15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:

voluntary firefighter;
paid firefighter;
part-paid firefighter;
call firefighter;
member of the board of trustees of a fire protection district;
paid or unpaid member of a rescue squad;
paid or unpaid member of a voluntary ambulance unit; or
paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(C) the member's term of service; and

(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.

7. Vehicles of the Illinois Emergency Management Agency, vehicles of the Office of the

Illinois State Fire Marshal, vehicles of the Illinois Department of Public Health, vehicles of the Illinois Department of Corrections, and vehicles of the Illinois Department of Juvenile Justice, when used in combination with red oscillating, rotating, or flashing lights.

8. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white headlights and blue grill lights, which may be used only in responding to an emergency call or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on second division vehicles designed and used for towing or hoisting vehicles or motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives; furthermore, such lights shall not be lighted on second division vehicles designed and used for towing or hoisting vehicles or vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in a tow operation, highway maintenance, or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative or authorized vendor from temporarily mounting such lights on a vehicle for demonstration purposes only. If the lights are not covered while the vehicle is operated upon a highway, the vehicle shall display signage indicating that the vehicle is out of service or not an emergency vehicle. The signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one-half inch wide. A vehicle authorized to have oscillating, rotating, or flashing lights mounted for demonstration purposes may not activate the lights while the vehicle is operated upon a highway.

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.

(Source: P.A. 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12; 97-1173, eff. 1-1-14; 98-80, eff. 7-15-13; 98-123, eff. 1-1-14; 98-468, eff. 8-16-13; 98-756, eff. 7-16-14; 98-873, eff. 1-1-15; revised 10-6-14.)".

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 Bush, **Senate Bill No. 1427** 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 1427

AMENDMENT NO. 1. Amend Senate Bill 1427 by replacing everything after the enacting clause with the following:

"Section 5. The Economic Development for a Growing Economy Tax Credit Act is amended by changing Sections 5-5, 5-20, 5-25, and 5-50 as follows:

(35 ILCS 10/5-5)

Sec. 5-5. Definitions. As used in this Act:

"Agreement" means the Agreement between a Taxpayer and the Department under the provisions of Section 5-50 of this Act.

"Applicant" means a Taxpayer that is operating a business located or that the Taxpayer plans to locate within the State of Illinois and that is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, assembling, warehousing, or distributing products, conducting research and development, providing tourism services, or providing services in interstate commerce, office industries, or agricultural processing, but excluding retail, retail food, health, or professional services. "Applicant" does not include a Taxpayer who closes or substantially reduces an operation at one location in the State and relocates substantially the same operation to another location in the State. This does not prohibit a Taxpayer from expanding its operations at another location in the State, provided that existing operations of a similar nature located within the State are not closed or substantially reduced. This also does not prohibit a Taxpayer from moving its operations from one location in the State to another location in the State for the purpose of expanding the operation provided that the Department determines that expansion cannot reasonably be accommodated within the municipality in which the business is located, or in the case of a business located in an incorporated area of the county, within the county in which the business is located, after conferring with the chief elected official of the municipality or county and taking into consideration any evidence offered by the municipality or county regarding the ability to accommodate expansion within the municipality or county.

"Committee" means the Illinois Business Investment Committee created under Section 5-25 of this Act within the Illinois Economic Development Board.

"Credit" means the amount agreed to between the Department and Applicant under this Act, but not to exceed the Incremental Income Tax attributable to the Applicant's project.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of Commerce and Economic Opportunity.

"Full-time Employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment. An individual for whom a W-2 is issued by a Professional Employer Organization (PEO) is a full-time employee if employed in the service of the Applicant for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment to Applicant.

"Incremental Income Tax" means the total amount withheld during the taxable year from the compensation of New Employees under Article 7 of the Illinois Income Tax Act arising from employment at a project that is the subject of an Agreement.

"New Employee" means:

(a) A Full-time Employee first employed by a Taxpayer in the project that is the subject of an Agreement and who is hired after the Taxpayer enters into the tax credit Agreement.

(b) The term "New Employee" does not include:

(1) an employee of the Taxpayer who performs a job that was previously performed by another employee, if that job existed for at least 6 months before hiring the employee;

(2) an employee of the Taxpayer who was previously employed in Illinois by a Related Member of the Taxpayer and whose employment was shifted to the Taxpayer after the Taxpayer entered into the tax credit Agreement; ~~or~~

(3) a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or an indirect ownership interest of at least 5% in the profits, capital, or value of the Taxpayer; or ~~.~~

(4) an employee of the Taxpayer who was previously employed in Illinois by the Taxpayer and whose employment was shifted to the project after the Taxpayer entered into the Agreement.

(c) Notwithstanding paragraph (1) of subsection (b), an employee may be considered a New Employee under the Agreement if the employee performs a job that was previously performed by an employee who was:

(1) treated under the Agreement as a New Employee; and

(2) promoted by the Taxpayer to another job.

(d) Notwithstanding subsection (a), the Department may award Credit to an Applicant with respect to an employee hired prior to the date of the Agreement if:

(1) the Applicant is in receipt of a letter from the Department stating an intent to enter into a credit Agreement;

(2) the letter described in paragraph (1) is issued by the Department not later than

15 days after the effective date of this Act; and

(3) the employee was hired after the date the letter described in paragraph (1) was issued.

"Noncompliance Date" means, in the case of a Taxpayer that is not complying with the requirements of the Agreement or the provisions of this Act, the day following the last date upon which the Taxpayer was in compliance with the requirements of the Agreement and the provisions of this Act, as determined by the Director, pursuant to Section 5-65.

"Pass Through Entity" means an entity that is exempt from the tax under subsection (b) or (c) of Section 205 of the Illinois Income Tax Act.

"Project" means a for-profit economic development activity or activities at a single site, or of one or more taxpayers at multiple sites if the economic activities are vertically integrated.

"Professional Employer Organization" (PEO) means an employee leasing company, as defined in Section 206.1(A)(2) of the Illinois Unemployment Insurance Act.

"Related Member" means a person that, with respect to the Taxpayer during any portion of the taxable year, is any one of the following:

(1) An individual stockholder, if the stockholder and the members of the stockholder's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the Taxpayer's outstanding stock.

(2) A partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or value of the Taxpayer.

(3) A corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the Taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the corporation's outstanding stock.

(4) A corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at least 50% of the profits, capital, stock, or value of the Taxpayer.

(5) A person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a Related Member under this paragraph, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

"Retained Employee" means a full-time employee employed by a taxpayer during the term of the Agreement whose job duties are directly and substantially related to the project. The term "Retained Employee" does not include a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has direct or indirect ownership interest of at least 5% in the profits, capital, or value of the taxpayer. For purposes of this definition, "directly and substantially related to the project" means at least two-thirds of the employee's job duties must be directly related to the project and the employee must devote at least two-thirds of his or her time to the project.

"Taxpayer" means an individual, corporation, partnership, or other entity that has any Illinois Income Tax liability.

(Source: P.A. 94-793, eff. 5-19-06; 95-375, eff. 8-23-07.)

(35 ILCS 10/5-20)

Sec. 5-20. Application for a project to create and retain new jobs.

(a) Any Taxpayer proposing a project located or planned to be located in Illinois may request consideration for designation of its project, by formal written letter of request or by formal application to the Department, in which the Applicant states its intent to make at least a specified level of investment and intends to hire or retain a specified number of full-time employees at a designated location in Illinois. As circumstances require, the Department may require a formal application from an Applicant and a formal letter of request for assistance.

(b) In order to qualify for Credits under this Act, an Applicant's project must:

(1) involve an investment of at least $5,000,000 in capital improvements to be placed in service and to employ at least 25 New Employees within the State as a direct result of the project;

(2) involve an investment in capital improvements to be placed in service in the State at a level ~~of at least an amount (to be expressly~~ specified by the Department ~~and the Committee) in capital improvements to be placed in service~~ and ~~will~~ employ at least an amount ~~(to be expressly specified by the Department and the Committee)~~

of New Employees or Retained Employees within the State as specified by the Department, provided that the Department has ~~and the Committee have~~ determined that the project will provide a substantial economic benefit to the State; or

(3) if the applicant has 100 or fewer employees, involve an investment of at least $1,000,000 in capital improvements to be placed in service and to employ at least 5 New Employees within the State as a direct result of the project.

The Director may approve projects that do not meet the specified minimum job creation and investment thresholds set forth in this subsection (b) for an applicant meeting all other requirements of this Act provided that one or more of the following conditions are met:

(A) approval would support a business with potential to generate additional growth by attracting companion businesses; or

(B) approval would avert loss of one of the area's major sources of employment.

(c) After receipt of an application, the Department may enter into an Agreement with the Applicant if the application is accepted in accordance with Section 5-25.

(Source: P.A. 93-882, eff. 1-1-05.)

(35 ILCS 10/5-25)

Sec. 5-25. Review of Application.

(a) In addition to those duties granted under the Illinois Economic Development Board Act, the Illinois Economic Development Board shall form a Business Investment Committee for the purpose of making recommendations for applications. At the request of the Board, the Director of Commerce and Economic Opportunity or his or her designee, the Director of the Governor's Office of Management and Budget or his or her designee, the Director of Revenue or his or her designee, the Director of Employment Security or his or her designee, and an elected official of the affected locality, such as the chair of the county board or the mayor, may serve as members of the Committee to assist with its analysis and deliberations.

(b) At the Department's request, the Committee shall convene, make inquiries, and conduct studies in the manner and by the methods as it deems desirable, review information with respect to Applicants, and make recommendations for projects to benefit the State. In making its recommendation that an Applicant's application for Credit should or should not be accepted, which shall occur within a reasonable time frame as determined by the nature of the application, the Committee shall determine that all the following conditions exist:

(1) The Applicant's project intends, as required by subsection (b) of Section 5-20 to make the required investment in the State and intends to hire or retain the required number of New Employees or Retained Employees in Illinois as a result of that project.

(2) The Applicant's project is economically sound and will benefit the people of the State of Illinois by increasing opportunities for employment and strengthen the economy of Illinois.

(3) That, if not for the Credit, the project would not occur in Illinois, which may be demonstrated by any means including, but not limited to, evidence the Applicant has multi-state location options and could reasonably and efficiently locate outside of the State, or demonstration that at least one other state is being considered for the project, or evidence the receipt of the Credit is a major factor in the Applicant's decision and that without the Credit, the Applicant likely would not create new jobs in Illinois, or demonstration that receiving the Credit is essential to the Applicant's decision to create or retain new jobs in the State.

(4) A cost differential is identified, using best available data, in the projected costs for the Applicant's project compared to the costs in the competing state, including the impact of the competing state's incentive programs. The competing state's incentive programs shall include state, local, private, and federal funds available.

(5) The political subdivisions affected by the project have committed local incentives with respect to the project, considering local ability to assist.

(6) Awarding the Credit will result in an overall positive fiscal impact to the State, as certified by the Committee using the best available data.

(7) The Credit is not prohibited by Section 5-35 of this Act.

(Source: P.A. 94-793, eff. 5-19-06.)

(35 ILCS 10/5-50)

Sec. 5-50. Contents of Agreements with Applicants. The Department shall enter into an Agreement with an Applicant that is awarded a Credit under this Act. The Agreement must include all of the following:

(1) A detailed description of the project that is the subject of the Agreement, including the location and amount of the investment and jobs created or retained.

(2) The duration of the Credit and the first taxable year for which the Credit may be claimed.

(3) The Credit amount that will be allowed for each taxable year.

(4) A requirement that the Taxpayer shall maintain operations at the project location that shall be stated as a minimum number of years not to exceed 10.

(5) A specific method for determining the number of New Employees employed during a taxable year.

(6) A requirement that the Taxpayer shall annually report to the Department the number of New Employees and Retained Employees, the Incremental Income Tax withheld in connection with the New Employees and Retained Employees, and any other information the Director needs to perform the Director's duties under this Act.

(7) A requirement that the Director is authorized to verify with the appropriate State agencies the amounts reported under paragraph (6), and after doing so shall issue a certificate to the Taxpayer stating that the amounts have been verified.

(8) A requirement that the Taxpayer shall provide written notification to the Director not more than 30 days after the Taxpayer makes or receives a proposal that would transfer the Taxpayer's State tax liability obligations to a successor Taxpayer.

(9) A detailed description of the number of New Employees to be hired, Retained Employees to be retained, and the occupation and payroll of the full-time jobs to be created or retained as a result of the project.

(10) The minimum investment the business enterprise will make in capital improvements, the time period for placing the property in service, and the designated location in Illinois for the investment.

(11) A requirement that the Taxpayer shall provide written notification to the Director and the Committee not more than 30 days after the Taxpayer determines that the minimum job creation or retention, employment payroll, or investment no longer is being or will be achieved or maintained as set forth in the terms and conditions of the Agreement.

(12) A provision that, if the total number of New Employees or Retained Employees falls below a specified level, the allowance of Credit shall be suspended until the number of New Employees and Retained Employees equals or exceeds the Agreement amount.

(13) A detailed description of the items for which the costs incurred by the Taxpayer will be included in the limitation on the Credit provided in Section 5-30.

(13.5) A provision that, if the Taxpayer never meets either the investment or job creation and retention requirements specified in the Agreement during the entire 5-year period beginning on the first day of the first taxable year in which the Agreement is executed and ending on the last day of the fifth taxable year after the Agreement is executed, then the Agreement is automatically terminated on the last day of the fifth taxable year after the Agreement is executed and the Taxpayer is not entitled to the award of any credits for any of that 5-year period.

(14) Any other performance conditions or contract provisions as the Department determines are appropriate.

