



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-NINTH GENERAL ASSEMBLY**

**40TH LEGISLATIVE DAY**

**WEDNESDAY, MAY 13, 2015**

**12:23 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**40th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Kimberly A. Lightford, Maywood, Illinois, presiding.  
Prayer by Major Kelly Collins, Divisional Commander, Heartland Division, Salvation Army, Peoria, Illinois.  
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, May 12, 2015, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

### **REPORT RECEIVED**

The Secretary placed before the Senate the following report:

Report 13-15 Pursuant to the Taxpayer Accountability and Budget Stabilization Act, submitted by the Office of the Auditor General.

The foregoing report was ordered received and placed on file in the Secretary's Office.

### **LEGISLATIVE MEASURES FILED**

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

Committee Amendment No. 1 to House Joint Resolution 10

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

Committee Amendment No. 2 to House Bill 1424  
Committee Amendment No. 1 to House Bill 3240  
Committee Amendment No. 1 to House Bill 3683

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

Floor Amendment No. 2 to House Bill 220  
Floor Amendment No. 3 to House Bill 220  
Floor Amendment No. 1 to House Bill 2502

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

Floor Amendment No. 1 to Senate Bill 142

### **MESSAGES FROM THE PRESIDENT**

#### **OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

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

May 12, 2015

[May 13, 2015]

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am canceling Session scheduled Friday, May 15, 2015. Session will reconvene at 3:00pm on Monday, May 18, 2015.

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

cc: Senate Minority Leader Christine Radogno  
Democrat Caucus Members  
Tim Mapes

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

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

May 13, 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 Pat McGuire to temporarily replace Senator Martin Sandoval as a member of the Senate Local Government Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Local Government Committee.

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

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

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

May 13, 2015

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

[May 13, 2015]

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Toi Hutchinson to temporarily replace Senator Patricia Van Pelt as a member of the Senate Criminal Law Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Criminal Law Committee.

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

cc: Senate Minority Leader Christine Radogno

### PRESENTATION OF RESOLUTIONS

#### SENATE RESOLUTION NO. 536

Offered by Senator Brady and all Senators:  
Mourns the death of the Reverend Howard Nichols, Sr., of Chicago.

#### SENATE RESOLUTION NO. 537

Offered by Senator Link and all Senators:  
Mourns the death of Mildred I. "Millie" Best.

#### SENATE RESOLUTION NO. 538

Offered by Senator Link and all Senators:  
Mourns the death of Wilfred F. Balmes of North Chicago.

#### SENATE RESOLUTION NO. 539

Offered by Senator Link and all Senators:  
Mourns the death of James M. "Jim" Balmes.

#### SENATE RESOLUTION NO. 540

Offered by Senator McGuire and all Senators  
Mourns the death of Mildred Orlovich.

#### SENATE RESOLUTION NO. 541

Offered by Senator McGuire and all Senators  
Mourns the death of Emanuel Fattore of Joliet.

#### SENATE RESOLUTION NO. 542

Offered by Senator Bennett and all Senators:  
Mourns the death of Nancy Lee Turgasen Bates of Danville.

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

### REPORTS FROM STANDING COMMITTEES

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **Senate Resolution No. 415**, reported the same back with the recommendation that the resolution be adopted. Under the rules, **Senate Resolution No. 415** was placed on the Secretary's Desk.

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 3504, 3531 and 3841**, reported the same back with the recommendation that the bills do pass. Under the rules, the bills were ordered to a second reading.

[May 13, 2015]

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 152, 184, 2462 and 2790**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

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

Senate Amendment No. 2 to House Bill 2706

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

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

Senate Amendment No. 1 to Senate Bill 220

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

Senator Delgado, Chairperson of the Committee on Education, to which was referred **Senate Joint Resolution No. 21**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 21** was placed on the Secretary's Desk.

Senator Delgado, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 806, 3159 and 4025**, reported the same back with the recommendation that the bills do pass.

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

Senator Delgado, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 165, 2683, 2781 and 3197**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Delgado, Chairperson of the Committee on Education, to which was referred **House Joint Resolution No. 36**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 36** was placed on the Secretary's Desk.

Senator Biss, Chairperson of the Committee on Human Services, to which was referred **Senate Resolution No. 342**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 342** was placed on the Secretary's Desk.

Senator Biss, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 1876, 3270, 3304, 3311, 3507 and 4096**, reported the same back with the recommendation that the bills do pass.

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

Senator Biss, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 2755 and 3684**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 1531, 2556, 3445, 3493, 3552, 3620, 3704 and 3967**, reported the same back with the recommendation that the bills do pass.

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

[May 13, 2015]

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 1485, 1588, 2635, 2641, 3332, 3464 and 3983**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

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

Senate Amendment No. 1 to House Bill 4090

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

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

Senate Amendment No. 2 to Senate Bill 806

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

Senator McGuire, Chairperson of the Committee on Higher Education, to which was referred **House Bills Numbered 3428, 3476 and 3577**, reported the same back with the recommendation that the bills do pass.

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **Senate Bill No. 1441**, 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 Sandoval, Chairperson of the Committee on Transportation, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 626

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **Senate Resolution No. 412**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 412** was placed on the Secretary's Desk.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **Senate Joint Resolution No. 24**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 24** was placed on the Secretary's Desk.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 198, 2503, 2685, 2811, 3812 and 3944**, reported the same back with the recommendation that the bills do pass.

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bill No. 3241**, 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 Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Joint Resolutions numbered 13, 21, 42 and 51**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **House Joint Resolutions numbered 13, 21, 42 and 51** were placed on the Secretary's Desk.

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

Senate Amendment No. 2 to Senate Bill 1745

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

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred **Senate Resolution No. 527**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 527** was placed on the Secretary's Desk.

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred **House Bills Numbered 735, 3193, 3444 and 3672**, reported the same back with the recommendation that the bills do pass.

