



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-NINTH GENERAL ASSEMBLY

110TH LEGISLATIVE DAY

THURSDAY, MAY 5, 2016

12:07 O'CLOCK P.M.

SENATE
Daily Journal Index
110th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Terry Link, Waukegan, Illinois, presiding.
 Prayer by Pastor Shaun Lewis, Civil Servant Ministries, Springfield, Illinois.
 Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 4, 2016, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Reporting Requirement of Public Act 94-0987 (Law Enforcement Camera Grant Act), submitted by the Edwards County Sheriff.

Reporting Requirement of Public Act 94-0987 (Law Enforcement Camera Grant Act), submitted by the Manito Police Department.

Reporting Requirement of Public Act 94-0987 (Law Enforcement Camera Grant Act), submitted by the Village of Dalzell Police Department.

Reporting Requirement of Public Act 94-0987 (Law Enforcement Camera Grant Act), submitted by the Village of Roscoe Police Department.

Reporting Requirement of Public Act 94-0987 (Law Enforcement Camera Grant Act), submitted by the Marshall County Sheriff.

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 322
 Floor Amendment No. 3 to Senate Bill 2321
 Floor Amendment No. 3 to Senate Bill 2370

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

Floor Amendment No. 1 to House Bill 6031

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 3549
 Committee Amendment No. 1 to House Bill 3898

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON

327 STATE CAPITOL

[May 5, 2016]

SENATE PRESIDENT

SPRINGFIELD, IL 62706
217-782-2728

May 5, 2016

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 Michael Noland to temporarily replace Senator Steven Landek as a member of the Senate Appropriations II Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Appropriations II Committee.

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

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1837

Offered by Senator McConnaughay and all Senators:
Mourns the death of David J. Zarn o Geneva.

SENATE RESOLUTION NO. 1838

Offered by Senator McConnaughay and all Senators:
Mourns the death of Betty Stephano of Batavia.

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

REPORTS FROM STANDING COMMITTEES

Senator Cunningham, Chairperson of the Committee on Agriculture, to which was referred **Senate Joint Resolution No. 46**, reported the same back with the recommendation that the resolution be adopted. Under the rules, **Senate Joint Resolution No. 46** was placed on the Secretary's Desk.

Senator Cunningham, Chairperson of the Committee on Agriculture, to which was referred **House Bills Numbered 5796, 5808 and 5933**, reported the same back with the recommendation that the bills do pass.

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

Senator Trotter, Chairperson of the Committee on Appropriations II, to which was referred **House Bills Numbered 648 and 2990**, 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 Holmes, Chairperson of the Committee on Commerce and Economic Development, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

[May 5, 2016]

Senate Amendment No. 2 to Senate Bill 517

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 4595, 4614 and 5755**, reported the same back with the recommendation that the bills do pass.

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

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Bill No. 2961**, 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 the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 3163

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

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

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. 102

WHEREAS, It is necessary to recognize those who are dedicated to the betterment of the State of Illinois and their communities; and

WHEREAS, Edward Royce "Fast Eddie" Sholar, Sr. was born on August 16, 1953 at Scott Air Force Base hospital in St. Clair County; his parents were Dexter and Norma (nee Schelle) Sholar; and

WHEREAS, Edward Sholar, Sr. graduated from Alton High School in 1971; and

WHEREAS, Edward Sholar, Sr. was the owner and operator of numerous businesses in and around the City of Alton, most notably Fast Eddie's Bon Air; and

WHEREAS, Edward Sholar, Sr. was known to be a generous and giving man and an icon for Alton and the region; and

WHEREAS, It is fitting to dedicate the portion of Broadway from Washington Avenue to Monument Street in Alton in honor of Edward Royce Sholar, Sr.; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the portion of Broadway from Washington Avenue to Monument Street in Alton as "Fast Eddie Way" in honor of Edward Royce "Fast Eddie" Sholar, Sr.; and be it further

[May 5, 2016]

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

RESOLVED, That suitable copies of this resolution be presented to the Secretary of Transportation and the family of Edward Royce Sholar, Sr.