The Department shall post on its website the terms of each Agreement entered into under this Act on or after the effective date of this amendatory Act of the 97th General Assembly.
(Source: P.A. 97-2, eff. 5-6-11; 97-749, eff. 7-6-12.)

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

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

On motion of Senator Kotowski, **Senate Bill No. 1448** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1448

AMENDMENT NO. 1. Amend Senate Bill 1448 as follows:

on page 1, line 10, by replacing "~~county clerk~~ is" with "~~county clerk is~~"; and

on page 1, by replacing line 21 with the following:

"shall be capable of allowing an ethics officer to approve a statement of economic interests and shall include a means to amend a statement of economic"; and

on page 1, line 22, by replacing "interest" with "interests".

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 Muñoz, **Senate Bill No. 1482** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **Senate Bill No. 1516** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1516

AMENDMENT NO. 1. Amend Senate Bill 1516 by replacing everything after the enacting clause with the following:

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

(235 ILCS 5/6-4) (from Ch. 43, par. 121)

Sec. 6-4. (a) No person licensed by any licensing authority as a distiller, or a wine manufacturer, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of such person shall be issued an importing distributor's or distributor's license, nor shall any person licensed by any licensing authority as an importing distributor, distributor or retailer, or any subsidiary or affiliate thereof, or any officer or associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of such person be issued a distiller's license or a wine manufacturer's license; and no person or persons licensed as a distiller by any licensing authority shall have any interest, directly or indirectly, with such distributor or importing distributor.

However, an importing distributor or distributor, which on January 1, 1985 is owned by a brewer, or any subsidiary or affiliate thereof or any officer, associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of the importing distributor or distributor referred to in this paragraph, may own or acquire an ownership interest of more than 5% of the outstanding shares of a wine manufacturer and be issued a wine manufacturer's license by any licensing authority.

(b) The foregoing provisions shall not apply to any person licensed by any licensing authority as a distiller or wine manufacturer, or to any subsidiary or affiliate of any distiller or wine manufacturer who shall have been heretofore licensed by the State Commission as either an importing distributor or distributor during the annual licensing period expiring June 30, 1947, and shall actually have made sales regularly to retailers.

(c) Provided, however, that in such instances where a distributor's or importing distributor's license has been issued to any distiller or wine manufacturer or to any subsidiary or affiliate of any distiller or wine manufacturer who has, during the licensing period ending June 30, 1947, sold or distributed as such licensed distributor or importing distributor alcoholic liquors and wines to retailers, such distiller or wine manufacturer or any subsidiary or affiliate of any distiller or wine manufacturer holding such distributor's or importing distributor's license may continue to sell or distribute to retailers such alcoholic liquors and wines which are manufactured, distilled, processed or marketed by distillers and wine manufacturers whose products it sold or distributed to retailers during the whole or any part of its licensing periods; and such additional brands and additional products may be added to the line of such distributor or importing distributor, provided, that such brands and such products were not sold or distributed by any distributor or importing distributor licensed by the State Commission during the licensing period ending June 30, 1947, but can not sell or distribute to retailers any other alcoholic liquors or wines.

(d) It shall be unlawful for any distiller licensed anywhere to have any stock ownership or interest in any distributor's or importing distributor's license wherein any other person has an interest therein who is not a distiller and does not own more than 5% of any stock in any distillery. Nothing herein contained shall apply to such distillers or their subsidiaries or affiliates, who had a distributor's or importing

distributor's license during the licensing period ending June 30, 1947, which license was owned in whole by such distiller, or subsidiaries or affiliates of such distiller.

(e) Any person having been licensed as a manufacturer shall be permitted to receive one retailer's license for the premises in which he or she actually conducts such business, permitting only the retail sale of beer manufactured at such premises and only on such premises, but no such person shall be entitled to more than one retailer's license in any event, and, other than a manufacturer of beer as stated above, no manufacturer or distributor or importing distributor, excluding airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative, employee or agent, or shareholder shall be issued a retailer's license, nor shall any person having a retailer's license, excluding airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative or agent, or shareholder be issued a manufacturer's license or importing distributor's license.

A person licensed as a craft distiller not affiliated with any other person manufacturing spirits may be authorized by the Commission to sell up to 2,500 gallons of spirits produced by the person to non-licensees for on or off-premises consumption for the premises in which he or she actually conducts business permitting only the retail sale of spirits manufactured at such premises. Such sales shall be limited to on-premises, in-person sales only, for lawful consumption on or off premises, and such authorization shall be considered a privilege granted by the craft distiller license. A craft distiller licensed for retail sale shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(f) (Blank). ~~However, the foregoing prohibitions against any person licensed as a distiller or wine manufacturer being issued a retailer's license shall not apply:~~

~~(i) to any hotel, motel or restaurant whose principal business is not the sale of alcoholic liquors if said retailer's sales of any alcoholic liquors manufactured, sold, distributed or controlled, directly or indirectly, by any affiliate, subsidiary, officer, associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of such person does not exceed 10% of the total alcoholic liquor sales of said retail licensee; and~~

~~(ii) where the Commission determines, having considered the public welfare, the economic impact upon the State and the entirety of the facts and circumstances involved, that the purpose and intent of this Section would not be violated by granting an exemption.~~

(g) Notwithstanding any of the foregoing prohibitions, a limited wine manufacturer may sell at retail at its manufacturing site for on or off premises consumption and may sell to distributors. A limited wine manufacturer licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(Source: P.A. 96-1367, eff. 7-28-10; 97-606, eff. 8-26-11; 97-1166, eff. 3-1-13.)

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

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

On motion of Senator Haine, **Senate Bill No. 1573** 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 1573

AMENDMENT NO. 1. Amend Senate Bill 1573 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 121-2.08 as follows:

(215 ILCS 5/121-2.08) (from Ch. 73, par. 733-2.08)

Sec. 121-2.08. Transactions in this State involving contracts of insurance independently procured directly from an unauthorized insurer by industrial insureds.

(a) As used in this Section:

"Captive insurance company" means any affiliated insurance company (including, but not limited to, any pure captive insurance company, association captive insurance company, sponsored captive insurance company, cell captive insurance company, industrial insured captive insurance company, risk retention group, or company approved and regulated as a captive financial company by this State, any other state,

or any other jurisdiction) or special purpose financial captive insurance company formed to insure the operational risks of the company's parent or affiliates, risks of a controlled unaffiliated business, or other risks approved by the captive insurance company's board or other regulatory body.

"Exempt commercial purchaser" means exempt commercial purchaser as the term is defined in subsection (1) of Section 445 of this Code.

"Home state" means home state as the term is defined in subsection (1) of Section 445 of this Code.

"Industrial insured" means an insured:

(i) that procures the insurance of any risk or risks of the kinds specified in Classes 2 and 3 of Section 4 of this Code by use of the services of a full-time employee who is a qualified risk manager or the services of a regularly and continuously retained consultant who is a qualified risk manager;

(ii) that procures the insurance directly from an unauthorized insurer without the services of an intermediary insurance producer; and

(iii) that is an exempt commercial purchaser whose home state is Illinois.

"Insurance producer" means insurance producer as the term is defined in Section 500-10 of this Code.

"Qualified risk manager" means qualified risk manager as the term is defined in subsection (1) of Section 445 of this Code.

"Unauthorized insurer" means unauthorized insurer as the term is defined in subsection (1) of Section 445 of this Code.

(b) For contracts of insurance effective January 1, 2015 or later, within 90 days after the effective date of each contract of insurance issued under this Section, the insured shall file a report with the Director by submitting the report to the Surplus Line Association of Illinois in writing or in a computer readable format and provide information as designated by the Surplus Line Association of Illinois. The information in the report shall be substantially similar to that required for surplus line submissions as described in subsection (5) of Section 445 of this Code. Where applicable, the report shall satisfy, with respect to the subject insurance, the reporting requirement of Section 12 of the Fire Investigation Act.

(c) For contracts of insurance effective January 1, 2015 or later, within 30 days after filing the report, the insured shall pay to the Director for the use and benefit of the State a sum equal to the gross premium of the contract of insurance multiplied by the surplus line tax rate, as described in paragraph (3) of subsection (a) of Section 445 of this Code, and shall pay the fire marshal tax that would otherwise be due annually in March for insurance subject to tax under Section 12 of the Fire Investigation Act. For contracts of insurance effective January 1, 2015 or later, within 30 days after filing the report, the insured shall pay to the Surplus Line Association of Illinois a countersigning fee that shall be assessed at the same rate charged to members pursuant to subsection (4) of Section 445.1 of this Code.

(d) For contracts of insurance effective January 1, 2015 or later, the insured shall withhold the amount of the taxes and countersignature fee from the amount of premium charged by and otherwise payable to the insurer for the insurance. If the insured fails to withhold the tax and countersignature fee from the premium, then the insured shall be liable for the amounts thereof and shall pay the amounts as prescribed in subsection (c) of this Section.

(e) Contracts of insurance with a captive insurance company shall not be subject to subsections (b) through (d) of this Section.

(Source: P.A. 98-978, eff. 1-1-15.)

Section 99. Effective date. This Act takes effect January 1, 2016.".

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. 1608** 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. 1610** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 1746** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1746

AMENDMENT NO. 1. Amend Senate Bill 1746 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1130.5 as follows:
(55 ILCS 5/5-1130.5 new)
Sec. 5-1130.5. Duration of purchase contracts. Except as otherwise provided in this Code, a county board may enter into contracts of up to 4 years in duration involving the purchase of goods and services. Contracts that exceed 1 year in duration shall contain a provision allowing the county board to terminate the contract within 120 days after a new county board member has been sworn into office. Collective bargaining agreements to which the county is a party shall not be subject to this Section.

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

Floor Amendment No. 2 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Hunter, **Senate Bill No. 1947** having been printed, was taken up, read by title a second time.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1947

AMENDMENT NO. 1. Amend Senate Bill 1947 as follows:

on page 24, immediately below line 18, by inserting the following:

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator E. Jones III, **Senate Bill No. 780** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 780

AMENDMENT NO. 2. Amend Senate Bill 780 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 15-175 as follows:
(35 ILCS 200/15-175)
Sec. 15-175. General homestead exemption.
(a) Except as provided in Sections 15-176 and 15-177, homestead property is entitled to an annual homestead exemption limited, except as described here with relation to cooperatives, to a reduction in the equalized assessed value of homestead property equal to the increase in equalized assessed value for the current assessment year above the equalized assessed value of the property for 1977, up to the maximum reduction set forth below. If however, the 1977 equalized assessed value upon which taxes were paid is subsequently determined by local assessing officials, the Property Tax Appeal Board, or a court to have been excessive, the equalized assessed value which should have been placed on the property for 1977 shall be used to determine the amount of the exemption.
(b) Except as provided in Section 15-176, the maximum reduction before taxable year 2004 shall be $4,500 in counties with 3,000,000 or more inhabitants and $3,500 in all other counties. Except as provided in Sections 15-176 and 15-177, for taxable years 2004 through 2007, the maximum reduction shall be $5,000, for taxable year 2008, the maximum reduction is $5,500, and, for taxable years 2009 through 2011, the maximum reduction is $6,000 in all counties. For taxable years 2012 and thereafter, the maximum reduction is $7,000 in counties with 3,000,000 or more inhabitants and $6,000 in all other counties. If a

county has elected to subject itself to the provisions of Section 15-176 as provided in subsection (k) of that Section, then, for the first taxable year only after the provisions of Section 15-176 no longer apply, for owners who, for the taxable year, have not been granted a senior citizens assessment freeze homestead exemption under Section 15-172 or a long-time occupant homestead exemption under Section 15-177, there shall be an additional exemption of $5,000 for owners with a household income of $30,000 or less.

(c) In counties with fewer than 3,000,000 inhabitants, if, based on the most recent assessment, the equalized assessed value of the homestead property for the current assessment year is greater than the equalized assessed value of the property for 1977, the owner of the property shall automatically receive the exemption granted under this Section in an amount equal to the increase over the 1977 assessment up to the maximum reduction set forth in this Section.

(d) If in any assessment year beginning with the 2000 assessment year, homestead property has a pro-rata valuation under Section 9-180 resulting in an increase in the assessed valuation, a reduction in equalized assessed valuation equal to the increase in equalized assessed value of the property for the year of the pro-rata valuation above the equalized assessed value of the property for 1977 shall be applied to the property on a proportionate basis for the period the property qualified as homestead property during the assessment year. The maximum proportionate homestead exemption shall not exceed the maximum homestead exemption allowed in the county under this Section divided by 365 and multiplied by the number of days the property qualified as homestead property.

(e) The chief county assessment officer may, when considering whether to grant a leasehold exemption under this Section, require the following conditions to be met:

(1) that a notarized application for the exemption, signed by both the owner and the lessee of the property, must be submitted each year during the application period in effect for the county in which the property is located;

(2) that a copy of the lease must be filed with the chief county assessment officer by the owner of the property at the time the notarized application is submitted;

(3) that the lease must expressly state that the lessee is liable for the payment of property taxes; and

(4) that the lease must include the following language in substantially the following form:

"Lessee shall be liable for the payment of real estate taxes with respect to the residence in accordance with the terms and conditions of Section 15-175 of the Property Tax Code (35 ILCS 200/15-175). The permanent real estate index number for the premises is (insert number), and, according to the most recent property tax bill, the current amount of real estate taxes associated with the premises is (insert amount) per year. The parties agree that the monthly rent set forth above shall be increased or decreased pro rata (effective January 1 of each calendar year) to reflect any increase or decrease in real estate taxes. Lessee shall be deemed to be satisfying Lessee's liability for the above mentioned real estate taxes with the monthly rent payments as set forth above (or increased or decreased as set forth herein).".