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

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred **House Bills Numbered 245 and 417**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

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

Senate Amendment No. 2 to Senate Bill 155

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

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **House Bills Numbered 2627 and 3429**, reported the same back with the recommendation that the bills do pass.

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

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **House Bill No. 3333**, 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 Noland, Chairperson of the Committee on Criminal Law, to which was referred **House Bills Numbered 242, 821, 1446, 1453, 2722, 3143, 3152, 3231, 3533, 3670, 3785 and 3988**, reported the same back with the recommendation that the bills do pass.

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

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **House Bills Numbered 1516 and 4044**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **House Joint Resolution No. 53**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 53** was placed on the Secretary's Desk.

[May 13, 2015]



Senator Forby, Chairperson of the Committee on Labor, to which was referred **House Bill No. 3619**, reported the same back with the recommendation that the bill do pass.  
Under the rules, the bill was ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **House Bill No. 3323**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.  
Under the rules, the bill was ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **House Joint Resolution No. 28**, reported the same back with the recommendation that the resolution be adopted.  
Under the rules, **House Joint Resolution No. 28** was placed on the Secretary's Desk.

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Harmon, **House Bill No. 1422** was taken up, read by title a second time and ordered to a third reading.

At the hour of 12:38 o'clock p.m., President Cullerton, presiding, for the purpose of an introduction.

At the hour of 12:44 o'clock p.m., Senator Lightford, presiding.

At the hour of 12:45 o'clock p.m., Senator Connelly, presiding, for the purpose of introductions.

At the hour of 12:58 o'clock p.m., Senator Lightford, presiding, and the Senate resumed consideration of business.

### CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Hunter moved that **Senate Resolution No. 319**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hunter moved that Senate Resolution No. 319 be adopted.

The motion prevailed.

And the resolution was adopted.

### SENATE BILLS RECALLED

On motion of Senator Haine, **Senate Bill No. 155** was recalled from the order of third reading to the order of second reading.

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

Senator Haine offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 155

AMENDMENT NO. 2. Amend Senate Bill 155 by replacing everything after the enacting clause with the following:

"Section 5. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 8.1 as follows:

(765 ILCS 1025/8.1) (from Ch. 141, par. 108.1)

Sec. 8.1. Property held by governments.

(a) All tangible personal property or intangible personal property and all debts owed or entrusted funds or other property held by any federal, state or local government or governmental subdivision, agency,

entity, officer or appointee thereof, shall be presumed abandoned if the property has remained unclaimed for 7 years.

(b) This Section applies to all abandoned property held by any federal, state or local government or governmental subdivision, agency, entity, officer or appointee thereof, on the effective date of this amendatory Act of 1991 or at any time thereafter, regardless of when the property became or becomes presumptively abandoned.

(c) United States savings bonds.

(1) As used in this subsection, "United States savings bond" means property, tangible or intangible, in the form of a savings bond issued by the United States Treasury, whether in paper, electronic, or paperless form, along with all proceeds thereof.

(2) Notwithstanding any provision of this Act to the contrary, a United States savings bond subject to this Section or held or owing in this State by any person, shall be presumed abandoned when such bond has remained unclaimed and unredeemed for 5 years after its date of maturity.

(3) United States savings bonds that are presumed abandoned and unclaimed under paragraph (2), including bonds in the possession of the State Treasurer, and those lost, stolen, or destroyed bonds registered to persons with last known addresses in this State, shall escheat to this State and all property rights and legal title to and ownership of the United States savings bonds, or proceeds from the bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest solely in this State according to the procedure set forth in paragraphs (4) through (6).

(4) Within 180 days after a United States savings bond has been presumed abandoned, in the absence of a claim having been filed with the State Treasurer for the savings bond, the State Treasurer shall commence a civil action in the Circuit Court of Sangamon County for a determination that the United States savings bond has escheated to this State. The State Treasurer may postpone the bringing of the action until sufficient United States savings bonds have accumulated in the State Treasurer's custody to justify the expense of the proceedings.

(5) The State Treasurer shall make service by publication in the civil action in accordance with Sections 2-206 and 2-207 of the Code of Civil Procedure.

(6) If no person files a claim or appears at the hearing to substantiate a claim or if the court determines that a claimant is not entitled to the property claimed by the claimant, then the court, if satisfied by evidence that the State Treasurer has substantially complied with the laws of this State, shall enter a judgment that the United States savings bonds have escheated to this State, and all property rights and legal title to and ownership of such United States savings bonds or proceeds from such bonds, including all rights, powers, and privileges of survivorship of any owner, co-owner, or beneficiary, shall vest in this State.

(7) The State Treasurer shall redeem from the Bureau of the Fiscal Service of the United States Treasury the United States savings bonds escheated to this State and deposit the proceeds from the redemption of United States savings bonds into the Unclaimed Property Trust Fund.

(8) Any person making a claim for the United States savings bonds escheated to this State under this Section, or for the proceeds from such bonds, may file a claim with the State Treasurer. Upon providing sufficient proof of the validity of such person's claim, the State Treasurer may, in his or her sole discretion, pay such claim less any expenses and costs incurred by this State in securing full title and ownership of such property by escheat. If payment has been made to any claimant, no action thereafter shall be maintained by any other claimant against this State or any officer thereof for or on account of such funds. (Source: P.A. 90-167, eff. 7-23-97; 91-357, eff. 7-29-99.)

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

On motion of Senator McCann, **Senate Bill No. 220** was recalled from the order of third reading to the order of second reading.