Adopted by the House, May 5, 2016.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 102 was referred to the Committee on Assignments.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 116

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

WHEREAS, Suzanne Deuchler is a 60-year member of the Aurora branch of the American Association of University Women (AAUW) and credits the organization with helping her accomplish many things in her life; she held 2 portfolios while with the AAUW: (1) Global Interdependence and International Relations; and (2) State Board of AAUW for Global Interdependence; and

WHEREAS, Suzanne Deuchler was a member of the Kane County Board from 1976 to 1980; and

WHEREAS, Suzanne Deuchler was elected to the Illinois General Assembly in 1980 and served for 18 years; during that time, she co-founded the Illinois Mathematics and Science Academy; promoted the Orchard Road/Toll Road Interchange; organized the Northeast Flood Project; supported water wells in surrounding towns; participated in the White House Conference on Small Businesses; co-chaired the General Assembly's Conference of Women Legislators; championed the ratification of the Equal Rights Amendment; received the Golden Apple Award from the Illinois Education Association; supported a business-friendly environment in Illinois; backed environmental legislation that promoted clean air and clean water; and spearheaded Kane County's establishment of the Nelson Lake Nature Preserve; and

WHEREAS, Suzanne Deuchler served on the boards of the following organizations: the National Alliance for the Mentally Ill, the Aurora Coordinating Council of Community Organizations, the Aurora Historical Society, the Kane-Kendall Mental Health Association, the Sci-Tech Museum, and the Rush-Copley Medical Center; she also served as President of the League of Women Voters; and

WHEREAS, Suzanne Deuchler graduated with honors in 1951 from the University of Illinois with a Bachelor of Arts in Liberal Arts with a major in Spanish and a minor in speech; she received an honorary doctorate from Aurora University on June 6, 1999; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the Orchard Road interchange on Interstate 88 as the "Suzanne Deuchler Honorary Interchange"; and be it further

RESOLVED, That the Illinois State Toll Highway Authority is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Suzanne Deuchler Honorary Interchange"; and be it further

[May 5, 2016]

RESOLVED, That suitable copies of this resolution be presented to the Chairman of the Illinois State Toll Highway Authority and Suzanne Deuchler.

Adopted by the House, May 5, 2016.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 116 was referred to the Committee on Assignments.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 5540, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

Senator Silverstein asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

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

At the hour of 12:14 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 1:48 o'clock p.m., the Senate resumed consideration of business.
Senator Link, presiding.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 1839

Offered by Senator Clayborne and all Senators:
Mourns the death of John Edward "Flukie" Cowan.

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

INTRODUCTION OF BILL

SENATE BILL NO. 3424. Introduced by Senator Manar, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL RECALLED

On motion of Senator J. Cullerton, **Senate Bill No. 580** was recalled from the order of third reading to the order of second reading.

Senator Hutchinson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 580

[May 5, 2016]

AMENDMENT NO. 1. Amend Senate Bill 580 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by changing Section 5k as follows:

(30 ILCS 105/5k)

Sec. 5k. Cash flow borrowing and general funds liquidity; FY15.

(a) In order to meet cash flow deficits and to maintain liquidity in the General Revenue Fund and the Health Insurance Reserve Fund, on and after July 1, 2014 and through June 30, 2015, the State Treasurer and the State Comptroller shall make transfers to the General Revenue Fund and the Health Insurance Reserve Fund, as directed by the Governor, out of special funds of the State, to the extent allowed by federal law. No such transfer may reduce the cumulative balance of all of the special funds of the State to an amount less than the total debt service payable during the 12 months immediately following the date of the transfer on any bonded indebtedness of the State and any certificates issued under the Short Term Borrowing Act. At no time shall the outstanding total transfers made from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund under this Section exceed \$650,000,000; once the amount of \$650,000,000 has been transferred from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund, additional transfers may be made from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund under this Section only to the extent that moneys have first been re-transferred from the General Revenue Fund and the Health Insurance Reserve Fund to those special funds of the State. Notwithstanding any other provision of this Section, no such transfer may be made from any special fund that is exclusively collected by or appropriated to any other constitutional officer without the written approval of that constitutional officer.