In addition, if there is a change in lessee, or if the lessee vacates the property, then the chief county assessment officer may require the owner of the property to notify the chief county assessment officer of that change.

This subsection (e) does not apply to leasehold interests in property owned by a municipality.

(f) "Homestead property" under this Section includes residential property that is occupied by its owner or owners as his or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, which is occupied as a residence by a person who has an ownership interest therein, legal or equitable or as a lessee, and on which the person is liable for the payment of property taxes. For land improved with an apartment building owned and operated as a cooperative or a building which is a life care facility as defined in Section 15-170 and considered to be a cooperative under Section 15-170, the maximum reduction from the equalized assessed value shall be limited to the increase in the value above the equalized assessed value of the property for 1977, up to the maximum reduction set forth above, multiplied by the number of apartments or units occupied by a person or persons who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For purposes of this Section, the term "life care facility" has the meaning stated in Section 15-170.

"Household", as used in this Section, means the owner, the spouse of the owner, and all persons using the residence of the owner as their principal place of residence.

"Household income", as used in this Section, means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income", as used in this Section, has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief Act, except that "income" does not include veteran's benefits.

(g) In a cooperative where a homestead exemption has been granted, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor.

(h) Where married persons maintain and reside in separate residences qualifying as homestead property, each residence shall receive 50% of the total reduction in equalized assessed valuation provided by this Section.

(i) In all counties, the assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption and the amount of the exemption by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department, provided that the taxpayer applying for an additional general exemption under this Section shall submit to the chief county assessment officer an application with an affidavit of the applicant's total household income, age, marital status (and, if married, the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall issue guidelines establishing a method for verifying the accuracy of the affidavits filed by applicants under this paragraph. The applications shall be clearly marked as applications for the Additional General Homestead Exemption.

(j) In counties with fewer than 3,000,000 inhabitants, in the event of a sale of homestead property the homestead exemption shall remain in effect for the remainder of the assessment year of the sale. The assessor or chief county assessment officer may require the new owner of the property to apply for the homestead exemption for the following assessment year.

(j-5) In counties with 3,000,000 or more inhabitants, upon receipt of a transfer declaration transmitted by the recorder pursuant to Section 31-30 of the Real Estate Transfer Tax Law for property receiving an exemption under this Section, that exemption and any previously granted homestead exemptions for which the property is no longer eligible shall be cancelled by the assessor. The assessor shall mail a notice to the new owner of the property (i) informing the new owner of the exemptions that have been cancelled and (ii) providing information pertaining to the rules for reapplying for any homestead exemptions under this Code for which the property may be eligible.

(k) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 97-689, eff. 6-14-12; 97-1125, eff. 8-28-12; 98-7, eff. 4-23-13; 98-463, eff. 8-16-13.)".

Senator E. Jones offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 780

AMENDMENT NO. 3. Amend Senate Bill 780 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 15-175 as follows:

(35 ILCS 200/15-175)

Sec. 15-175. General homestead exemption.

(a) Except as provided in Sections 15-176 and 15-177, homestead property is entitled to an annual homestead exemption limited, except as described here with relation to cooperatives, to a reduction in the equalized assessed value of homestead property equal to the increase in equalized assessed value for the current assessment year above the equalized assessed value of the property for 1977, up to the maximum reduction set forth below. If however, the 1977 equalized assessed value upon which taxes were paid is subsequently determined by local assessing officials, the Property Tax Appeal Board, or a court to have been excessive, the equalized assessed value which should have been placed on the property for 1977 shall be used to determine the amount of the exemption.

(b) Except as provided in Section 15-176, the maximum reduction before taxable year 2004 shall be $4,500 in counties with 3,000,000 or more inhabitants and $3,500 in all other counties. Except as provided in Sections 15-176 and 15-177, for taxable years 2004 through 2007, the maximum reduction shall be $5,000, for taxable year 2008, the maximum reduction is $5,500, and, for taxable years 2009 through 2011, the maximum reduction is $6,000 in all counties. For taxable years 2012 and thereafter, the maximum reduction is $7,000 in counties with 3,000,000 or more inhabitants and $6,000 in all other counties. If a county has elected to subject itself to the provisions of Section 15-176 as provided in subsection (k) of that

Section, then, for the first taxable year only after the provisions of Section 15-176 no longer apply, for owners who, for the taxable year, have not been granted a senior citizens assessment freeze homestead exemption under Section 15-172 or a long-time occupant homestead exemption under Section 15-177, there shall be an additional exemption of $5,000 for owners with a household income of $30,000 or less.

(c) In counties with fewer than 3,000,000 inhabitants, if, based on the most recent assessment, the equalized assessed value of the homestead property for the current assessment year is greater than the equalized assessed value of the property for 1977, the owner of the property shall automatically receive the exemption granted under this Section in an amount equal to the increase over the 1977 assessment up to the maximum reduction set forth in this Section.

(d) If in any assessment year beginning with the 2000 assessment year, homestead property has a pro-rata valuation under Section 9-180 resulting in an increase in the assessed valuation, a reduction in equalized assessed valuation equal to the increase in equalized assessed value of the property for the year of the pro-rata valuation above the equalized assessed value of the property for 1977 shall be applied to the property on a proportionate basis for the period the property qualified as homestead property during the assessment year. The maximum proportionate homestead exemption shall not exceed the maximum homestead exemption allowed in the county under this Section divided by 365 and multiplied by the number of days the property qualified as homestead property.

(e) The chief county assessment officer may, when considering whether to grant a leasehold exemption under this Section, require the following conditions to be met:

(1) that a notarized application for the exemption, signed by both the owner and the lessee of the property, must be submitted each year during the application period in effect for the county in which the property is located;

(2) that a copy of the lease must be filed with the chief county assessment officer by the owner of the property at the time the notarized application is submitted;

(3) that the lease must expressly state that the lessee is liable for the payment of property taxes; and

(4) that the lease must include the following language in substantially the following form:

"Lessee shall be liable for the payment of real estate taxes with respect to the residence in accordance with the terms and conditions of Section 15-175 of the Property Tax Code (35 ILCS 200/15-175). The permanent real estate index number for the premises is (insert number), and, according to the most recent property tax bill, the current amount of real estate taxes associated with the premises is (insert amount) per year. The parties agree that the monthly rent set forth above shall be increased or decreased pro rata (effective January 1 of each calendar year) to reflect any increase or decrease in real estate taxes. Lessee shall be deemed to be satisfying Lessee's liability for the above mentioned real estate taxes with the monthly rent payments as set forth above (or increased or decreased as set forth herein).".

In addition, if there is a change in lessee, or if the lessee vacates the property, then the chief county assessment officer may require the owner of the property to notify the chief county assessment officer of that change.

This subsection (e) does not apply to leasehold interests in property owned by a municipality.

(f) "Homestead property" under this Section includes residential property that is occupied by its owner or owners as his or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, which is occupied as a residence by a person who has an ownership interest therein, legal or equitable or as a lessee, and on which the person is liable for the payment of property taxes. For land improved with an apartment building owned and operated as a cooperative or a building which is a life care facility as defined in Section 15-170 and considered to be a cooperative under Section 15-170, the maximum reduction from the equalized assessed value shall be limited to the increase in the value above the equalized assessed value of the property for 1977, up to the maximum reduction set forth above, multiplied by the number of apartments or units occupied by a person or persons who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For purposes of this Section, the term "life care facility" has the meaning stated in Section 15-170.

"Household", as used in this Section, means the owner, the spouse of the owner, and all persons using the residence of the owner as their principal place of residence.

"Household income", as used in this Section, means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income", as used in this Section, has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief Act, except that "income" does not include veteran's benefits.

(g) In a cooperative where a homestead exemption has been granted, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor.

(h) Where married persons maintain and reside in separate residences qualifying as homestead property, each residence shall receive 50% of the total reduction in equalized assessed valuation provided by this Section.

(i) In all counties, the assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption and the amount of the exemption by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department, provided that the taxpayer applying for an additional general exemption under this Section shall submit to the chief county assessment officer an application with an affidavit of the applicant's total household income, age, marital status (and, if married, the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall issue guidelines establishing a method for verifying the accuracy of the affidavits filed by applicants under this paragraph. The applications shall be clearly marked as applications for the Additional General Homestead Exemption.

(i-5) This subsection (i-5) applies to counties with 3,000,000 or more inhabitants. In the event of a sale of homestead property, the homestead exemption shall remain in effect for the remainder of the assessment year of the sale. Upon receipt of a transfer declaration transmitted by the recorder pursuant to Section 31-30 of the Real Estate Transfer Tax Law for property receiving an exemption under this Section, the assessor shall mail a notice and forms to the new owner of the property providing information pertaining to the rules and applicable filing periods for applying or reapplying for homestead exemptions under this Code for which the property may be eligible. If the new owner fails to apply or reapply for a homestead exemption during the applicable filing period or the property no longer qualifies for an existing homestead exemption, the assessor shall cancel such exemption for any ensuing assessment year.

(j) In counties with fewer than 3,000,000 inhabitants, in the event of a sale of homestead property the homestead exemption shall remain in effect for the remainder of the assessment year of the sale. The assessor or chief county assessment officer may require the new owner of the property to apply for the homestead exemption for the following assessment year.

(k) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 97-689, eff. 6-14-12; 97-1125, eff. 8-28-12; 98-7, eff. 4-23-13; 98-463, eff. 8-16-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Rezin, **Senate Bill No. 1445** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1445

AMENDMENT NO. 1. Amend Senate Bill 1445 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 16-103 as follows:

(220 ILCS 5/16-103)

Sec. 16-103. Service obligations of electric utilities.

(a) An electric utility shall continue offering to retail customers each tariffed service that it offered as a distinct and identifiable service on the effective date of this amendatory Act of 1997 until the service is (i) declared competitive pursuant to Section 16-113, or (ii) abandoned pursuant to Section 8-508. Nothing in

this subsection shall be construed as limiting an electric utility's right to propose, or the Commission's power to approve, allow or order modifications in the rates, terms and conditions for such services pursuant to Article IX or Section 16-111 of this Act.

(b) An electric utility shall also offer, as tariffed services, delivery services in accordance with this Article, the power purchase options described in Section 16-110 and real-time pricing as provided in Section 16-107.

(c) Notwithstanding any other provision of this Article, each electric utility shall continue offering to all residential customers and to all small commercial retail customers in its service area, as a tariffed service, bundled electric power and energy delivered to the customer's premises consistent with the bundled utility service provided by the electric utility on the effective date of this amendatory Act of 1997. Upon declaration of the provision of electric power and energy as competitive, the electric utility shall continue to offer to such customers, as a tariffed service, bundled service options at rates which reflect recovery of all cost components for providing the service. For those components of the service which have been declared competitive, cost shall be the market based prices. Market based prices as referred to herein shall mean, for electric power and energy, either (i) those prices for electric power and energy determined as provided in Section 16-112, or (ii) the electric utility's cost of obtaining the electric power and energy at wholesale through a competitive bidding or other arms-length acquisition process.

(d) Any residential or small commercial retail customer which elects delivery services is entitled to return to the electric utility's bundled utility tariffed service offering provided in accordance with subsection (c) of this Section upon payment of a reasonable administrative fee which shall be set forth in the tariff. If the residential or small commercial customer has not elected delivery services within 2 billing cycles after returning to the electric utility's bundled utility tariffed service offering, then the electric utility shall be entitled to impose the condition that such customer may not elect delivery services for up to 12 months after the date on which the customer returned to bundled utility tariffed service and to impose the condition that the customer may ~~, provided, however, that the customer shall~~ not be permitted to return to the same alternative retail electric supplier within 2 billing cycles after the customer returned to bundled utility tariffed service ~~other than in situations where the return was in error, inadvertent, or the result of any other unintended operational consequence~~.

(e) The Commission shall not require an electric utility to offer any tariffed service other than the services required by this Section, and shall not require an electric utility to offer any competitive service. (Source: P.A. 97-497, eff. 8-22-11.)

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 Rezin, **Senate Bill No. 1446** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1446

AMENDMENT NO. _1_. Amend Senate Bill 1446 as follow:

on page 1, by replacing line 5 with "Sections 16-115 and 19-110 as follows:"; and

by replacing line 12 on page 11 through line 1 on page 12 with:
"to the Commission, it must (1) file with the Commission contemporaneously with its report, filing, or document an affidavit that sets forth both the reasons for the confidentiality and a public synopsis of the information for which confidential treatment is sought; and (2) file both a "confidential" and a "public" version of the report, filing, or document for which it seeks confidential treatment with all confidential information marked "Confidential". Absent notice from the Commission to the alternative retail electric supplier to the contrary, and provided the alternative retail electric supplier has followed the requirements outlined in this subsection (g), information identified as confidential by the alternative retail electric supplier shall be afforded proprietary treatment for a 2-year period from the date of submission to the Commission. The public version of the report, filing, or document shall be made available to the public upon request, subject to a case-by-case determination by the Commission."; and

on page 12, immediately below line 13, by inserting:

"(220 ILCS 5/19-110)

Sec. 19-110. Certification of alternative gas suppliers.

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

(b) An alternative gas supplier must obtain a certificate of service authority from the Commission in accordance with this Section before serving any customer or other user located in this State. An alternative gas supplier may request, and the Commission may grant, a certificate of service authority for the entire State or for a specified geographic area of the State. A person, corporation, or other entity acting as an alternative gas supplier on the effective date of this amendatory Act of the 92nd General Assembly shall have 180 days from the effective date of this amendatory Act of the 92nd General Assembly to comply with the requirements of this Section in order to continue to operate as an alternative gas supplier.