Senator McCann offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 220**

AMENDMENT NO. 2. Amend Senate Bill 220, AS AMENDED, by replacing everything after the enacting clause with the following:

[May 13, 2015]

"Section 5. The Personnel Code is amended by changing Section 4d as follows:

(20 ILCS 415/4d) (from Ch. 127, par. 63b104d)

Sec. 4d. Partial exemptions. The following positions in State service are exempt from jurisdictions A, B, and C to the extent stated for each, unless those jurisdictions are extended as provided in this Act:

(1) In each department, board or commission that now maintains or may hereafter maintain a major administrative division, service or office in both Sangamon County and Cook County, 2 private secretaries for the director or chairman thereof, one located in the Cook County office and the other located in the Sangamon County office, shall be exempt from jurisdiction B; in all other departments, boards and commissions one private secretary for the director or chairman thereof shall be exempt from jurisdiction B. In all departments, boards and commissions one confidential assistant for the director or chairman thereof shall be exempt from jurisdiction B. This paragraph is subject to such modifications or waiver of the exemptions as may be necessary to assure the continuity of federal contributions in those agencies supported in whole or in part by federal funds.

(2) The resident administrative head of each State charitable, penal and correctional institution, the chaplains thereof, and all member, patient and inmate employees are exempt from jurisdiction B.

(3) The Civil Service Commission, upon written recommendation of the Director of Central Management Services, shall exempt from jurisdiction B other positions which, in the judgment of the Commission, involve either principal administrative responsibility for the determination of policy or principal administrative responsibility for the way in which policies are carried out, except positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements, and except positions in agencies supported in whole by federal funds.

(4) All beauticians and teachers of beauty culture and teachers of barbering, and all positions heretofore paid under Section 1.22 of "An Act to standardize position titles and salary rates", approved June 30, 1943, as amended, shall be exempt from jurisdiction B.

(5) Licensed attorneys in positions as legal or technical advisors, positions in the Department of Natural Resources requiring incumbents to be either a registered professional engineer or to hold a bachelor's degree in engineering from a recognized college or university, licensed physicians in positions of medical administrator or physician or physician specialist (including psychiatrists), all positions within the Department of Juvenile Justice requiring licensure by the State Board of Education under Article 21B of the School Code, and registered nurses (except those registered nurses employed by the Department of Public Health), except those in positions in agencies which receive federal funds if such exemption is inconsistent with federal requirements and except those in positions in agencies supported in whole by federal funds, are exempt from jurisdiction B only to the extent that the requirements of Section 8b.1, 8b.3 and 8b.5 of this Code need not be met.

(6) All positions established outside the geographical limits of the State of Illinois to which appointments of other than Illinois citizens may be made are exempt from jurisdiction B.

(7) Staff attorneys reporting directly to individual Commissioners of the Illinois Workers' Compensation Commission are exempt from jurisdiction B.

(8) Twenty-one senior public service administrator positions within the Department of Healthcare and Family Services, as set forth in this paragraph (8), requiring the specific knowledge of healthcare administration, healthcare finance, healthcare data analytics, or information technology described are exempt from jurisdiction B only to the extent that the requirements of Sections 8b.1, 8b.3, and 8b.5 of this Code need not be met. The General Assembly finds that these positions are all senior policy makers and have spokesperson authority for the Director of the Department of Healthcare and Family Services. When filling positions so designated, the Director of Healthcare and Family Services shall cause a position description to be published which allots points to various qualifications desired. After scoring qualified applications, the Director shall add Veteran's Preference points as enumerated in Section 8b.7 of this Code. The following are the minimum qualifications for the senior public service administrator positions provided for in this paragraph (8):

(A) HEALTHCARE ADMINISTRATION.

Medical Director: Licensed Medical Doctor in good standing; experience in healthcare payment systems, pay for performance initiatives, medical necessity criteria or federal or State quality improvement programs; preferred experience serving Medicaid patients or experience in population health programs with a large provider, health insurer, government agency, or research institution.

Chief, Bureau of Quality Management: Advanced degree in health policy or health

professional field preferred; at least 3 years experience in implementing or managing healthcare quality improvement initiatives in a clinical setting.

Quality Management Bureau: Manager, Care Coordination/Managed Care Quality:

Clinical degree or advanced degree in relevant field required; experience in the field of managed care quality improvement, with knowledge of HEDIS measurements, coding, and related data definitions.

Quality Management Bureau: Manager, Primary Care Provider Quality and Practice

Development: Clinical degree or advanced degree in relevant field required; experience in practice administration in the primary care setting with a provider or a provider association or an accrediting body; knowledge of practice standards for medical homes and best evidence based standards of care for primary care.

Director of Care Coordination Contracts and Compliance: Bachelor's degree

required; multi-year experience in negotiating managed care contracts, preferably on behalf of a payer; experience with health care contract compliance.

Manager, Long Term Care Policy: Bachelor's degree required; social work,

gerontology, or social service degree preferred; knowledge of Olmstead and other relevant court decisions required; experience working with diverse long term care populations and service systems, federal initiatives to create long term care community options, and home and community-based waiver services required. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

Manager, Behavioral Health Programs: Clinical license or Advanced degree

required, preferably in psychology, social work, or relevant field; knowledge of medical necessity criteria and governmental policies and regulations governing the provision of mental health services to Medicaid populations, including children and adults, in community and institutional settings of care. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

Manager, Office of Accountable Care Entity Development: Bachelor's degree

required, clinical degree or advanced degree in relevant field preferred; experience in developing integrated delivery systems, including knowledge of health homes and evidence-based standards of care delivery; multi-year experience in health care or public health management; knowledge of federal ACO or other similar delivery system requirements and strategies for improving health care delivery.

Manager of Federal Regulatory Compliance: Bachelor's degree required, advanced

degree preferred, in healthcare management or relevant field; experience in healthcare administration or Medicaid State Plan amendments preferred; experience interpreting federal rules; experience with either federal health care agency or with a State agency in working with federal regulations.

Manager, Office of Medical Project Management: Bachelor's degree required,

project management certification preferred; multi-year experience in project management and developing business analyst skills; leadership skills to manage multiple and complex projects.