(b) If moneys have been transferred to the General Revenue Fund and the Health Insurance Reserve Fund pursuant to subsection (a) of this Section, this amendatory Act of the 98th General Assembly shall constitute the continuing authority for and direction to the State Treasurer and State Comptroller to reimburse the funds of origin from the General Revenue Fund by transferring to the funds of origin, at such times and in such amounts as directed by the Governor when necessary to support appropriated expenditures from the funds, an amount equal to that transferred from them plus any interest that would have accrued thereon had the transfer not occurred, ~~except that any moneys transferred pursuant to subsection (a) of this Section shall be repaid to the fund of origin within 18 months after the date on which they were borrowed.~~ When any of the funds from which moneys have been transferred pursuant to subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as is immediately necessary to satisfy outstanding expenditure obligations on a timely basis.

(c) On the first day of each quarterly period in each fiscal year, until such time as a report indicates that all moneys borrowed and interest pursuant to this Section have been repaid, the Governor's Office of Management and Budget shall provide to the President and the Minority Leader of the Senate, the Speaker and the Minority Leader of the House of Representatives, and the Commission on Government Forecasting and Accountability a report on all transfers made pursuant to this Section in the prior quarterly period. The report must be provided in electronic format. The report must include all of the following:

(1) The date each transfer was made.

(2) The amount of each transfer.

(3) In the case of a transfer from the General Revenue Fund to a fund of origin pursuant to subsection (b) of this Section, the amount of interest being paid to the fund of origin.

(4) The end of day balance of the fund of origin, the General Revenue Fund and the Health Insurance Reserve Fund on the date the transfer was made.

(Source: P.A. 98-682, eff. 6-30-14.)

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

READING BILL OF THE SENATE A THIRD TIME

[May 5, 2016]

On motion of Senator Hutchinson, **Senate Bill No. 580** 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 3.

The following voted in the affirmative:

Althoff	Delgado	Martinez	Righter
Anderson	Forby	McConchie	Rose
Barickman	Haine	McConnaughay	Sandoval
Bennett	Harmon	McGuire	Silverstein
Bertino-Tarrant	Hastings	Morrison	Stadelman
Biss	Holmes	Mulroe	Steans
Bivins	Hunter	Muñoz	Sullivan
Brady	Hutchinson	Murphy, L.	Syverson
Bush	Jones, E.	Murphy, M.	Trotter
Clayborne	Koehler	Nybo	Van Pelt
Collins	Lightford	Oberweis	Weaver
Connelly	Link	Radogno	Mr. President
Cullerton, T.	Luechtefeld	Raoul	
Cunningham	Manar	Rezin	

The following voted in the negative:

McCann
McCarter
Noland

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

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

SENATE BILL RECALLED

On motion of Senator Trotter, **Senate Bill No. 2048** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 SENATE BILL 2048

AMENDMENT NO. 1. Amend Senate Bill 2048 by replacing everything after the enacting clause with the following:

“ARTICLE 1

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$6,524,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Governors State University for ordinary and contingent expenses.

ARTICLE 2

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$90,618,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for distribution of base operating and equalization grants to

[May 5, 2016]

qualifying public community colleges and the City Colleges of Chicago for educational related expenses.

ARTICLE 3

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$4,277,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent.

ARTICLE 4

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$10,005,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Northeastern Illinois University for ordinary and contingent expenses.

ARTICLE 5

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$53,773,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for ordinary and contingent expenses.

ARTICLE 6

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$159,431,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of University of Illinois for ordinary and contingent expenses.

Section 10. In addition to any amount previously appropriated for this purpose, the sum of \$13,572,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for operating costs and expenses related to or in support of the University of Illinois Hospital.