(c) An alternative gas supplier seeking a certificate of service authority shall file with the Commission a verified application containing information showing that the applicant meets the requirements of this Section. The alternative gas supplier shall publish notice of its application in the official State newspaper within 10 days following the date of its filing. No later than 45 days after the application is properly filed with the Commission, and such notice is published, the Commission shall issue its order granting or denying the application.

(d) An application for a certificate of service authority shall identify the area or areas in which the applicant intends to offer service and the types of services it intends to offer. Applicants that seek to serve residential or small commercial customers within a geographic area that is smaller than a gas utility's service area shall submit evidence demonstrating that the designation of this smaller area does not violate Section 19-115. An applicant may state in its application for certification any limitations that will be imposed on the number of customers or maximum load to be served. The applicant shall submit as part of its application a statement indicating:

(1) Whether the applicant has been denied a natural gas supplier license in any state in the United States.

(2) Whether the applicant has had a natural gas supplier license suspended or revoked by any state in the United States.

(3) Where, if any, other natural gas supplier license applications are pending in the United States.

(4) Whether the applicant is the subject of any lawsuits filed in a court of law or formal complaints filed with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations, identifying the name, case number, and jurisdiction of each such lawsuit or complaint.

For the purposes of this subsection (d), formal complaints include only those complaints that seek a binding determination from a state or federal regulatory body.

(e) The Commission shall grant the application for a certificate of service authority if it makes the findings set forth in this subsection based on the verified application and such other information as the applicant may submit.

(1) That the applicant possesses sufficient technical, financial, and managerial resources and abilities to provide the service for which it seeks a certificate of service authority. In determining the level of technical, financial, and managerial resources and abilities which the applicant must demonstrate, the Commission shall consider:

(A) the characteristics, including the size and financial sophistication of the customers that the applicant seeks to serve;

(B) whether the applicant seeks to provide gas using property, plant, and equipment that it owns, controls, or operates; and

(C) the applicant's commitment of resources to the management of sales and marketing staff, through affirmative managerial policies, independent audits, technology, hands-on field monitoring and training, and, in the case of applicants who will have sales personnel or sales agents within the State of Illinois, the applicant's managerial presence within the State.

(2) That the applicant will comply with all applicable federal, State, regional, and industry rules, policies, practices, and procedures for the use, operation, and maintenance of the safety, integrity, and reliability of the gas transmission system.

(3) That the applicant will comply with such informational or reporting requirements as the Commission may by rule establish.

(4) That the area to be served by the applicant and any limitations it proposes on the

number of customers or maximum amount of load to be served meet the provisions of Section 19-115, provided, that if the applicant seeks to serve an area smaller than the service area of a gas utility or proposes other limitations on the number of customers or maximum amount of load to be served, the Commission can extend the time for considering such a certificate request by up to 90 days, and can schedule hearings on such a request.

(5) That the applicant and the applicant's sales agents will comply with all other applicable laws and rules.

(f) The Commission can extend the time for considering such a certificate request by up to 90 days, and can schedule hearings on such a request if:

(1) a party to the application proceeding has formally requested that the Commission hold hearings in a pleading that alleges that one or more of the allegations or certifications in the application is false or misleading; or

(2) other facts or circumstances exist that will necessitate additional time or evidence in order to determine whether a certificate should be issued.

(g) The Commission shall have the authority to promulgate rules to carry out the provisions of this Section. Within 30 days after the effective date of this amendatory Act of the 92nd General Assembly, the Commission shall adopt an emergency rule or rules applicable to the certification of those gas suppliers that seek to serve residential customers. Within 180 days of the effective date of this amendatory Act of the 92nd General Assembly, the Commission shall adopt rules that specify criteria which, if met by any such alternative gas supplier, shall constitute the demonstration of technical, financial, and managerial resources and abilities to provide service required by item (1) of subsection (e) of this Section, such as a requirement to post a bond or letter of credit, from a responsible surety or financial institution, of sufficient size for the nature and scope of the services to be provided, demonstration of adequate insurance for the scope and nature of the services to be provided, and experience in providing similar services in other jurisdictions.

(h) The Commission may deny with prejudice any application that repeatedly fails to include the attachments, documentation, and affidavits required by the application form or that repeatedly fails to provide any other information required by this Section.

(i) In order to make more efficient use of the Commission's resources, as well as the resources of alternative gas suppliers, with regard to annual continuing compliance reports filed pursuant to 83 Ill. Adm. Code 551.120 and annual dekatherm reports filed pursuant to 83 Ill. Adm. Code 551.170, alternative gas suppliers may file commercially or financially sensitive information or trade secrets contained in any such report or filing with the Commission without also filing a formal petition with the Chief Clerk of the Commission seeking a Commission order granting confidential treatment. If an alternative gas supplier elects not to file a formal petition with the Chief Clerk of the Commission seeking a Commission order, but still desires confidential treatment for the commercially or financially sensitive information or trade secrets submitted to the Commission, it must (1) file with the Commission contemporaneously with its report, filing, or document, an affidavit that sets forth both the reasons for the confidentiality and a public synopsis of the information for which confidential treatment is sought and (2) file both a "confidential" and a "public" version of the report, filing, or document for which it seeks confidential treatment with all confidential information marked "Confidential". Absent notice from the Commission to the alternative gas supplier to the contrary, and provided the alternative gas supplier has followed the requirements outlined in this subsection (i), information identified as confidential by the alternative gas supplier shall be afforded proprietary treatment for a 2-year period from the date of submission to the Commission. The public version of the report, filing, or document shall be made available to the public upon request, subject to a case-by-case determination by the Commission. Nothing in this subsection (i) prevents the Commission (A) on its own motion, after reviewing the submittal of an alternative gas supplier pursuant to this subsection (i), from requiring the alternative gas supplier to file a formal petition with the Chief Clerk seeking confidential treatment; (B) from entering an order expanding the list of recurring reports or filings eligible for confidential treatment set forth in this subsection (i); or (C) from entering an order adjusting the time period information may be treated by the Commission as confidential.

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

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 Bertino-Tarrant, **Senate Bill No. 1505** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Connelly, **Senate Bill No. 29** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILLS RECALLED

On motion of Senator Martinez, **Senate Bill No. 46** was recalled from the order of third reading to the order of second reading.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 46

AMENDMENT NO. 1. Amend Senate Bill 46 as follows:

on page 1, line 5, by replacing "Section 3" with "Sections 3 and 3.06"; and

on page 3, below line 14, by inserting the following:

"(410 ILCS 625/3.06)

Sec. 3.06. Food handler training; restaurants.

(a) For the purpose of this Section, "restaurant" means any business that is primarily engaged in the sale of ready-to-eat food for immediate consumption. "Primarily engaged" means having sales of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor.

(b) Unless otherwise provided, all food handlers employed by a restaurant, other than someone holding a food service sanitation manager certificate, must receive or obtain American National Standards Institute-accredited training in basic safe food handling principles within 30 days after employment and every 3 years thereafter. Notwithstanding the provisions of Section 3.05 of this Act, food handlers employed in nursing homes, licensed day care homes and facilities, hospitals, schools, and long-term care facilities must renew their training every 3 years. There is no limit to how many times an employee may

take the training. The training indicated in subsections (e) and (f) of this Section is transferable between employers, but not individuals. The training indicated in subsections (c) and (d) of this Section is not transferable between individuals or employers. Proof that a food handler has been trained must be available upon reasonable request by a State or local health department inspector and may be provided electronically.

(c) If a business with an internal training program is approved in another state prior to the effective date of this amendatory Act of the 98th General Assembly, then the business's training program and assessment shall be automatically approved by the Department upon the business providing proof that the program is approved in said state.

(d) The Department shall approve the training program of any multi-state business with a plan that follows the guidelines in subsection (b) of Section 3.05 of this Act and is on file with the Department by March 31, 2015 ~~May 15, 2013~~.

(e) If an entity uses an American National Standards Institute food handler training accredited program, that training program shall be automatically approved by the Department.

(f) Certified local health departments in counties serving jurisdictions with a population of 100,000 or less, as reported by the U.S. Census Bureau in the 2010 Census of Population, may have a training program. The training program must meet the requirements of Section 3.05(b) and be approved by the Department. This Section notwithstanding, certified local health departments in the following counties may have a training program:

(1) a county with a population of 677,560 as reported by the U.S. Census Bureau in the 2010 Census of Population;

(2) a county with a population of 308,760 as reported by the U.S. Census Bureau in the 2010 Census of Population;

(3) a county with a population of 515,269 as reported by the U.S. Census Bureau in the 2010 Census of Population;

(4) a county with a population of 114,736 as reported by the U.S. Census Bureau in the 2010 Census of Population;

(5) a county with a population of 110,768 as reported by the U.S. Census Bureau in the 2010 Census of Population;

(6) a county with a population of 135,394 as reported by the U.S. Census Bureau in the 2010 Census of Population.

The certified local health departments in paragraphs (1) through (6) of this subsection (f) must have their training programs ~~program~~ on file with the Department no later than 90 days after the effective date of this Act. Any modules that meet the requirements of subsection (b) of Section 3.05 of this Act and are not approved within 180 days after the Department's receipt of the application of the entity seeking to conduct the training shall automatically be considered approved by the Department.

(g) Any and all documents, materials, or information related to a restaurant or business food handler training module submitted to the Department is confidential and shall not be open to public inspection or dissemination and is exempt from disclosure under Section 7 of the Freedom of Information Act. Training may be conducted by any means available, including, but not limited to, on-line, computer, classroom, live trainers, remote trainers, and certified food service sanitation managers. There must be at least one commercially available, approved food handler training module at a cost of no more than $15 per employee; if an approved food handler training module is not available at that cost, then the provisions of this Section 3.06 shall not apply.

(h) The regulation of food handler training is considered to be an exclusive function of the State, and local regulation is prohibited. This subsection (h) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(i) The provisions of this Section apply beginning July 1, 2014. From July 1, 2014 through December 31, 2014, enforcement of the provisions of this Section shall be limited to education and notification of requirements to encourage compliance.

(Source: P.A. 98-566, eff. 8-27-13; revised 12-10-14.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Silverstein, **Senate Bill No. 66** was recalled from the order of third reading to the order of second reading.

Senator Silverstein offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 66

AMENDMENT NO. _3_. Amend Senate Bill 66, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, as follows:

on page 10, line 8, after "provider", by inserting "or retailer who has 25 or more locations in this State"; and

on page 10, line 10, by deleting "or"; and

on page 10, line 12, by replacing the period with "; or"; and

on page 10, by inserting immediately below line 12 the following:

"(3) an entity that complies with the requirements of the Resale Dealers Act and purchases used wireless communications devices for the purpose of recycling and refurbishment.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Silverstein, **Senate Bill No. 67** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Silverstein, **Senate Bill No. 90** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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 Mulroe, **Senate Bill No. 636** was recalled from the order of third reading to the order of second reading.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 636

AMENDMENT NO. 1. Amend Senate Bill 636 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Aeronautics Act is amended by changing Section 47 as follows:

(620 ILCS 5/47) (from Ch. 15 1/2, par. 22.47)

Sec. 47. Operation without certificate of approval unlawful; applications.) An application for a certificate of approval of an airport or restricted landing area, or the alteration or extension thereof, shall set forth, among other things, the location of all railways, mains, pipes, conduits, wires, cables, poles and other facilities and structures of public service corporations or municipal or quasi-municipal corporations, located within the area proposed to be acquired or restricted, and the names of persons owning the same, to the extent that such information can be reasonably ascertained by the applicant.

It shall be unlawful for any municipality or other political subdivision, or officer or employee thereof, or for any person, to make any alteration or extension of an existing airport or restricted landing area, or to use or operate any airport or restricted landing area, for which a certificate of approval has not been issued by the Department; provided, that no certificate of approval shall be required for an airport or restricted landing area which was in existence and approved by the Illinois Aeronautics Commission, whether or not being operated, on or before July 1, 1945, or for the O'Hare Modernization Program as defined in Section 10 of the O'Hare Modernization Act; except that a certificate of approval shall be required under this Section for construction of a new runway at O'Hare International Airport with a geographical orientation that varies from a geographical east-west orientation by more than 10 degrees, or for construction of a new runway at that airport that would result in more than 10 ~~8~~ runways being available for aircraft operations at that airport. The Department shall supervise, monitor, and enforce compliance

with the O'Hare Modernization Act by all other departments, agencies, and units of State and local government.

Provisions of this Section do not apply to special purpose aircraft designated as such by the Department when operating to or from uncertificated areas other than their principal base of operations, provided mutually acceptable arrangements are made with the property owner, and provided the owner or operator of the aircraft assumes liabilities which may arise out of such operations.
(Source: P.A. 93-450, eff. 8-6-03.)".

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

On motion of Senator Mulroe, **Senate Bill No. 636** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Delgado	Link	Radogno
Anderson	Haine	Luechtefeld	Raoul
Barickman	Harmon	Manar	Rose
Bennett	Harris	Martinez	Silverstein
Bertino-Tarrant	Hastings	McCarter	Stadelman
Biss	Holmes	McConnaughay	Steans
Bivins	Hunter	McGuire	Sullivan
Brady	Hutchinson	Morrison	Syverson
Bush	Jones, E.	Mulroe	Trotter
Clayborne	Koehler	Muñoz	Mr. President
Collins	Kotowski	Murphy	
Connelly	LaHood	Noland	
Cullerton, T.	Landek	Nybo	
Cunningham	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 Mulroe, **Senate Bill No. 637** was recalled from the order of third reading to the order of second reading.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 637

AMENDMENT NO. 1. Amend Senate Bill 637 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Aeronautics Act is amended by changing Section 47 as follows:
(620 ILCS 5/47) (from Ch. 15 1/2, par. 22.47)

Sec. 47. Operation without certificate of approval unlawful; applications.) An application for a certificate of approval of an airport or restricted landing area, or the alteration or extension thereof, shall set forth, among other things, the location of all railways, mains, pipes, conduits, wires, cables, poles and other facilities and structures of public service corporations or municipal or quasi-municipal corporations, located within the area proposed to be acquired or restricted, and the names of persons owning the same, to the extent that such information can be reasonably ascertained by the applicant.