Manager of Medicare/Medicaid Coordination: Bachelor's degree required,

knowledge and experience with Medicare Advantage rules and regulations, knowledge of Medicaid laws and policies; experience with contract drafting preferred.

Chief, Bureau of Eligibility Integrity: Bachelor's degree required, advanced

degree in public administration or business administration preferred; experience equivalent to 4 years of administration in a public or business organization required; experience with managing contract compliance required; knowledge of Medicaid eligibility laws and policy preferred; supervisory experience preferred. The General Assembly finds that this position is necessary for the timely and effective implementation of this amendatory Act of the 97th General Assembly.

#### (B) HEALTHCARE FINANCE.

Director of Care Coordination Rate and Finance: MBA, CPA, or Actuarial degree

required; experience in managed care rate setting, including, but not limited to, baseline costs and growth trends; knowledge and experience with Medical Loss Ratio standards and measurements.

Director of Encounter Data Program: Bachelor's degree required, advanced degree

preferred, preferably in health care, business, or information systems; at least 2 years healthcare or other similar data reporting experience, including, but not limited to, data definitions, submission, and editing; background in HIPAA transactions relevant to encounter data submission; experience with large provider, health insurer, government agency, or research institution or other knowledge of healthcare claims systems.

Manager of Medical Finance, Division of Finance: Requires relevant advanced degree or certification in relevant field, such as Certified Public Accountant; coursework in business or public administration, accounting, finance, data analysis, or statistics preferred; experience in control systems and GAAP; financial management experience in a healthcare or government entity utilizing Medicaid funding.

(C) HEALTHCARE DATA ANALYTICS.

Data Quality Assurance Manager: Bachelor's degree required, advanced degree preferred, preferably in business, information systems, or epidemiology; at least 3 years of extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; previous data quality assurance role or formal data quality assurance training.

Data Analytics Unit Manager: Bachelor's degree required, advanced degree preferred, in information systems, applied mathematics, or another field with a strong analytics component; extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments; in-depth knowledge of health insurance coding and evolving healthcare quality metrics; working knowledge of SQL and/or SAS.

Data Analytics Platform Manager: Bachelor's degree required, advanced degree preferred, preferably in business or information systems; extensive healthcare data reporting experience with a large provider, health insurer, government agency, or research institution; previous experience working on a health insurance data analytics platform; experience managing contracts and vendors preferred.

(D) HEALTHCARE INFORMATION TECHNOLOGY.

Manager of MMIS Claims Unit: Bachelor's degree required, with preferred coursework in business, public administration, information systems; experience equivalent to 4 years of administration in a public or business organization; working knowledge with design and implementation of technical solutions to medical claims payment systems; extensive technical writing experience, including, but not limited to, the development of RFPs, APDs, feasibility studies, and related documents; thorough knowledge of IT system design, commercial off the shelf software packages and hardware components.

Assistant Bureau Chief, Office of Information Systems: Bachelor's degree required, with preferred coursework in business, public administration, information systems; experience equivalent to 5 years of administration in a public or private business organization; extensive technical writing experience, including, but not limited to, the development of RFPs, APDs, feasibility studies and related documents; extensive healthcare technology experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments; thorough knowledge of IT system design, commercial off the shelf software packages and hardware components.

Technical System Architect: Bachelor's degree required, with preferred coursework in computer science or information technology; prior experience equivalent to 5 years of computer science or IT administration in a public or business organization; extensive healthcare technology experience with a large provider, health insurer, government agency, or research institution; experience as a business analyst interfacing between business and information technology departments.

The provisions of this paragraph (8), other than this sentence, are inoperative after January 1, 2014.

(9) All positions within the Illinois School for the Deaf and the Illinois School for the Visually Impaired requiring licensure by the State Board of Education under Article 21B of the School Code. The provisions of this paragraph (9), other than this sentence, are inoperative after January 1, 2017.

(Source: P.A. 97-649, eff. 12-30-11; 97-689, eff. 6-14-12; 98-104, eff. 7-22-13; 98-1146, eff. 12-30-14.)

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

[May 13, 2015]

**READING BILL OF THE SENATE A THIRD TIME**

On motion of Senator McCann, **Senate Bill No. 220** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

**SENATE BILL RECALLED**

On motion of Senator Kotowski, **Senate Bill No. 806** was recalled from the order of third reading to the order of second reading.

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

Senator Kotowski offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 806**

AMENDMENT NO. 2. Amend Senate Bill 806 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Student Transfer Achievement Reform Act.

Section 5. Definitions. In this Act:

"Community college" means a public community college in this State.

"State university" means a public university in this State.

Section 10. Associate degree for transfer.

(a) Commencing with the fall term of the 2016-2017 academic year, a community college student who earns an associate degree for transfer, an Associate of Arts, or an Associate of Science that is consistent with degree requirements of the Illinois Community College Board and the Board of Higher Education and aligned with the policies and procedures of the Illinois Articulation Initiative, granted pursuant to subsection (b) of this Section is deemed eligible for transfer into the baccalaureate program of a State university if the student meets the requirements of the transfer degree and major-specific prerequisites and obtains a minimum grade point average of 2.0 on a 4.0 scale.

[May 13, 2015]

(b) As a condition of receipt of State funds, a community college district shall develop and grant associate degrees for transfer that meet the requirements of subsection (a) of this Section. A community college district may not impose any requirements in addition to the requirements of this Section for a student to be eligible for an associate degree for transfer and subsequent admission to a State university pursuant to Section 15 of this Act without the approval of the Illinois Community College Board and the Board of Higher Education.

(c) The General Assembly encourages a community college district to consider the articulation agreements and other work between the respective faculties from the affected community college and State universities in implementing the requirements of this Section.

(d) The General Assembly encourages community colleges to facilitate the acceptance of credits earned at other community colleges toward an associate degree for transfer pursuant to this Section.