ARTICLE 7

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$11,652,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Eastern Illinois University for ordinary and contingent expenses.

ARTICLE 8

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$19,584,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Illinois State University for ordinary and contingent expenses.

ARTICLE 9

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$24,699,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Northern Illinois University for ordinary and contingent expenses.

ARTICLE 10

Section 5. In addition to any amount previously appropriated for this purpose, the sum of \$13,949,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Western Illinois University for ordinary and contingent expenses.

ARTICLE 11

Section 5. In addition to any amount previously appropriated for this purpose, the sum of

\$46,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the General Revenue Fund for grant awards to students eligible for the Monetary Award Program, as provided by law, and for agency administrative and operational costs not to exceed 2 percent of the total appropriation in this Section.

ARTICLE 998

Section 998. The appropriation authority granted in this Act shall be valid for costs incurred prior to September 1, 2016.

ARTICLE 999

Section 999. 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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Trotter, **Senate Bill No. 2048** 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 2.

The following voted in the affirmative:

Althoff	Delgado	Martinez	Rezin
Anderson	Forby	McCann	Richter
Barickman	Haine	McConchie	Rose
Bennett	Harmon	McConnaughay	Sandoval
Bertino-Tarrant	Hastings	McGuire	Silverstein
Biss	Holmes	Mulroe	Stadelman
Bivins	Hunter	Muñoz	Steans
Brady	Hutchinson	Murphy, L.	Sullivan
Bush	Jones, E.	Murphy, M.	Syverson
Clayborne	Koehler	Noland	Trotter
Collins	Lightford	Nybo	Van Pelt
Connelly	Link	Oberweis	Weaver
Cullerton, T.	Luechtefeld	Radogno	Mr. President
Cunningham	Manar	Raoul	

The following voted in the negative:

McCarter
Morrison

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 5, 2016]

On motion of Senator Sandoval, **Senate Bill No. 581** was recalled from the order of third reading to the order of second reading.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 581

AMENDMENT NO. 1. Amend Senate Bill 581 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the DUI Prevention and Education Commission Act.

Section 5. The DUI Prevention and Education Commission.

(a) The DUI Prevention and Education Commission is created, consisting of the following members:

- (1) one member from the office of the Secretary of State, appointed by the Secretary of State;
- (2) one member representing law enforcement, appointed by the Department of State Police;
- (3) one member from the Division of Alcohol and Substance Abuse of the Department of Human Services, appointed by the Secretary of the Department of Human Services;
- (4) one member from the Division of Traffic Safety of the Department of Transportation, appointed by the Secretary of the Department of Transportation; and
- (5) the Director of the Office of the State's Attorneys Appellate Prosecutor, or his or her designee.

(b) The members of the Commission shall be appointed within 60 days after the effective date of this Act.

(c) The members of the Commission shall receive no compensation for serving as members of the Commission.

(d) The Department of Transportation shall provide administrative support to the Commission.

Section 10. Meetings.

(a) Each member of the Commission shall have voting rights and all actions and recommendations shall be approved by a simple majority vote of the members. A quorum shall consist of 3 members.

(b) The initial meeting of the Commission shall take place within 90 days after the effective date of this Act. At the initial meeting, the Commission shall elect one member as a Chairperson by a simple majority vote. The Chairperson shall call any subsequent meetings.

Section 15. Powers. The Commission shall:

- (1) create rules and guidelines to consider in accepting, reviewing, and determining grant applications;
- (2) as necessary, meet to determine recipients of grants from the DUI Prevention and Education Fund; and
- (3) provide a list of eligible grant recipients to the Department of Transportation.

Section 20. DUI Prevention and Education Fund; transfer of funds.

(a) The DUI Prevention and Education Fund is created as a special fund in the State treasury. Subject to appropriation, all moneys in the DUI Prevention and Education Fund shall be distributed by the Department of Transportation with guidance from the DUI Prevention and Education Commission as grants for crash victim programs and materials, impaired driving prevention programs, law enforcement support, and other DUI-related programs.