It shall be unlawful for any municipality or other political subdivision, or officer or employee thereof, or for any person, to make any alteration or extension of an existing airport or restricted landing area, or to use or operate any airport or restricted landing area, for which a certificate of approval has not been issued by the Department; provided, that no certificate of approval shall be required for an airport or restricted landing area which was in existence and approved by the Illinois Aeronautics Commission, whether or not being operated, on or before July 1, 1945, or for the O'Hare Modernization Program as defined in Section 10 of the O'Hare Modernization Act; except that a certificate of approval shall be required under this Section for construction of a new runway at O'Hare International Airport with a geographical orientation that varies from a geographical east-west orientation by more than 10 degrees, or for construction of a new runway at that airport that would result in more than 8 runways being available for aircraft operations at that airport. The decommission, alteration, destruction, or re-designation of diagonal runways 14R/32L, 14L/32R, 4L/22R, and 4R/22L at O'Hare International Airport is prohibited by any municipality or other political subdivision, or officer or employee thereof. All runways shall be maintained and used in a safe and equitable manner for the purpose of fairly distributing air traffic over city and suburban communities surrounding O'Hare International Airport. The Department shall supervise, monitor, and enforce compliance with the O'Hare Modernization Act by all other departments, agencies, and units of State and local government.

Provisions of this Section do not apply to special purpose aircraft designated as such by the Department when operating to or from uncertificated areas other than their principal base of operations, provided mutually acceptable arrangements are made with the property owner, and provided the owner or operator of the aircraft assumes liabilities which may arise out of such operations.
(Source: P.A. 93-450, eff. 8-6-03.)".

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

On motion of Senator Mulroe, **Senate Bill No. 637** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Delgado	Lightford	Raoul
Anderson	Duffy	Link	Rezin
Barickman	Haine	Luechtefeld	Rose
Bennett	Harmon	Manar	Silverstein
Bertino-Tarrant	Harris	Martinez	Stadelman
Biss	Hastings	McCann	Steans
Bivins	Holmes	McCarter	Sullivan
Brady	Hunter	McGuire	Syverson
Bush	Hutchinson	Morrison	Trotter
Clayborne	Jones, E.	Mulroe	Mr. President
Collins	Koehler	Muñoz	
Connelly	Kotowski	Murphy	
Cullerton, T.	LaHood	Noland	

Cunningham Landek Radogno

The following voted present:

Nybo

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

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

At the hour of 1:15 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 1:26 o'clock p.m., the Senate resumed consideration of business.
Senator Harmon, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 16, 2015 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Commerce and Economic Development: **SENATE BILL 1259**.

Criminal Law: **Floor Amendment No. 1 to Senate Bill 201**.

Judiciary: **Floor Amendment No. 1 to Senate Bill 1630**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 16, 2015 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 3 to Senate Bill 1339

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 16, 2015 meeting, reported that pursuant to Senate Rule 3-8(b-1), the following amendments will remain in the Committee on Assignments:

Floor Amendment No. 1 to Senate Bill 223
Floor Amendment No. 1 to Senate Bill 313

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Kotowski, **Senate Bill No. 653** 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 3; Present 15.

The following voted in the affirmative:

Bennett	Harmon	Link	Silverstein
Bertino-Tarrant	Harris	Manar	Stadelman
Biss	Hastings	Martinez	Steans
Bush	Holmes	McGuire	Sullivan
Clayborne	Hunter	Morrison	Trotter
Collins	Hutchinson	Mulroe	Mr. President
Cunningham	Jones, E.	Muñoz	
Delgado	Koehler	Noland	
Haine	Kotowski	Raoul	

The following voted in the negative:

Anderson
Duffy
Rose

The following voted present:

Althoff	Landek	Murphy	Rezin
Barickman	Luechtefeld	Nybo	Righter
Bivins	McCann	Oberweis	Syverson
Connelly	McConnaughay	Radogno	

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

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

On motion of Senator Biss, **Senate Bill No. 777** 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	Haine	Manar	Raoul
Anderson	Harris	Martinez	Rezin
Bertino-Tarrant	Hastings	McCann	Righter
Biss	Holmes	McCarter	Rose
Bivins	Hunter	McGuire	Silverstein
Brady	Hutchinson	Morrison	Stadelman
Bush	Jones, E.	Mulroe	Steans
Clayborne	Koehler	Muñoz	Sullivan
Collins	Kotowski	Murphy	Syverson
Connelly	LaHood	Noland	Trotter
Cunningham	Landek	Nybo	Mr. President
Delgado	Link	Oberweis	
Duffy	Luechtefeld	Radogno	

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

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

On motion of Senator Holmes, **Senate Bill No. 793** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Sullivan, **Senate Bill No. 836** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Link	Radogno
Anderson	Haine	Luechtefeld	Raoul
Barickman	Harmon	Manar	Rezin
Bennett	Harris	Martinez	Righter
Bertino-Tarrant	Hastings	McCann	Rose
Biss	Holmes	McCarter	Silverstein
Bivins	Hunter	McConnaughay	Stadelman
Brady	Hutchinson	McGuire	Steans
Bush	Jones, E.	Morrison	Sullivan
Clayborne	Koehler	Mulroe	Syverson
Collins	Kotowski	Muñoz	Trotter
Cunningham	LaHood	Noland	Mr. President
Delgado	Landek	Nybo	

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

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

On motion of Senator Muñoz, **Senate Bill No. 870** 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; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Nybo

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 Bennett, **Senate Bill No. 1339** was recalled from the order of third reading to the order of second reading.

Senator Bennett offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1339

AMENDMENT NO. 2. Amend Senate Bill 1339 by replacing everything after the enacting clause with the following:

"Section 5. The Open Meetings Act is amended by changing Sections 2.02 and 3.5 and by adding Section 2.07 as follows:

(5 ILCS 120/2.02) (from Ch. 102, par. 42.02)

Sec. 2.02. Public notice of all meetings, whether open or closed to the public, shall be given as follows:

(a) Every public body shall give public notice of the schedule of regular meetings at the beginning of each calendar or fiscal year and shall state the regular dates, times, and places of such meetings. An agenda for each regular meeting shall be posted at the principal office of the public body and at the location where the meeting is to be held at least 48 hours in advance of the holding of the meeting, except as otherwise provided in Section 2.07 of this Act. A public body that has a website that the full-time staff of the public body maintains shall also post on its website the agenda of any regular meetings of the governing body of that public body. Any agenda of a regular meeting that is posted on a public body's website shall remain posted on the website until the regular meeting is concluded. The requirement of a regular meeting agenda shall not preclude the consideration of items not specifically set forth in the agenda. Public notice of any special meeting except a meeting held in the event of a bona fide emergency, or of any rescheduled regular meeting, or of any reconvened meeting, shall be given at least 48 hours before such meeting, except as

otherwise provided in Section 2.07 of this Act which notice shall also include the agenda for the special, rescheduled, or reconvened meeting, but the validity of any action taken by the public body which is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda. The requirement of public notice of reconvened meetings does not apply to any case where the meeting was open to the public and (1) it is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda. Notice of an emergency meeting shall be given as soon as practicable, but in any event prior to the holding of such meeting, to any news medium which has filed an annual request for notice under subsection (b) of this Section.

(b) Public notice shall be given by posting a copy of the notice at the principal office of the body holding the meeting or, if no such office exists, at the building in which the meeting is to be held. In addition, a public body that has a website that the full-time staff of the public body maintains shall post notice on its website of all meetings of the governing body of the public body. Any notice of an annual schedule of meetings shall remain on the website until a new public notice of the schedule of regular meetings is approved. Any notice of a regular meeting that is posted on a public body's website shall remain posted on the website until the regular meeting is concluded. The body shall supply copies of the notice of its regular meetings, and of the notice of any special, emergency, rescheduled or reconvened meeting, to any news medium that has filed an annual request for such notice. Any such news medium shall also be given the same notice of all special, emergency, rescheduled or reconvened meetings in the same manner as is given to members of the body provided such news medium has given the public body an address or telephone number within the territorial jurisdiction of the public body at which such notice may be given. The failure of a public body to post on its website notice of any meeting or the agenda of any meeting shall not invalidate any meeting or any actions taken at a meeting.

(c) Any agenda required under this Section shall set forth the general subject matter of any resolution or ordinance that will be the subject of final action at the meeting. The public body conducting a public meeting shall ensure that at least one copy of any requested notice and agenda for the meeting is continuously available for public review during the entire 48-hour period preceding the meeting, or during the entire 72-hour period preceding the meeting for those public bodies subject to Section 2.07 of this Act. Posting of the notice and agenda on a website that is maintained by the public body satisfies the requirement for continuous posting under this subsection (c). If a notice or agenda is not continuously available for the full 48-hour or 72-hour period due to actions outside of the control of the public body, then that lack of availability does not invalidate any meeting or action taken at a meeting.

(Source: P.A. 97-827, eff. 1-1-13.)

(5 ILCS 120/2.07 new)

Sec. 2.07. Video of meetings; posting of agendas.

(a) This Section shall apply to only public bodies to which the Governor makes at least one appointment to the body that is subject to the advice and consent of the Senate.

(b) Each public body shall post video of its meetings on the public body's official website within 2 business days following the scheduled beginning of the meeting. This requirement shall not apply to portions of the meeting that are properly closed pursuant to this Act. Each public body must keep the video of each meeting on its official website for a period of 2 years after the meeting date or until the meeting has been reduced to written minutes in compliance with subsection (a) of Section 2.06 of this Act or written transcripts, whichever is later. After the video is removed from the official website, the public body must retain the video of each meeting for a period of at least 5 years after the meeting date. Such video shall be available to the public upon request.

(c) Each public body must post its meeting agenda on its official website at least 72 hours prior to the meeting. In the case of an emergency meeting, each public body must post that agenda as soon as practicable, but in any event prior to the holding of such meeting.

(d) The failure of a public body to provide video or to post meeting agendas due to technical difficulties shall not invalidate any meeting or any actions taken at the meeting.

(e) The requirements of this Section shall not apply to any public body meetings occurring before the effective date of this amendatory Act of the 99th General Assembly.

(5 ILCS 120/3.5)

Sec. 3.5. Public Access Counselor; opinions.

(a) A person who believes that a violation of this Act by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the alleged violation. The request for review must be in writing, must be signed by the requester, and must include a summary of the facts supporting the allegation.

(a-5) A person who believes that a violation of Section 2.07 of this Act has occurred may file a request for review with the Public Access counselor for the purpose of reviewing whether the public body timely posted its agenda.

(b) Upon receipt of a request for review, the Public Access Counselor shall determine whether further action is warranted. If the Public Access Counselor determines from the request for review that the alleged violation is unfounded, he or she shall so advise the requester and the public body and no further action shall be undertaken. In all other cases, the Public Access Counselor shall forward a copy of the request for review to the public body within 7 working days. The Public Access Counselor shall specify the records or other documents that the public body shall furnish to facilitate the review. Within 7 working days after receipt of the request for review, the public body shall provide copies of the records requested and shall otherwise fully cooperate with the Public Access Counselor. If a public body fails to furnish specified records pursuant to this Section, or if otherwise necessary, the Attorney General may issue a subpoena to any person or public body having knowledge of or records pertaining to an alleged violation of this Act. For purposes of conducting a thorough review, the Public Access Counselor has the same right to examine a verbatim recording of a meeting closed to the public or the minutes of a closed meeting as does a court in a civil action brought to enforce this Act.

(c) Within 7 working days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the public body may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. Upon request, the public body may also furnish the Public Access Counselor with a redacted copy of the answer excluding specific references to any matters at issue. The Public Access Counselor shall forward a copy of the answer or redacted answer, if furnished, to the person submitting the request for review. The requester may, but is not required to, respond in writing to the answer within 7 working days and shall provide a copy of the response to the public body.

(d) In addition to the request for review, and the answer and the response thereto, if any, a requester or a public body may furnish affidavits and records concerning any matter germane to the review.

(e) Unless the Public Access Counselor extends the time by no more than 21 business days by sending written notice to the requester and public body that includes a statement of the reasons for the extension in the notice, or decides to address the matter without the issuance of a binding opinion, the Attorney General shall examine the issues and the records, shall make findings of fact and conclusions of law, and shall issue to the requester and the public body an opinion within 60 days after initiating review. The opinion shall be binding upon both the requester and the public body, subject to administrative review under Section 7.5 of this Act.

In responding to any written request under this Section 3.5, the Attorney General may exercise his or her discretion and choose to resolve a request for review by mediation or by a means other than the issuance of a binding opinion. The decision not to issue a binding opinion shall not be reviewable.

Upon receipt of a binding opinion concluding that a violation of this Act has occurred, the public body shall either take necessary action as soon as practical to comply with the directive of the opinion or shall initiate administrative review under Section 7.5. If the opinion concludes that no violation of the Act has occurred, the requester may initiate administrative review under Section 7.5.

(f) If the requester files suit under Section 3 with respect to the same alleged violation that is the subject of a pending request for review, the requester shall notify the Public Access Counselor, and the Public Access Counselor shall take no further action with respect to the request for review and shall so notify the public body.