(e) This Section does not preclude students who are assessed below collegiate level from acquiring remedial noncollegiate level coursework in preparation for obtaining an associate degree for transfer. Remedial noncollegiate level coursework and all other non-transfer coursework must not be counted as part of the transferable units required pursuant to subdivision (1) of subsection (a) of this Section.

Section 15. Admission to a State university. Notwithstanding any other provision of law to the contrary, a State university shall admit and grant junior status in a program, subject to available program capacity, to any Illinois community college student who:

- (1) meets all of the requirements of Section 10 of this Act;
- (2) has completed all lower-division prerequisites; and
- (3) meets the admission requirements of the State university's program or major.

#### Section 20. Coursework.

(a) A State university may not require a student transferring pursuant to this Act to take more than 60 additional semester units beyond the lower-division major requirements for majors requiring 120 semester units, provided that the student remains enrolled in the same program of study and has completed university major transfer requirements. Specified high unit majors are exempt from this subsection (a) upon agreement by the board of trustees of the State university and the Board of Higher Education.

(b) A State university may not require students transferring pursuant to this Act to repeat courses that are articulated with those taken at the community college and counted toward an associate degree for transfer granted pursuant to Section 10 of this Act.

(c) The General Assembly encourages State universities to facilitate the seamless transfer of credits toward a baccalaureate degree pursuant to the intent of this Act.

#### Section 25. Board of Higher Education reviews and reports.

(a) The Board of Higher Education shall review the implementation of this Act and file a report on that review with the General Assembly on or before May 31, 2017, as provided in Section 3.1 of the General Assembly Organization Act.

(b) The Board of Higher Education shall review both of the following and file a report on that review with the General Assembly within 4 years after the effective date of this Act, as provided in Section 3.1 of the General Assembly Organization Act:

(1) The outcomes of implementation of this Act, including, but not limited to, all of the following:

(A) The number and percentage of community college students who transferred to a State university and earned an associate degree for transfer pursuant to this Act.

(B) The average amount of time and units it takes a community college student earning an associate degree for transfer pursuant to this Act to transfer to and graduate from a State university, as compared to the average amount of time and units it took community college transfer students prior to the implementation of this Act and compared to students using other transfer processes available.

(C) Student progression and completion rates.

(D) Other relevant indicators of student success.

(E) The degree to which the requirements for an associate degree for transfer take into account existing articulation agreements and the degree to which community colleges facilitate the acceptance of credits between community college districts, as outlined in subsections (c) and (d) of Section 10 of this Act.

(F) It is the intent of the General Assembly that student outcome data provided

under this subsection (b) include the degree to which State universities were able to accommodate students admitted under this Act in being admitted to the State university of their choice and in a major that is similar to their community college major.

(2) Recommendations for statutory changes necessary to facilitate the goal of a clear and transparent transfer process.

Section 30. Implementation of Act; intent. It is the intent of the General Assembly that the requirements placed on community college districts pursuant to this Act be carried out in the normal course of program development and approval, course scheduling, and degree issuance and do not represent any new activities or a higher level of service on the part of community college districts.

Section 90. The State Mandates Act is amended by adding Section 8.39 as follows:  
(30 ILCS 805/8.39 new)

Sec. 8.39. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by the Student Transfer Achievement Reform Act."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Kotowski, **Senate Bill No. 806** 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	Link	Raoul
Barickman	Forby	Manar	Rezin
Bennett	Haine	Martinez	Righter
Bertino-Tarrant	Harris	McCann	Rose
Biss	Hastings	McConnaughay	Sandoval
Bivins	Holmes	McGuire	Silverstein
Brady	Hunter	Morrison	Stadelman
Bush	Hutchinson	Mulroe	Steans
Clayborne	Jones, E.	Muñoz	Sullivan
Collins	Koehler	Murphy	Trotter
Connelly	Kotowski	Noland	Mr. President
Cullerton, T.	LaHood	Nybo	
Cunningham	Landek	Oberweis	
Delgado	Lightford	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 BILL RECALLED

[May 13, 2015]



On motion of Senator Althoff, **Senate Bill No. 1745** was recalled from the order of third reading to the order of second reading.

Senator Althoff offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 1745**

AMENDMENT NO. 2. Amend Senate Bill 1745 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1022.5 as follows:  
(55 ILCS 5/5-1022.5 new)

Sec. 5-1022.5. Sole source procurement. Purchases of and contracts for goods and services which by their nature are not adapted to award by competitive bidding shall not be subject to the competitive bidding requirements of this Code, including, but not limited to: contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part; purchases of and contracts for supplies, materials, parts, or equipment which are available only from a single source; purchases of or contracts for printing of finance committee pamphlets, comptroller's estimates, and departmental reports; contracts for the printing or engraving of bonds, tax warrants, and other evidences of indebtedness; purchases of and contracts for utility services such as water, light, heat, telephone, or internet; purchases of and contracts for the purchase of magazines, books, periodicals, and similar articles of an educational or instructional nature; the binding of such magazine, books, periodicals, pamphlets, reports, and similar articles; and purchases of and contracts for maintenance of computer hardware and software.