(b) As soon as practical after the effective date of this Act, the State Comptroller shall direct and the State Treasurer shall transfer \$750,000 from the Roadside Memorial Fund to the DUI Prevention and Education Fund.

Section 25. The State Finance Act is amended by adding Section 5.875 as follows:

(30 ILCS 105/5.875 new)

Sec. 5.875. DUI Prevention and Education Fund.

Section 30. The Clerks of Courts Act is amended by changing Sections 27.5 and 27.6 as follows:

(705 ILCS 105/27.5) (from Ch. 25, par. 27.5)

[May 5, 2016]

Sec. 27.5. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk that equals an amount less than \$55, except restitution under Section 5-5-6 of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section, shall be disbursed within 60 days after receipt by the circuit clerk as follows: 47% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 12% shall be disbursed to the State Treasurer; and 41% shall be disbursed to the county's general corporate fund. Of the 12% disbursed to the State Treasurer, 1/6 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 1/2 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, and 1/3 shall be deposited into the Drivers Education Fund. For fiscal years 1992 and 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section, judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, Section 16-104c of the Illinois Vehicle Code, and subsection (a) of Section 5-1101 of the Counties Code, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. Unless a court ordered payment schedule is implemented or fee requirements are waived pursuant to a court order, the circuit clerk may add to any unpaid fees and costs a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited in the Circuit Court Clerk Operation and Administrative Fund to be used to defray administrative costs incurred by the circuit clerk in performing the duties required to collect and disburse funds. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

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

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

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

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

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

(d) Any person convicted of, pleading guilty to, or placed on supervision for a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, a violation of Section 11-501 of the Illinois

Vehicle Code, or a violation of a similar provision of a local ordinance shall pay an additional fee of \$35, to be disbursed as provided in Section 16-104d of that Code.

This subsection (d) becomes inoperative on January 1, 2020.

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

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

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

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

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

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

(6) When a mandatory teen court, peer jury, youth court, or other youth diversion program fee is assessed as provided in subsection (e) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (e) of Section 5-1101 of the Counties Code.

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

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

(9) When a new fee collected in traffic cases is enacted after January 1, 2010 (the effective date of Public Act 96-735), it shall be excluded from the percentage disbursement provisions of this Section unless otherwise indicated by law.

(f) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code shall, in addition to any other fines, fees, and court costs, pay an additional fee of \$50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit as follows:

(1) \$5 into the Roadside Memorial Fund, a special fund in the State treasury. ~~However, the court may waive the fee if full restitution is complied with.~~ Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(2) \$45 into the DUI Prevention and Education Fund.

~~The court may waive the fee if full restitution is complied with.~~

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

(Source: P.A. 97-333, eff. 8-12-11; 97-1108, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-658, eff. 6-23-14.)

(705 ILCS 105/27.6)

(Section as amended by P.A. 96-286, 96-576, 96-578, 96-625, 96-667, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150, 98-658, 98-1013, 99-78, and 99-455)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of \$55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local

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

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

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

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

1 of each year the Circuit Clerk shall submit a report of the amount of funds remitted to the State Treasurer under this subsection during the preceding calendar year.

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

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

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

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

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

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

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

(g) (Blank).

(h) (Blank).

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

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

This subsection (j) becomes inoperative on January 1, 2020.

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

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of \$50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit as follows:

(1) \$5 into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(2) \$45 into the DUI Prevention and Education Fund.

The court may waive the fee if full restitution is complied with.

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

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

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

(p) In addition to any other fees and penalties imposed, any person who is convicted of or pleads guilty to a violation of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012 shall pay an additional fee of \$250 to the clerk of the circuit court. This additional fee of \$250 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Department of Insurance within 60 days after receipt for deposit into the George Bailey Memorial Fund.

(Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15; 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

(Section as amended by P.A. 96-576, 96-578, 96-625, 96-667, 96-735, 96-1175, 96-1342, 97-434, 97-1051, 97-1108, 97-1150, 98-658, 98-1013, 99-78, and 99-455)

Sec. 27.6. (a) All fees, fines, costs, additional penalties, bail balances assessed or forfeited, and any other amount paid by a person to the circuit clerk equalling an amount of \$55 or more, except the fine imposed by Section 5-9-1.15 of the Unified Code of Corrections, the additional fee required by subsections (b) and (c), restitution under Section 5-5-6 of the Unified Code of Corrections, contributions to a local anti-crime program ordered pursuant to Section 5-6-3(b)(13) or Section 5-6-3.1(c)(13) of the Unified Code of Corrections, reimbursement for the costs of an emergency response as provided under Section 11-501 of the Illinois Vehicle Code, any fees collected for attending a traffic safety program under paragraph (c) of Supreme Court Rule 529, any fee collected on behalf of a State's Attorney under Section 4-2002 of the Counties Code or a sheriff under Section 4-5001 of the Counties Code, or any cost imposed under Section 124A-5 of the Code of Criminal Procedure of 1963, for convictions, orders of supervision, or any other disposition for a violation of Chapters 3, 4, 6, 11, and 12 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, and except as otherwise provided in this Section shall be disbursed within 60 days after receipt by the circuit clerk as follows: 44.5% shall be disbursed to the entity authorized by law to receive the fine imposed in the case; 16.825% shall be disbursed to the State Treasurer; and 38.675% shall be disbursed to the county's general corporate fund. Of the 16.825% disbursed to the State Treasurer, 2/17 shall be deposited by the State Treasurer into the Violent Crime Victims Assistance Fund, 5.052/17 shall be deposited into the Traffic and Criminal Conviction Surcharge Fund, 3/17 shall be deposited into the Drivers Education Fund, and 6.948/17 shall be deposited into the Trauma Center Fund. Of the 6.948/17 deposited into the Trauma Center Fund from the 16.825% disbursed to the State Treasurer, 50% shall be disbursed to the Department of Public Health and 50% shall be disbursed to the Department of Healthcare and Family Services. For fiscal year 1993, amounts deposited into the Violent Crime Victims Assistance Fund, the Traffic and Criminal Conviction Surcharge Fund, or the Drivers Education Fund shall not exceed 110% of the amounts deposited into those funds in fiscal year 1991. Any amount that exceeds the 110% limit shall be distributed as follows: 50% shall be disbursed to the county's general corporate fund and 50% shall be disbursed to the entity authorized by law to receive the fine imposed in the case. Not later than March 1 of each year the circuit clerk shall submit a report of the amount of funds remitted to the State Treasurer under this Section during the preceding year based upon independent verification of fines and fees. All counties shall be subject to this Section, except that counties with a population under 2,000,000 may, by ordinance, elect not to be subject to this Section. For offenses subject to this Section,

[May 5, 2016]

judges shall impose one total sum of money payable for violations. The circuit clerk may add on no additional amounts except for amounts that are required by Sections 27.3a and 27.3c of this Act, Section 16-104c of the Illinois Vehicle Code, and subsection (a) of Section 5-1101 of the Counties Code, unless those amounts are specifically waived by the judge. With respect to money collected by the circuit clerk as a result of forfeiture of bail, ex parte judgment or guilty plea pursuant to Supreme Court Rule 529, the circuit clerk shall first deduct and pay amounts required by Sections 27.3a and 27.3c of this Act. Unless a court ordered payment schedule is implemented or fee requirements are waived pursuant to court order, the clerk of the court may add to any unpaid fees and costs a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited in the Circuit Court Clerk Operation and Administrative Fund to be used to defray administrative costs incurred by the circuit clerk in performing the duties required to collect and disburse funds. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

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

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

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

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

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

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

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

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

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

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

(g) Any person convicted of or pleading guilty to a serious traffic violation, as defined in Section 1-187.001 of the Illinois Vehicle Code, shall pay an additional fee of \$35, to be disbursed as provided in Section 16-104d of that Code. This subsection (g) becomes inoperative on January 1, 2020.