(g) Records that are obtained by the Public Access Counselor from a public body for purposes of addressing a request for review under this Section 3.5 may not be disclosed to the public, including the requester, by the Public Access Counselor. Those records, while in the possession of the Public Access Counselor, shall be exempt from disclosure by the Public Access Counselor under the Freedom of Information Act.

(h) The Attorney General may also issue advisory opinions to public bodies regarding compliance with this Act. A review may be initiated upon receipt of a written request from the head of the public body or its attorney. The request must contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the public body in order to facilitate the review. A public body that relies in good faith on an advisory opinion of the Attorney General in complying with the requirements of this Act is not liable for penalties under this Act, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor.
(Source: P.A. 96-542, eff. 1-1-10.)

Section 99. Effective date. This Act takes effect January 1, 2016.".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Bennett offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1339

AMENDMENT NO. 3. Amend Senate Bill 1339, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 5, by replacing lines 4 and 5 with "subsection (a) of Section 2.06 of this Act, whichever is later. After the video is removed".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 2 and 3 were 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 Bennett, **Senate Bill No. 1339** 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:

Anderson	Duffy	Link	Raoul
Bennett	Haine	Manar	Rezin
Bertino-Tarrant	Harmon	Martinez	Rose
Biss	Harris	McCann	Silverstein
Bivins	Hastings	McCarter	Stadelman
Brady	Holmes	Morrison	Steans
Bush	Hunter	Mulroe	Syverson
Clayborne	Hutchinson	Muñoz	Trotter
Collins	Jones, E.	Murphy	Mr. President
Connelly	Koehler	Noland	
Cullerton, T.	Kotowski	Nybo	
Cunningham	LaHood	Oberweis	
Delgado	Landek	Radogno	

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

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

On motion of Senator Haine, **Senate Bill No. 1344** 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:

Barickman	Haine	Luechtefeld	Oberweis
Bennett	Harmon	Manar	Raoul
Bertino-Tarrant	Harris	Martinez	Rezin

Biss	Hastings	McCann	Righter
Brady	Holmes	McCarter	Rose
Bush	Hunter	McConnaughay	Silverstein
Clayborne	Hutchinson	Morrison	Stadelman
Collins	Jones, E.	Mulroe	Steans
Cullerton, T.	Koehler	Muñoz	Sullivan
Cunningham	Kotowski	Murphy	Trotter
Delgado	LaHood	Noland	Mr. President
Duffy	Link	Nybo	

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 Manar, **Senate Bill No. 1354** was recalled from the order of third reading to the order of second reading.

Senator Manar offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1354

AMENDMENT NO. 1. Amend Senate Bill 1354 on page 1, line 22, after "Assembly.", by inserting "Members shall receive no compensation for their services.".

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 Morrison, **Senate Bill No. 1369** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Morrison, **Senate Bill No. 1371**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time

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

Pending roll call, on motion of Senator Morrison, further consideration of **Senate Bill No. 1371** was postponed.

On motion of Senator McCann, **Senate Bill No. 1388** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Anderson	Duffy	Link	Nybo
Barickman	Haine	Luechtefeld	Oberweis
Bennett	Harmon	Manar	Radogno
Biss	Harris	Martinez	Rezin
Bivins	Hastings	McCann	Righter
Brady	Holmes	McCarter	Rose
Bush	Hunter	McConnaughay	Silverstein
Clayborne	Hutchinson	McGuire	Stadelman
Collins	Jones, E.	Morrison	Steans
Connelly	Koehler	Mulroe	Syverson
Cullerton, T.	Kotowski	Muñoz	Trotter
Cunningham	LaHood	Murphy	Mr. President
Delgado	Landek	Noland	

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

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

On motion of Senator Kotowski, **Senate Bill No. 1447** 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:

Anderson	Haine	Luechtefeld	Radogno
Barickman	Harmon	Manar	Raoul
Bennett	Harris	Martinez	Rezin
Biss	Hastings	McCann	Righter
Bivins	Holmes	McCarter	Rose
Brady	Hunter	McGuire	Silverstein

Bush	Hutchinson	Morrison	Stadelman
Clayborne	Jones, E.	Mulroe	Steans
Collins	Koehler	Muñoz	Syverson
Connelly	Kotowski	Murphy	Trotter
Cunningham	LaHood	Noland	Mr. President
Delgado	Landek	Nybo	
Duffy	Link	Oberweis	

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

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

SENATE BILL RECALLED

On motion of Senator Luechtefeld, **Senate Bill No. 1458** was recalled from the order of third reading to the order of second reading.

Senator Luechtefeld offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1458

AMENDMENT NO. 1. Amend Senate Bill 1458 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Natural Resources Act is amended by changing Section 10-5 as follows:
(20 ILCS 801/10-5)

Sec. 10-5. Office of Mines and Minerals.

(a) The Department of Natural Resources shall have within it an Office of Mines and Minerals, which shall be responsible for the functions previously vested in the Department of Mines and Minerals and the Abandoned Mined Lands Reclamation Council and such other related functions and responsibilities as may be provided by law.

(b) The Office of Mines and Minerals shall have a Director and a Manager.

The Director of the Office of Mines and Minerals shall be a person thoroughly conversant with the theory and practice of coal mining but who is not identified with either coal operators or coal miners. The Director of the Office of Mines and Minerals must hold a certificate of competency as a mine examiner issued by the Illinois Mining Board.

The Manager of the Office of Mines and Minerals shall be a person who is thoroughly conversant with the theory and practice of coal mining in the State of Illinois.

(c) Notwithstanding any provision of this Act or any other law to the contrary, the Department of Natural Resources may have within it an Office of Oil and Gas Resource Management, which may be responsible for the functions previously vested in the Department of Mines and Minerals relating to oil and gas resources, such other related functions and responsibilities as may be provided by law, and other functions and responsibilities at the discretion of the Department of Natural Resources.
(Source: P.A. 89-50, eff. 7-1-95; 89-445, eff. 2-7-96.)

Section 10. The State Finance Act is amended by changing Section 5.832 as follows:
(30 ILCS 105/5.832)

Sec. 5.832. The Oil and Gas Resource Management ~~Mines and Minerals Regulatory~~ Fund.
(Source: P.A. 98-22, eff. 6-17-13; 98-756, eff. 7-16-14.)

Section 15. The Hydraulic Fracturing Regulatory Act is amended by changing Sections 1-35, 1-65 and 1-135 as follows:
(225 ILCS 732/1-35)

Sec. 1-35. High volume horizontal hydraulic fracturing permit application.

(a) Every applicant for a permit under this Act shall first register with the Department at least 30 days before applying for a permit. The Department shall make available a registration form within 90 days after the effective date of this Act. The registration form shall require the following information:

(1) the name and address of the registrant and any parent, subsidiary, or affiliate thereof;

(2) disclosure of all findings of a serious violation or an equivalent violation under federal or state laws or regulations in the development or operation of an oil or gas exploration or production site via hydraulic fracturing by the applicant or any parent, subsidiary, or affiliate thereof within the previous 5 years; and

(3) proof of insurance to cover injuries, damages, or loss related to pollution or diminution in the amount of at least $5,000,000, from an insurance carrier authorized, licensed, or permitted to do this insurance business in this State that holds at least an A- rating by A.M. Best & Co. or any comparable rating service.

A registrant must notify the Department of any change in the information identified in paragraphs (1), (2), or (3) of this subsection (a) at least annually or upon request of the Department.

(b) Every applicant for a permit under this Act must submit the following information to the Department on an application form provided by the Department:

(1) the name and address of the applicant and any parent, subsidiary, or affiliate thereof;

(2) the proposed well name and address and legal description of the well site and its unit area;

(3) a statement whether the proposed location of the well site is in compliance with the requirements of Section 1-25 of this Act and a plat, which shows the proposed surface location of the well site, providing the distance in feet, from the surface location of the well site to the features described in subsection (a) of Section 1-25 of this Act;

(4) a detailed description of the proposed well to be used for the high volume horizontal hydraulic fracturing operations including, but not limited to, the following information:

(A) the approximate total depth to which the well is to be drilled or deepened;

(B) the proposed angle and direction of the well;

(C) the actual depth or the approximate depth at which the well to be drilled deviates from vertical;

(D) the angle and direction of any nonvertical portion of the wellbore until the well reaches its total target depth or its actual final depth; and

(E) the estimated length and direction of the proposed horizontal lateral or wellbore;

(5) the estimated depth and elevation, according to the most recent publication of the Illinois State Geological Survey of Groundwater for the location of the well, of the lowest potential fresh water along the entire length of the proposed wellbore;

(6) a detailed description of the proposed high volume horizontal hydraulic fracturing operations, including, but not limited to, the following:

(A) the formation affected by the high volume horizontal hydraulic fracturing operations, including, but not limited to, geologic name and geologic description of the formation that will be stimulated by the operation;

(B) the anticipated surface treating pressure range;

(C) the maximum anticipated injection treating pressure;

(D) the estimated or calculated fracture pressure of the producing and confining zones; and

(E) the planned depth of all proposed perforations or depth to the top of the open hole section;

(7) a plat showing all known previous wellbores within 750 feet of any part of the horizontal wellbore that penetrated within 400 vertical feet of the formation that will be stimulated as part of the high volume horizontal hydraulic fracturing operations;

(8) unless the applicant documents why the information is not available at the time the application is submitted, a chemical disclosure report identifying each chemical and proppant anticipated to be used in hydraulic fracturing fluid for each stage of the hydraulic fracturing operations including the following:

(A) the total volume of water anticipated to be used in the hydraulic fracturing treatment of the well or the type and total volume of the base fluid anticipated to be used in the hydraulic fracturing treatment, if something other than water;

(B) each hydraulic fracturing additive anticipated to be used in the hydraulic fracturing fluid, including the trade name, vendor, a brief descriptor of the intended use or function of each hydraulic fracturing additive, and the Material Safety Data Sheet (MSDS), if applicable;

(C) each chemical anticipated to be intentionally added to the base fluid, including for each chemical, the Chemical Abstracts Service number, if applicable; and

(D) the anticipated concentration in the base fluid, in percent by mass, of each chemical to be intentionally added to the base fluid;

(9) a certification of compliance with the Water Use Act of 1983 and applicable regional water supply plans;

(10) a fresh water withdrawal and management plan that shall include the following information:

(A) the source of the water, such as surface or groundwater, anticipated to be used for water withdrawals, and the anticipated withdrawal location;

(B) the anticipated volume and rate of each water withdrawal from each withdrawal location;

(C) the anticipated months when water withdrawals shall be made from each withdrawal location;

(D) the methods to be used to minimize water withdrawals as much as feasible; and

(E) the methods to be used for surface water withdrawals to minimize adverse impact to aquatic life.

Where a surface water source is wholly contained within a single property, and the owner of the property expressly agrees in writing to its use for water withdrawals, the applicant is not required to include this surface water source in the fresh water withdrawal and management plan;

(11) a plan for the handling, storage, transportation, and disposal or reuse of hydraulic fracturing fluids and hydraulic fracturing flowback. The plan shall identify the specific Class II injection well or wells that will be used to dispose of the hydraulic fracturing flowback. The plan shall describe the capacity of the tanks to be used for the capture and storage of flowback and of the lined reserve pit to be used, if necessary, to temporarily store any flowback in excess of the capacity of the tanks. Identification of the Class II injection well or wells shall be by name, identification number, and specific location and shall include the date of the most recent mechanical integrity test for each Class II injection well;

(12) a well site safety plan to address proper safety measures to be employed during high volume horizontal hydraulic fracturing operations for the protection of persons on the site as well as the general public. Within 15 calendar days after submitting the permit application to the Department, the applicant must provide a copy of the plan to the county or counties in which hydraulic fracturing operations will occur. Within 5 calendar days of its receipt, the Department shall provide a copy of the well site safety plan to the Office of the State Fire Marshal;

(13) a containment plan describing the containment practices and equipment to be used and the area of the well site where containment systems will be employed, and within 5 calendar days of its receipt, the Department shall provide a copy of the containment plan to the Office of the State Fire Marshal;

(14) a casing and cementing plan that describes the casing and cementing practices to be employed, including the size of each string of pipe, the starting point, and depth to which each string is to be set and the extent to which each string is to be cemented;

(15) a traffic management plan that identifies the anticipated roads, streets, and highways that will be used for access to and egress from the well site. The traffic management plan will include a point of contact to discuss issues related to traffic management. Within 15 calendar days after submitting the permit application to the Department, the applicant must provide a copy of the traffic management plan to the county or counties in which the well site is located, and within 5 calendar days of its receipt, the Department shall provide a copy of the traffic management plan to the Office of the State Fire Marshal;

(16) the names and addresses of all owners of any real property within 1,500 feet of the proposed well site, as disclosed by the records in the office of the recorder of the county or counties;

(17) drafts of the specific public notice and general public notice as required by Section 1-40 of this Act;

(18) a statement that the well site at which the high volume horizontal hydraulic fracturing operation will be conducted will be restored in compliance with Section 240.1181 of Title 62 of the Illinois Administrative Code and Section 1-95 of this Act;

(19) proof of insurance to cover injuries, damages, or loss related to pollution in the amount of at least $5,000,000; and

(20) any other relevant information which the Department may, by rule, require.

(c) Where an application is made to conduct high volume horizontal fracturing operations at a well site located within the limits of any city, village, or incorporated town, the application shall state the name of the city, village, or incorporated town and be accompanied with a certified copy of the official consent for

the hydraulic fracturing operations to occur from the municipal authorities where the well site is proposed to be located. No permit shall be issued unless consent is secured and filed with the permit application. In the event that an amended location is selected, the original permit shall not be valid unless a new certified consent is filed for the amended location.