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

**READING BILL OF THE SENATE A THIRD TIME**

On motion of Senator Althoff, **Senate Bill No. 1745** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Manar	Righter
Anderson	Harmon	Martinez	Rose
Barickman	Harris	McConnaughay	Sandoval
Biss	Hastings	McGuire	Silverstein
Bivins	Holmes	Mulroe	Stadelman
Brady	Hunter	Muñoz	Steans
Clayborne	Jones, E.	Murphy	Sullivan
Collins	Koehler	Noland	Trotter
Connolly	Kotowski	Nybo	Mr. President
Cullerton, T.	Landek	Oberweis	
Cunningham	Lightford	Radogno	
Delgado	Link	Raoul	
Forby	Luechtefeld	Rezin	

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

[May 13, 2015]

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

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator E. Jones III, **House Bill No. 1004** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Lightford	Radogno
Anderson	Forby	Link	Raoul
Barickman	Haine	Manar	Rezin
Bennett	Harmon	Martinez	Righter
Bertino-Tarrant	Harris	McCann	Rose
Biss	Hastings	McConaughay	Sandoval
Bivins	Holmes	McGuire	Silverstein
Bush	Hunter	Morrison	Stadelman
Clayborne	Hutchinson	Mulroe	Stears
Collins	Jones, E.	Muñoz	Sullivan
Connelly	Koehler	Murphy	Mr. President
Cullerton, T.	Kotowski	Noland	
Cunningham	LaHood	Nybo	
Delgado	Landek	Oberweis	

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

Ordered that the Secretary inform the House of Representatives thereof.

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Sullivan, **House Bill No. 220** was taken up, read by title a second time. Floor Amendment No. 1 was held in the Committee on Assignments.

Floor Amendment Nos. 2 and 3 were referred to the Committee on Assignments earlier today.

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

### SENATE BILL RECALLED

On motion of Senator Lightford, **Senate Bill No. 226** was recalled from the order of third reading to the order of second reading.

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

Senator Lightford offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 226

AMENDMENT NO. 2. Amend Senate Bill 226 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 2-3.163 as follows:  
(105 ILCS 5/2-3.163 new)

Sec. 2-3.163. Prioritization of Urgency of Need for Services database.

(a) The General Assembly makes all of the following findings:

[May 13, 2015]

(1) The Department of Human Services maintains a statewide database known as the Prioritization of Urgency of Need for Services that records information about individuals with developmental disabilities who are potentially in need of services.

(2) The Department of Human Services uses the data on Prioritization of Urgency of Need for Services to select individuals for services as funding becomes available, to develop proposals and materials for budgeting, and to plan for future needs.

(3) Prioritization of Urgency of Need for Services exists in order to provide assistance with services of needs.

(4) Prioritization of Urgency of Need for Services is available for infants, children, and adults with a developmental disability who have an unmet service need anticipated in the next 5 years.

(5) Prioritization of Urgency of Need for Services is the first step toward getting services in this State. If individuals are not on the Prioritization of Urgency of Need for Services waiting list, they are not in queue for State services.

(6) Prioritization of Urgency of Need for Services may be underutilized by children and their parents or guardians due to lack of awareness or lack of information.

(b) The State Board of Education may work with school districts to inform all students with developmental disabilities and their parents or guardians about the Prioritization of Urgency of Need for Services database.

(c) Subject to appropriation, the Department of Human Services and State Board of Education shall develop and implement a training program for pre-admission screening and independent service coordination agencies to train and provide all resources necessary for case workers in every public school in this State to register eligible students with the Prioritization of Urgency of Need for Services waiting list for services. If training is not provided to case workers, then the school district, working with the Department of Human Services, shall provide yearly opportunities for individuals to sign up for the Prioritization of Urgency of Need for Services waiting list.

(d) The State Board of Education, in consultation with the Department of Human Services, shall inform parents and guardians of students through school districts on the Prioritization of Urgency of Need for Services waiting list."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Lightford, **Senate Bill No. 226** 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 40; NAYS 8.

The following voted in the affirmative:

Althoff	Forby	Lightford	Raoul
Barickman	Haine	Manar	Rose
Bertino-Tarrant	Harmon	Martinez	Sandoval
Biss	Hastings	McCann	Stadelman
Bush	Holmes	McConaughay	Stears
Clayborne	Hunter	McGuire	Trotter
Collins	Hutchinson	Morrison	Mr. President
Connelly	Jones, E.	Mulroe	
Cullerton, T.	Koehler	Muñoz	
Cunningham	Kotowski	Noland	
Delgado	Landek	Nybo	

The following voted in the negative:

[May 13, 2015]

Anderson	Duffy	Oberweis
Bivins	LaHood	Rezin
Brady	McCarter	

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

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

### SENATE BILL RECALLED

On motion of Senator Muñoz, **Senate Bill No. 626** was recalled from the order of third reading to the order of second reading.

Senator Muñoz offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 626

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

"Section 5. The Illinois Vehicle Code is amended by changing Section 6-305.2 as follows:  
(625 ILCS 5/6-305.2)

Sec. 6-305.2. Limited liability for damage.

(a) Damage to private passenger vehicle. A person who rents a motor vehicle to another may hold the renter liable to the extent permitted under subsections (b) through (d) for physical or mechanical damage to the rented motor vehicle that occurs during the time the motor vehicle is under the rental agreement.

(b) Limits on liability: vehicle MSRP \$50,000 or less. The total liability of a renter under subsection (a) for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of \$50,000 or less may not exceed all of the following:

(1) The lesser of:

(A) Actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or

(B) The fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and

(2) Actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to \$2,000; provided, however, that if it is established that the renter or an authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or an authorized driver committed or aided and abetted the commission of the theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of that vehicle.

For purposes of this subsection (b), for the period prior to June 1, 1998, the maximum amount that may be recovered from an authorized driver shall not exceed \$6,000; for the period beginning June 1, 1998 through May 31, 1999, the maximum recovery shall not exceed \$7,500; and for the period beginning June 1, 1999 through May 31, 2000, the maximum recovery shall not exceed \$9,000. Beginning June 1, 2000, and annually each June 1 thereafter, the maximum amount that may be recovered from an authorized driver shall be increased by \$500 above the maximum recovery allowed immediately prior to June 1 of that year.

(b-5) Limits on liability: vehicle MSRP more than \$50,000. The total liability of a renter under subsection (a) for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of more than \$50,000 may not exceed all of the following:

(1) The lesser of:

(A) Actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or

(B) The fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and

[May 13, 2015]

(2) Actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to the fair market value of that motor vehicle, as determined by the customary market for the sale of that vehicle.