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

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

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

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

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

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

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

(7) When a mandatory teen court, peer jury, youth court, or other youth diversion program fee is assessed as provided in subsection (e) of Section 5-1101 of the Counties Code, it shall be disbursed by the circuit clerk as provided in subsection (e) of Section 5-1101 of the Counties Code.

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

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

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

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

(j) (Blank).

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

(l) Any person who receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall, in addition to any other fines, fees, and court costs, pay an additional fee of \$50, which shall be collected by the circuit clerk and then remitted to the State Treasurer for deposit as follows:

(1) \$5 into the Roadside Memorial Fund, a special fund in the State treasury. However, the court may waive the fee if full restitution is complied with. Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act. The fee shall be remitted by the circuit clerk within one month after receipt to the State Treasurer for deposit into the Roadside Memorial Fund.

(2) \$45 into the DUI Prevention and Education Fund.

The court may waive the fee if full restitution is complied with.

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

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

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

(p) In addition to any other fees and penalties imposed, any person who is convicted of or pleads guilty to a violation of Section 20-1 or Section 20-1.1 of the Criminal Code of 2012 shall pay an additional fee of \$250 to the clerk of the circuit court. This additional fee of \$250 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. This amount, less 2.5% that shall be used to defray administrative costs incurred by the clerk, shall be remitted by the clerk to the Department of Insurance within 60 days after receipt for deposit into the George Bailey Memorial Fund.

(Source: P.A. 98-658, eff. 6-23-14; 98-1013, eff. 1-1-15; 99-78, eff. 7-20-15; 99-455, eff. 1-1-16.)

Section 35. The Unified Code of Corrections is amended by changing Section 5-9-1.18 as follows:

(730 ILCS 5/5-9-1.18)

Sec. 5-9-1.18. Fee; Roadside Memorial Fund and DUI Prevention and Education Fund. A person who is convicted or receives a disposition of court supervision for a violation of Section 11-501 of the Illinois Vehicle Code shall, in addition to any other disposition, penalty, or fine imposed, pay a fee of \$50 which shall be collected by the clerk of the court and then remitted to the State Treasurer for deposit as follows:

(1) \$5 into the Roadside Memorial Fund, a special fund that is created in the State treasury.

~~However, the court may waive the fee if full restitution is complied with.~~ Subject to appropriation, all moneys in the Roadside Memorial Fund shall be used by the Department of Transportation to pay fees imposed under subsection (f) of Section 20 of the Roadside Memorial Act.

(2) \$45 into the DUI Prevention and Education Fund.

The court may waive the fee if full restitution is complied with.

(Source: P.A. 96-667, eff. 8-25-09; 96-1000, eff. 7-2-10.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple

versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act."

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 Sandoval, **Senate Bill No. 581** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	McCarter	Righter
Anderson	Haine	McConchie	Rose
Barickman	Harmon	McConnaughay	Silverstein
Bennett	Hastings	McGuire	Stadelman
Bertino-Tarrant	Holmes	Morrison	Stears
Biss	Hunter	Mulroe	Sullivan
Bivins	Hutchinson	Muñoz	Syverson
Brady	Jones, E.	Murphy, L.	Trotter
Bush	Koehler	Murphy, M.	Van Pelt
Clayborne	Lightford	Noland	Weaver
Collins	Link	Nybo	Mr. President
Connelly	Luechtefeld	Oberweis	
Cullerton, T.	Manar	Radogno	
Cunningham	Martinez	Raoul	
Delgado	McCann	Rezin	

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

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

SENATE BILL RECALLED

On motion of Senator Anderson, **Senate Bill No. 1120** was recalled from the order of third reading to the order of second reading.