(d) The hydraulic fracturing permit application shall be accompanied by a bond as required by subsection (a) of Section 1-65 of this Act.

(e) Each application for a permit under this Act shall include payment of a non-refundable fee of $13,500. Of this fee, $11,000 shall be deposited into the Oil and Gas Resource Management ~~Mines and Minerals Regulatory~~ Fund for the Department to use to administer and enforce this Act and otherwise support the operations and programs of the Office of Oil and Gas Resource Management ~~Office of Mines and Minerals~~. The remaining $2,500 shall be deposited into the Illinois Clean Water Fund for the Agency to use to carry out its functions under this Act. The Department shall not initiate its review of the permit application until the applicable fee under this subsection (e) has been submitted to and received by the Department.

(f) Each application submitted under this Act shall be signed, under the penalty of perjury, by the applicant or the applicant's designee who has been vested with the authority to act on behalf of the applicant and has direct knowledge of the information contained in the application and its attachments. Any person signing an application shall also sign an affidavit with the following certification:

"I certify, under penalty of perjury as provided by law and under penalty of refusal, suspension, or revocation of a high volume horizontal hydraulic fracturing permit, that this application and all attachments are true, accurate, and complete to the best of my knowledge.".

(g) The permit application shall be submitted to the Department in both electronic and hard copy format. The electronic format shall be searchable.

(h) The application for a high volume horizontal hydraulic fracturing permit may be submitted as a combined permit application with the operator's application to drill on a form as the Department shall prescribe. The combined application must include the information required in this Section. If the operator elects to submit a combined permit application, information required by this Section that is duplicative of information required for an application to drill is only required to be provided once as part of the combined application. The submission of a combined permit application under this subsection shall not be interpreted to relieve the applicant or the Department from complying with the requirements of this Act or the Illinois Oil and Gas Act.

(i) Upon receipt of a permit application, the Department shall have no more than 60 calendar days from the date it receives the permit application to approve, with any conditions the Department may find necessary, or reject the application for the high volume horizontal hydraulic fracturing permit. The applicant may waive, in writing, the 60-day deadline upon its own initiative or in response to a request by the Department.

(j) If at any time during the review period the Department determines that the permit application is not complete under this Act, does not meet the requirements of this Section, or requires additional information, the Department shall notify the applicant in writing of the application's deficiencies and allow the applicant to correct the deficiencies and provide the Department any information requested to complete the application. If the applicant fails to provide adequate supplemental information within the review period, the Department may reject the application.

(Source: P.A. 98-22, eff. 6-17-13; 98-756, eff. 7-16-14.)

(225 ILCS 732/1-65)

Sec. 1-65. Hydraulic fracturing permit; bonds.

(a) An applicant for a high volume horizontal hydraulic fracturing permit under this Act shall provide a bond, executed by a surety authorized to transact business in this State. The bond shall be in the amount of $50,000 per permit or a blanket bond of $500,000 for all permits. If the applicant is required to submit a bond to the Department under the Illinois Oil and Gas Act, the applicant's submission of a bond under this Section shall satisfy the bonding requirements provided for in the Illinois Oil and Gas Act. In lieu of a bond, the applicant may provide other collateral securities such as cash, certificates of deposit, or irrevocable letters of credit under the terms and conditions as the Department may provide by rule.

(b) The bond or other collateral securities shall remain in force until the well is plugged and abandoned. Upon abandoning a well to the satisfaction of the Department and in accordance with the Illinois Oil and Gas Act, the bond or other collateral securities shall be promptly released by the Department. Upon the release by the Department of the bond or other collateral securities, any cash or collateral securities deposited shall be returned by the Department to the applicant who deposited it.

(c) If, after notice and hearing, the Department determines that any of the requirements of this Act or rules adopted under this Act or the orders of the Department have not been complied with within the time

limit set by any notice of violation issued under this Act, the permittee's bond or other collateral securities shall be forfeited. Forfeiture under this subsection shall not limit any duty of the permittee to mitigate or remediate harms or foreclose enforcement by the Department or the Agency. In no way will payment under this bond exceed the aggregate penalty as specified.

(d) When any bond or other collateral security is forfeited under the provisions of this Act or rules adopted under this Act, the Department shall collect the forfeiture without delay. The surety shall have 30 days to submit payment for the bond after receipt of notice by the permittee of the forfeiture.

(e) All forfeitures shall be deposited in the Oil and Gas Resource Management ~~Mines and Minerals Regulatory~~ Fund to be used, as necessary, to mitigate or remediate violations of this Act or rules adopted under this Act.

(Source: P.A. 98-22, eff. 6-17-13.)

(225 ILCS 732/1-135)

Sec. 1-135. The Oil and Gas Resource Management ~~Mines and Minerals Regulatory~~ Fund. The Oil and Gas Resource Management ~~Mines and Minerals Regulatory~~ Fund is created as a special fund in the State treasury. All moneys required by this Act to be deposited into the Fund shall be used by the Department to administer and enforce this Act and otherwise support the operations and programs of the Office of Oil and Gas Resource Management ~~Office of Mines and Minerals~~.

(Source: P.A. 98-22, eff. 6-17-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Anderson, **Senate Bill No. 1483** 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:

Anderson	Harmon	Manar	Rezin
Bennett	Harris	Martinez	Righter
Bertino-Tarrant	Hastings	McCann	Rose
Biss	Holmes	McCarter	Silverstein
Bivins	Hunter	McGuire	Stadelman
Brady	Hutchinson	Morrison	Steans
Bush	Jones, E.	Mulroe	Syverson
Clayborne	Koehler	Murphy	Trotter
Collins	Kotowski	Noland	Mr. President
Cunningham	LaHood	Nybo	
Delgado	Landek	Oberweis	
Duffy	Link	Radogno	
Haine	Luechtefeld	Raoul	

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

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

On motion of Senator Bertino-Tarrant, **Senate Bill No. 1506** 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:

Anderson	Duffy	Link	Radogno
Bennett	Haine	Luechtefeld	Raoul
Bertino-Tarrant	Harmon	Manar	Rezin
Biss	Harris	Martinez	Righter
Bivins	Hastings	McCann	Rose
Brady	Holmes	McGuire	Silverstein
Bush	Hunter	Morrison	Stadelman
Collins	Hutchinson	Mulroe	Steans
Connelly	Jones, E.	Muñoz	Syverson
Cullerton, T.	Koehler	Murphy	Trotter
Cunningham	Kotowski	Noland	Mr. President
Delgado	LaHood	Nybo	

The following voted in the negative:

Landek

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

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

On motion of Senator Koehler, **Senate Bill No. 1590** 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:

Bennett	Harris	Martinez	Rezin
Bertino-Tarrant	Hastings	McCarter	Righter
Bivins	Holmes	McGuire	Rose
Brady	Hunter	Morrison	Silverstein
Bush	Hutchinson	Mulroe	Stadelman
Collins	Jones, E.	Muñoz	Steans
Connelly	Koehler	Murphy	Syverson
Cunningham	Kotowski	Noland	Trotter
Delgado	LaHood	Nybo	Mr. President
Duffy	Landek	Oberweis	
Haine	Link	Radogno	
Harmon	Manar	Raoul	

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

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

On motion of Senator Haine, **Senate Bill No. 1688** 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:

Anderson	Harmon	Manar	Raoul
Bennett	Harris	Martinez	Rezin
Bertino-Tarrant	Hastings	McCann	Righter
Biss	Holmes	McCarter	Rose
Bivins	Hunter	McGuire	Silverstein
Brady	Hutchinson	Morrison	Stadelman
Bush	Jones, E.	Mulroe	Steans
Collins	Koehler	Muñoz	Syverson
Connelly	Kotowski	Murphy	Trotter
Cunningham	LaHood	Noland	Mr. President
Delgado	Landek	Nybo	
Duffy	Link	Oberweis	
Haine	Luechtefeld	Radogno	

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

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

On motion of Senator Haine, **Senate Bill No. 1781** 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:

Anderson	Harmon	Martinez	Rezin
Bennett	Hastings	McCann	Righter
Bertino-Tarrant	Holmes	McCarter	Rose
Biss	Hunter	McGuire	Silverstein
Bivins	Hutchinson	Morrison	Stadelman
Brady	Jones, E.	Mulroe	Steans
Bush	Koehler	Muñoz	Syverson
Collins	Kotowski	Murphy	Trotter
Connelly	LaHood	Noland	Mr. President
Cunningham	Landek	Nybo	
Delgado	Link	Oberweis	
Duffy	Luechtefeld	Radogno	
Haine	Manar	Raoul	

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

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

On motion of Senator Haine, **Senate Bill No. 1782** 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:

Anderson	Haine	Luechtefeld	Radogno
Bennett	Harmon	Manar	Raoul
Bertino-Tarrant	Hastings	Martinez	Rezin
Biss	Holmes	McCann	Righter
Bivins	Hunter	McCarter	Rose
Brady	Hutchinson	McGuire	Silverstein
Bush	Jones, E.	Morrison	Stadelman
Collins	Koehler	Mulroe	Steans
Connelly	Kotowski	Murphy	Syverson
Cunningham	LaHood	Noland	Trotter
Delgado	Landek	Nybo	Mr. President
Duffy	Link	Oberweis	

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

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

On motion of Senator Haine, **Senate Bill No. 1806** 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:

Anderson	Haine	Luechtefeld	Radogno
Bennett	Harmon	Manar	Raoul
Bertino-Tarrant	Hastings	Martinez	Rezin
Biss	Holmes	McCann	Righter
Bivins	Hunter	McCarter	Rose
Brady	Hutchinson	McGuire	Silverstein
Bush	Jones, E.	Morrison	Stadelman
Collins	Koehler	Mulroe	Steans
Connelly	Kotowski	Murphy	Syverson
Cunningham	LaHood	Noland	Trotter
Delgado	Landek	Nybo	Mr. President
Duffy	Link	Oberweis	

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

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

On motion of Senator Raoul, **Senate Bill No. 1824** 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; NAY 1.

The following voted in the affirmative:

Anderson	Harmon	Manar	Rezin
Bennett	Hastings	Martinez	Righter
Biss	Holmes	McCann	Silverstein
Bivins	Hunter	McGuire	Stadelman
Brady	Hutchinson	Morrison	Steans
Bush	Jones, E.	Mulroe	Syverson
Collins	Koehler	Murphy	Trotter
Connelly	Kotowski	Noland	Mr. President
Cunningham	LaHood	Nybo	
Delgado	Landek	Oberweis	
Duffy	Link	Radogno	
Haine	Luechtefeld	Raoul	

The following voted in the negative:

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.

On motion of Senator Manar, **Senate Bill No. 1885** 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 41; NAYS None.

The following voted in the affirmative:

Anderson	Harmon	Manar	Rezin
Bennett	Hastings	Martinez	Righter
Biss	Holmes	McCann	Silverstein
Bivins	Hunter	McCarter	Stadelman
Brady	Hutchinson	Morrison	Steans
Bush	Jones, E.	Mulroe	Syverson
Collins	Koehler	Murphy	Trotter
Connelly	Kotowski	Noland	Mr. President
Cunningham	LaHood	Nybo	
Delgado	Landek	Radogno	
Haine	Luechtefeld	Raoul	

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

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

On motion of Senator Connelly, **Senate Bill No. 1932** 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:

Anderson	Haine	Manar	Rezin
Bennett	Harmon	Martinez	Righter
Bertino-Tarrant	Hastings	McCann	Silverstein
Biss	Holmes	McCarter	Stadelman
Bivins	Hunter	McGuire	Steans
Brady	Hutchinson	Morrison	Syverson
Bush	Jones, E.	Mulroe	Trotter
Collins	Koehler	Murphy	Mr. President
Connelly	Kotowski	Noland	
Cunningham	LaHood	Nybo	
Delgado	Landek	Radogno	
Duffy	Luechtefeld	Raoul	

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

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

On motion of Senator Hastings, **Senate Bill No. 1941** 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:

Anderson	Haine	Luechtefeld	Radogno
Bennett	Harmon	Manar	Raoul
Bertino-Tarrant	Hastings	Martinez	Rezin
Biss	Holmes	McCann	Righter
Bivins	Hunter	McCarter	Silverstein
Brady	Hutchinson	McGuire	Stadelman
Bush	Jones, E.	Morrison	Steans
Collins	Koehler	Mulroe	Syverson
Connelly	Kotowski	Murphy	Trotter
Cunningham	LaHood	Noland	Mr. President
Delgado	Landek	Nybo	

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 Hastings, **Senate Bill No. 1942** 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:

Anderson	Haine	Luechtefeld	Radogno
Bennett	Harmon	Manar	Raoul
Biss	Hastings	Martinez	Rezin
Bivins	Holmes	McCann	Righter
Brady	Hunter	McCarter	Silverstein
Bush	Hutchinson	McGuire	Stadelman
Collins	Jones, E.	Morrison	Steans
Connelly	Koehler	Mulroe	Syverson
Cunningham	Kotowski	Murphy	Trotter
Delgado	LaHood	Noland	Mr. President
Duffy	Landek	Nybo	

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.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Anderson moved that **Senate Resolution No. 198**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Anderson moved that Senate Resolution No. 198 be adopted.

The motion prevailed.

And the resolution was adopted.

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. 208

A bill for AN ACT concerning pie.

HOUSE BILL NO. 2706

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2822

A bill for AN ACT concerning human trafficking.

HOUSE BILL NO. 3531

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 3616

A bill for AN ACT concerning regulation.