(c) Multiple recoveries prohibited. Any person who rents a motor vehicle to another may not hold the renter liable for any amounts that the rental company recovers from any other party.

(d) Repair estimates. A person who rents a motor vehicle to another may not collect or attempt to collect the amount described in subsection (b) unless the rental company obtains an estimate from a repair company or an appraiser in the business of providing such appraisals on the costs of repairing the motor vehicle, makes a copy of the estimate available upon request to the renter who may be liable under subsection (a), or the insurer of the renter, and submits a copy of the estimate with any claim to collect the amount described in subsection (b).

(e) Duty to mitigate. A claim against a renter resulting from damage or loss to a rental vehicle must be reasonably and rationally related to the actual loss incurred. A rental company shall mitigate damages where possible and shall not assert or collect any claim for physical damage which exceeds the actual costs of the repair, including all discounts or price reductions.

(f) No rental company shall require a deposit or an advance charge against the credit card of a renter, in any form, for damages to a vehicle which is in the renter's possession, custody, or control. No rental company shall require any payment for damage to the rental vehicle, upon the renter's return of the vehicle in a damaged condition, until after the cost of the damage to the vehicle and liability therefor is agreed to between the rental company and renter or is determined pursuant to law.

(g) If insurance coverage exists under the renter's personal insurance policy and the coverage is confirmed during regular business hours, the renter may require that the rental company must submit any claims to the renter's personal insurance carrier as the renter's agent. The rental company shall not make any written or oral representations that it will not present claims or negotiate with the renter's insurance carrier. For purposes of this Section, confirmation of coverage includes telephone confirmation from insurance company representatives during regular business hours. After confirmation of coverage, the amount of claim shall be resolved between the insurance carrier and the rental company.

(Source: P.A. 90-113, eff. 7-14-97.)

Section 10. The Renter's Financial Responsibility and Protection Act is amended by changing Section 15 as follows:

(625 ILCS 27/15)

Sec. 15. Prohibited practices.

(a) A rental company may not sell a damage waiver unless the renter agrees to the damage waiver in writing at or prior to the time the rental agreement is executed.

(b) A rental company may not void a damage waiver except for one or more of the following reasons:

(1) Damage or loss while the rental vehicle is used to carry persons or property for a charge or fee.

(2) Damage or loss during an organized or agreed upon racing or speed contest or demonstration or pushing or pulling activity in which the rental vehicle is actively involved.

(3) Damage or loss that could reasonably be expected from an intentional or criminal act of the driver other than a traffic infraction.

(4) Damage or loss to any rental vehicle resulting from any auto business operation, including but not limited to repairing, servicing, testing, washing, parking, storing, or selling of automobiles.

(5) Damage or loss occurring to a rental vehicle if the rental contract is based on fraudulent or material misrepresentation by the renter.

(6) Damage or loss arising out of the use of the rental vehicle outside the continental United States when such use is specifically prohibited in the rental agreement.

(7) Damage or loss occurring while the rental vehicle is operated by a driver not permitted under the rental agreement.

(8) Damage or loss occurring while the rental vehicle is operated by a driver under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and convicted of violating subsection (a) of Section 11-501 of the Illinois Vehicle Code.

(c) A rental company shall not charge more than \$12.50 per full or partial 24 hour rental day for a collision damage waiver prior to January 1, 2014. Beginning January 1, 2014, a rental company shall not charge more than \$13.50 per full or partial 24 hour rental day for a collision damage waiver.

(d) A rental company may offer a collision damage waiver on any rental vehicle having a value in excess of a Manufacturer's Suggested Retail Price (MSRP) of \$50,000; however, the provisions of subsection (c) of this Section shall not apply to collision damage waivers under this subsection (d).

(Source: P.A. 98-428, eff. 8-16-13.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Muñoz offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 626**

AMENDMENT NO. 2. Amend Senate Bill 626 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 6-305.2 as follows:  
(625 ILCS 5/6-305.2)

Sec. 6-305.2. Limited liability for damage.

(a) Damage to private passenger vehicle. A person who rents a motor vehicle to another may hold the renter liable to the extent permitted under subsections (b) through (d) for physical or mechanical damage to the rented motor vehicle that occurs during the time the motor vehicle is under the rental agreement.

(b) Limits on liability: vehicle MSRP \$50,000 or less. The total liability of a renter under subsection (a) for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of \$50,000 or less may not exceed all of the following:

(1) The lesser of:

(A) Actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or

(B) The fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and

(2) Actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to \$2,000; provided, however, that if it is established that the renter or an authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or an authorized driver committed or aided and abetted the commission of the theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of that vehicle.

For purposes of this subsection (b), for the period prior to June 1, 1998, the maximum amount that may be recovered from an authorized driver shall not exceed \$6,000; for the period beginning June 1, 1998 through May 31, 1999, the maximum recovery shall not exceed \$7,500; and for the period beginning June 1, 1999 through May 31, 2000, the maximum recovery shall not exceed \$9,000. Beginning June 1, 2000, and annually each June 1 thereafter, the maximum amount that may be recovered from an authorized driver shall be increased by \$500 above the maximum recovery allowed immediately prior to June 1 of that year.

(b-5) Limits on liability: vehicle MSRP more than \$50,000. The total liability of a renter under subsection (a) for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of more than \$50,000 may not exceed all of the following:

(1) the lesser of:

(A) actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or

(B) the fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and

(2) the actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to \$40,000.

The maximum recovery for a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of more than \$50,000 under this subsection (b-5) shall not exceed \$40,000 on the effective date of this amendatory Act of the 99th General Assembly. On October 1, 2016, and for the next 3 years thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b-5) shall be increased by \$2,500 above the prior year's maximum recovery. On October 1, 2020, and for each year thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b-5) shall be increased by \$1,000 above the prior year's maximum recovery.

(c) Multiple recoveries prohibited. Any person who rents a motor vehicle to another may not hold the renter liable for any amounts that the rental company recovers from any other party.

[May 13, 2015]

(d) Repair estimates. A person who rents a motor vehicle to another may not collect or attempt to collect the amount described in subsection (b) or (b-5) unless the rental company obtains an estimate from a repair company or an appraiser in the business of providing such appraisals on the costs of repairing the motor vehicle, makes a copy of the estimate available upon request to the renter who may be liable under subsection (a), or the insurer of the renter, and submits a copy of the estimate with any claim to collect the amount described in subsection (b) or (b-5). In order to collect the amount described in subsection (b-5), a person renting a motor vehicle to another must also provide the renter's personal insurance company with reasonable notice and an opportunity to inspect damages.

(d-5) In the event of loss due to theft of the rental motor vehicle with a MSRP more than \$50,000, the rental company shall provide reasonable notice of the theft to the renter's personal insurance company.

(e) Duty to mitigate. A claim against a renter resulting from damage or loss to a rental vehicle must be reasonably and rationally related to the actual loss incurred. A rental company shall mitigate damages where possible and shall not assert or collect any claim for physical damage which exceeds the actual costs of the repair, including all discounts or price reductions.

(f) No rental company shall require a deposit or an advance charge against the credit card of a renter, in any form, for damages to a vehicle which is in the renter's possession, custody, or control. No rental company shall require any payment for damage to the rental vehicle, upon the renter's return of the vehicle in a damaged condition, until after the cost of the damage to the vehicle and liability therefor is agreed to between the rental company and renter or is determined pursuant to law.

(g) If insurance coverage exists under the renter's personal insurance policy and the coverage is confirmed during regular business hours, the renter may require that the rental company must submit any claims to the renter's personal insurance carrier as the renter's agent. The rental company shall not make any written or oral representations that it will not present claims or negotiate with the renter's insurance carrier. For purposes of this Section, confirmation of coverage includes telephone confirmation from insurance company representatives during regular business hours. After confirmation of coverage, the amount of claim shall be resolved between the insurance carrier and the rental company.  
(Source: P.A. 90-113, eff. 7-14-97.)

Section 10. The Renter's Financial Responsibility and Protection Act is amended by changing Section 15 as follows:

(625 ILCS 27/15)

Sec. 15. Prohibited practices.

(a) A rental company may not sell a damage waiver unless the renter agrees to the damage waiver in writing at or prior to the time the rental agreement is executed.

(b) A rental company may not void a damage waiver except for one or more of the following reasons:

(1) Damage or loss while the rental vehicle is used to carry persons or property for a charge or fee.

(2) Damage or loss during an organized or agreed upon racing or speed contest or demonstration or pushing or pulling activity in which the rental vehicle is actively involved.

(3) Damage or loss that could reasonably be expected from an intentional or criminal act of the driver other than a traffic infraction.

(4) Damage or loss to any rental vehicle resulting from any auto business operation, including but not limited to repairing, servicing, testing, washing, parking, storing, or selling of automobiles.

(5) Damage or loss occurring to a rental vehicle if the rental contract is based on fraudulent or material misrepresentation by the renter.

(6) Damage or loss arising out of the use of the rental vehicle outside the continental United States when such use is specifically prohibited in the rental agreement.

(7) Damage or loss occurring while the rental vehicle is operated by a driver not permitted under the rental agreement.

(8) Damage or loss occurring while the rental vehicle is operated by a driver under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof and convicted of violating subsection (a) of Section 11-501 of the Illinois Vehicle Code.

(c) A rental company shall not charge more than \$12.50 per full or partial 24 hour rental day for a collision damage waiver prior to January 1, 2014. Beginning January 1, 2014, a rental company shall not charge more than \$13.50 per full or partial 24 hour rental day for a collision damage waiver.

(d) A rental company may offer a collision damage waiver on any rental vehicle having a value in excess of a Manufacturer's Suggested Retail Price (MSRP) of \$50,000; however, the provisions of subsection (c) of this Section shall not apply to collision damage waivers under this subsection (d).

(Source: P.A. 98-428, eff. 8-16-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Muñoz, **Senate Bill No. 626** 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 57; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Duffy	Link	Radogno
Anderson	Forby	Luechtefeld	Raoul
Barickman	Haine	Manar	Rezin
Bennett	Harmon	Martinez	Righter
Bertino-Tarrant	Harris	McCann	Rose
Biss	Hastings	McCarter	Sandoval
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	
Cunningham	Landek	Nybo	
Delgado	Lightford	Oberweis	

The following voted present:

Mr. President

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.

### REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 13, 2015 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Committee Amendment No. 3 to House Bill 3674.**

Environment and Conservation: **Committee Amendment No. 1 to House Bill 3240.**

Executive: **Floor Amendment No. 3 to House Bill 220.**

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Licensed Activities and Pensions: **Committee Amendment No. 2 to House Bill 1424.**

State Government and Veterans Affairs: **Committee Amendment No. 1 to House Joint Resolution 10; Committee Amendment No. 1 to Senate Resolution 517; Committee Amendment No. 1 to House Bill 3389.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 13, 2015 meeting, reported that pursuant to Senate Rule 3-8(b-1), the following amendments will remain in the Senate Committee on Assignments:

**Floor Amendment No. 1 to House Bill 220, Floor Amendment No. 2 to House Bill 220, Committee Amendment No. 1 to House Bill 229, Floor Amendment No. 1 to House Bill 2477.**

#### **READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME**

On motion of Senator Koehler, **House Bill No. 3599** was taken up, read by title a second time and ordered to a third reading.

At the hour of 1:58 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, May 14, 2015, at 12:00 o'clock noon.