Passed the House, April 16, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 208, 2706, 2822, 3531 and 3616** 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. 810
A bill for AN ACT concerning education.
HOUSE BILL NO. 3149
A bill for AN ACT concerning State government.
HOUSE BILL NO. 3158
A bill for AN ACT concerning health.
HOUSE BILL NO. 3220
A bill for AN ACT concerning employment.
HOUSE BILL NO. 3527
A bill for AN ACT concerning education.
HOUSE BILL NO. 3750
A bill for AN ACT concerning transportation.
Passed the House, April 16, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 810, 3149, 3158, 3220, 3527 and 3750** 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. 1326
A bill for AN ACT concerning safety.
HOUSE BILL NO. 3104
A bill for AN ACT concerning local government.
HOUSE BILL NO. 3369
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3374
A bill for AN ACT concerning State government.
HOUSE BILL NO. 3797
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 3884
A bill for AN ACT concerning criminal law.
Passed the House, April 16, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1326, 3104, 3369, 3374, 3797 and 3884** were taken up, ordered printed and placed on first reading.

PRESENTATION OF RESOLUTION

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

SENATE JOINT RESOLUTION NO. 22

WHEREAS, Dyslexia is a language-based learning disability and the most common cause of reading, writing, and spelling difficulties; and

WHEREAS, Dyslexia affects 70%-80% of people with reading difficulties and is more common than autism, attention deficit disorder, and attention deficit hyperactive disorder; and

WHEREAS, At least 2 million people in Illinois show symptoms of dyslexia; and

WHEREAS, Dyslexia is a neurological and genetic disorder, affecting all ethnicities and socio-economic statuses equally; and

WHEREAS, Students with dyslexia face difficulty learning to read and, if left undiagnosed, often become frustrated with academic study; and

WHEREAS, With the help of intervention before 1st grade, students with dyslexia can learn to read and write at grade level; and

WHEREAS, If children with dyslexia are poor readers in 3rd grade, they will likely remain poor readers into their adult lives; and

WHEREAS, Globally, great strides have been made to raise awareness about dyslexia to promote early diagnosis, including the designation of October as National Dyslexia Awareness Month in the United States of America; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the last week of October in 2015 as Dyslexia Awareness Week in the State of Illinois; and be it further

RESOLVED, That we recognize the importance of improving awareness and encouraging early diagnosis of dyslexia; and be it further

RESOLVED, That we wholeheartedly support a State, national, and global commitment to improving the reading abilities of children and adults who struggle with dyslexia.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 257

Offered by Senator Althoff and all Senators:
Mourns the death of Josephine Lucas of Marengo.

SENATE RESOLUTION NO. 258

Offered by Senator Althoff and all Senators:
Mourns the death of Katherine Mary Durkee of Harvard.

SENATE RESOLUTION NO. 259

Offered by Senator Althoff and all Senators:
Mourns the death of Christian Eugene "Gene" Trummel of Crystal Lake.

SENATE RESOLUTION NO. 260

Offered by Senator Althoff and all Senators:
Mourns the death of Howard Parker Price of Lake in the Hills.

SENATE RESOLUTION NO. 261

Offered by Senator Althoff and all Senators:
Mourns the death of Terrie T. Hoven of Island Lake.

SENATE RESOLUTION NO. 262

Offered by Senator Althoff and all Senators:
Mourns the death of Esther Chloe Sturm of Wonder Lake.

SENATE RESOLUTION NO. 263
Offered by Senator Althoff and all Senators:
Mourns the death of Edward Frank Lewakowski of McHenry.

SENATE RESOLUTION NO. 264
Offered by Senator Althoff and all Senators:
Mourns the death of David L. Pedersen.

SENATE RESOLUTION NO. 265
Offered by Senator Althoff and all Senators:
Mourns the death of Teresa Suzanne Ponio of Island Lake.

SENATE RESOLUTION NO. 266
Offered by Senator Althoff and all Senators:
Mourns the death of Robert E. Schultz of Marengo.

SENATE RESOLUTION NO. 267
Offered by Senator Althoff and all Senators:
Mourns the death of Ida M. Krause of Harvard.

SENATE RESOLUTION NO. 268
Offered by Senator Althoff and all Senators:
Mourns the death of Robert Waldo "Bob" Frantz of Huntley.

SENATE RESOLUTION NO. 269
Offered by Senator Althoff and all Senators:
Mourns the death of Linda Weidner of McHenry.

SENATE RESOLUTION NO. 270
Offered by Senator Althoff and all Senators:
Mourns the death of Melvin R. Nelson of McHenry.

SENATE RESOLUTION NO. 271
Offered by Senator Mulroe and all Senators:
Mourns the death of Patrick E. Mahoney of Western Springs.

SENATE RESOLUTION NO. 272
Offered by Senator Althoff and all Senators:
Mourns the death of Dean Cornell Cunat of McHenry.

SENATE RESOLUTION NO. 273
Offered by Senator Althoff and all Senators:
Mourns the death of Margaret Manke of Woodstock.

SENATE RESOLUTION NO. 274
Offered by Senator Althoff and all Senators:
Mourns the death of Jeannette C. Starritt of Crystal Lake.

SENATE RESOLUTION NO. 275
Offered by Senator Althoff and all Senators:
Mourns the death of Doris M. Speaker of Richmond.

SENATE RESOLUTION NO. 276
Offered by Senator Althoff and all Senators:
Mourns the death of Lawrence R. Heckathorne of McHenry.

SENATE RESOLUTION NO. 277
Offered by Senator Althoff and all Senators:
Mourns the death of Anton Joseph "Papa Tony" Cerveny of Alamogordo, New Mexico.

SENATE RESOLUTION NO. 278
Offered by Senator Althoff and all Senators:
Mourns the death of John F. "Johnny Walker" Walker of McHenry.

SENATE RESOLUTION NO. 279
Offered by Senator Althoff and all Senators:
Mourns the death of Walter "Butch" Barry of Harvard.

SENATE RESOLUTION NO. 280
Offered by Senator Althoff and all Senators:
Mourns the death of Michael Stephen Ferguson.

SENATE RESOLUTION NO. 281
Offered by Senator Althoff and all Senators:
Mourns the death of Juanita L. Braid of McHenry.

SENATE RESOLUTION NO. 282
Offered by Senator Althoff and all Senators:
Mourns the death of Geraldine L. Knutson of Harvard.

SENATE RESOLUTION NO. 283
Offered by Senator Althoff and all Senators:
Mourns the death of Andi Lynn Swenson of Harvard.

SENATE RESOLUTION NO. 284
Offered by Senator Althoff and all Senators:
Mourns the death of Benjamin Allison of Crystal Lake.

SENATE RESOLUTION NO. 285
Offered by Senator Althoff and all Senators:
Mourns the death of Eileen F. Stevens of Woodstock.

SENATE RESOLUTION NO. 286
Offered by Senator Althoff and all Senators:
Mourns the death of Leonard J. "Len" Sieracki of McHenry.

SENATE RESOLUTION NO. 287
Offered by Senator Althoff and all Senators:
Mourns the death of Paul D. Yaney of Spring Grove.

SENATE RESOLUTION NO. 288
Offered by Senator Althoff and all Senators:
Mourns the death of Donald R. Pfau of Spring Grove.

SENATE RESOLUTION NO. 289
Offered by Senator Althoff and all Senators:
Mourns the death of Diane L. Schwind of Richmond.

SENATE RESOLUTION NO. 290
Offered by Senator Althoff and all Senators:
Mourns the death of Clara R. McAndrews of Bull Valley.

SENATE RESOLUTION NO. 291
Offered by Senator Althoff and all Senators:
Mourns the death of Thomas George Treptow.

SENATE RESOLUTION NO. 292
Offered by Senator Althoff and all Senators:

Mourns the death of Dzemal Mulasmajic.

SENATE RESOLUTION NO. 293
Offered by Senator Althoff and all Senators:
Mourns the death of Irene Gundelach of Marengo.

SENATE RESOLUTION NO. 294
Offered by Senator Althoff and all Senators:
Mourns the death of Phyllis Fondakowski of Woodstock.

SENATE RESOLUTION NO. 295
Offered by Senator Althoff and all Senators:
Mourns the death of John J. Kuberski of Crystal Lake.

SENATE RESOLUTION NO. 296
Offered by Senator Althoff and all Senators:
Mourns the death of Ronald F. Frey of McHenry.

SENATE RESOLUTION NO. 297
Offered by Senator Althoff and all Senators:
Mourns the death of Louise Magadalena Dahlman of Marengo.

SENATE RESOLUTION NO. 298
Offered by Senator Althoff and all Senators:
Mourns the death of Fred E. Ufert of Wood River.

SENATE RESOLUTION NO. 299
Offered by Senator Koehler and all Senators:
Mourns the death of Harry H. "Hank" Sonnemaker, Jr., of Dunlap.

SENATE RESOLUTION NO. 300
Offered by Senator Manar and all Senators:
Mourns the death of Robert Henry Dilliard of Belleville.

SENATE RESOLUTION NO. 301
Offered by Senator Morrison and all Senators:
Mourns the death of Roscoe Garrett of Lake Forest.

SENATE RESOLUTION NO. 302
Offered by Senator Morrison and all Senators:
Mourns the death of Howard Jones, Jr., of Lake Forest.

SENATE RESOLUTION NO. 303
Offered by Senator Morrison and all Senators:
Mourns the death of Walter Franz Veile.

SENATE RESOLUTION NO. 304
Offered by Senator McConnaughay and all Senators:
Mourns the death of Thomas M. Stock of Lake in the Hills.

SENATE RESOLUTION NO. 305
Offered by Senator Koehler and all Senators:
Mourns the death of Kathryn Bickerman Downing of Peoria Heights.

SENATE RESOLUTION NO. 306
Offered by Senator Koehler and all Senators:
Mourns the death of David A. Ryon of Peoria Heights.

SENATE RESOLUTION NO. 307

Offered by Senator Oberweis and all Senators:
Mourns the death of Michael Christopher Bruno of Inverness.

SENATE RESOLUTION NO. 308
Offered by Senator Sullivan and all Senators:
Mourns the death of Gerald M. Finn of Virginia.

SENATE RESOLUTION NO. 309
Offered by Senator Tom Cullerton and all Senators:
Mourns the death of Salvatore S. Aiello.

SENATE RESOLUTION NO. 310
Offered by Senator Morrison and all Senators:
Mourns the death of Mary Jarvis Beattie.

SENATE RESOLUTION NO. 311
Offered by Senator Manar and all Senators:
Mourns the death of Jarid L. Ott of Staunton.

SENATE RESOLUTION NO. 312
Offered by Senator Murphy and all Senators:
Mourns the death of John A. Kuhn of Rolling Meadows.

SENATE RESOLUTION NO. 313
Offered by Senator McGuire and all Senators
Mourns the death of Josefina Castillo of Romeoville.

SENATE RESOLUTION NO. 314
Offered by Senator McGuire and all Senators
Mourns the death of James L. "Jim" Meader of Lockport.

SENATE RESOLUTION NO. 315
Offered by Senator Bennett and all Senators:
Mourns the death of Mark Neil.

SENATE RESOLUTION NO. 316
Offered by Senator Bennett and all Senators:
Mourns the death of Lezlie Kay Randall of Tilton.

SENATE RESOLUTION NO. 320
Offered by Senator Althoff and all Senators:
Mourns the death of Viola Augusta Zimmerman.

SENATE RESOLUTION NO. 321
Offered by Senator Althoff and all Senators:
Mourns the death of Henrietta Cecelia Nell.

SENATE RESOLUTION NO. 322
Offered by Senator Althoff and all Senators:
Mourns the death of Edward F. Gilligan, Sr., of Harvard.

SENATE RESOLUTION NO. 323
Offered by Senator McCann and all Senators:
Mourns the death of Susan Kay Browning of Perry.

SENATE RESOLUTION NO. 324
Offered by Senator McCann and all Senators:
Mourns the death of Kenneth J. Lehr of Fidelity.

SENATE RESOLUTION NO. 326

Offered by Senator Righter and all Senators:
Mourns the death of Kevin M. Hansen of Homewood.

SENATE RESOLUTION NO. 327

Offered by Senator McGuire and all Senators
Mourns the death of Mary A. (nee Patrick) Doyle-Mikulich of Lockport.

SENATE RESOLUTION NO. 328

Offered by Senator Haine and all Senators:
Mourns the death of Dorothy Nicolet Schulz of Alton.

SENATE RESOLUTION NO. 329

Offered by Senator Harmon and all Senators:
Mourns the death of Paul J. Dunn, M.D., of Oak Park.

The Chair moved the adoption of the Resolutions Consent Calendar. The motion prevailed, and the resolutions were adopted.

MESSAGE FROM THE HOUSE

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has 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. 64

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Friday, April 17, 2015, it stands adjourned until Monday, April 20, 2015 at 12:00 o'clock noon, or until the call of the Speaker and when the Senate adjourns on Thursday, April 16, 2015, it stands adjourned until Tuesday, April 21, 2015, or until the call of the President.

Adopted by the House, April 14, 2015.

TIMOTHY D. MAPES, Clerk of the House

By unanimous consent, on motion of Senator Harmon, the foregoing message reporting House Joint Resolution No. 64 was taken up for immediate consideration.

Senator Harmon moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

COMMUNICATION

ILLINOIS STATE SENATE
DON HARMON
PRESIDENT PRO TEMPORE
39TH DISTRICT

DISCLOSURE TO THE SENATE

Date: 4/16/15

Legislative Measure(s): SB777

Venue:

□ Committee on _____

■ Full Senate

■ Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

□ Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Don Harmon
Senator Don Harmon

At the hour of 3:29 o'clock p.m., pursuant to **House Joint Resolution No. 64**, the Chair announced the Senate stand adjourned until Tuesday, April 21, 2015, at 12:00 o'clock noon, or until the call of the President.