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

Senator Anderson offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1120

AMENDMENT NO. 3. Amend Senate Bill 1120 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 2012 is amended by changing Section 16-3 as follows:

(720 ILCS 5/16-3) (from Ch. 38, par. 16-3)

Sec. 16-3. Theft of labor or services or use of property.

(a) A person commits theft when he or she knowingly obtains the temporary use of property, labor or services of another which are available only for hire, by means of threat or deception or knowing that such

use is without the consent of the person providing the property, labor or services. For the purposes of this subsection, library material is available for hire.

(b) A person commits theft when after (1) renting or leasing a motor vehicle, (2) obtaining a motor vehicle through a "driveaway" service mode of transportation, (3) renting or leasing equipment exceeding \$500 in value including tools, construction or industry equipment, and such items as linens, tableware, tents, tables, chairs and other equipment specially rented for a party or special event, or (4) renting or leasing any other type of personal property exceeding \$500 in value, under an agreement in writing which provides for the return of the vehicle, equipment, or other personal property to a particular place at a particular time, he or she without good cause knowingly fails to return the vehicle, equipment, or other personal property to that place within the time specified, and is thereafter served or sent a written demand mailed to the last known address, made by certified mail return receipt requested, to return the such vehicle, equipment, or other personal property within 3 days from the mailing of the written demand, and who without good cause knowingly fails to return the vehicle, equipment, or any other personal property to any place of business of the lessor within the return such period. The trier of fact may infer evidence that the person is without good cause if the person signs the agreement with a name or address other than his or her own.

(c) A person commits theft when he or she borrows from a library facility library material which has an aggregate value of \$50 or more pursuant to an agreement with or procedure established by the library facility for the return of such library material, and knowingly without good cause fails to return the library material so borrowed in accordance with such agreement or procedure, and further knowingly without good cause fails to return such library material within 30 days after receiving written notice by certified mail from the library facility demanding the return of such library material.

(d) Sentence.

A person convicted of theft under subsection (a) is guilty of a Class A misdemeanor, except that the theft of library material where the aggregate value exceeds \$300 is a Class 3 felony. A person convicted of theft under subsection (b) of this Section is guilty of a Class 4 felony. A person convicted of theft under subsection (c) is guilty of a petty offense for which the offender may be fined an amount not to exceed \$500 and shall be ordered to reimburse the library for postage costs, attorney's fees, and actual replacement costs of the materials not returned, except that theft under subsection (c) where the aggregate value exceeds \$300 is a Class 3 felony. In addition to any other penalty imposed, the court may order a person convicted under this Section to make restitution to the victim of the offense.

For the purpose of sentencing on theft of library material, separate transactions totalling more than \$300 within a 90-day period shall constitute a single offense.

(Source: P.A. 97-597, eff. 1-1-12)."

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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Anderson, **Senate Bill No. 1120** 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; Present 1.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rezin
Anderson	Forby	McConchie	Righter
Barickman	Haine	McConnaughay	Rose
Bennett	Harmon	McGuire	Sandoval
Bertino-Tarrant	Holmes	Morrison	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Sullivan

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Brady	Jones, E.	Murphy, L.	Syverson
Bush	Koehler	Murphy, M.	Trotter
Clayborne	Link	Noland	Weaver
Collins	Luechtefeld	Nybo	Mr. President
Connelly	Manar	Radogno	
Cullerton, T.	Martinez	Raoul	

The following voted present:

Van Pelt

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

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

SENATE BILL RECALLED

On motion of Senator Biss, **Senate Bill No. 2804** was recalled from the order of third reading to the order of second reading.

Senator Biss offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2804

AMENDMENT NO. 2. Amend Senate Bill 2804, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Wage Assignment Act is amended by changing Sections 2, 2.1, 2.2, 4.1, and 4.2 as follows:

(740 ILCS 170/2) (from Ch. 48, par. 39.2)

Sec. 2. Demand on an employer for the wages of wage-earner by virtue of a wage assignment may not be served on the employer unless:

(1) There has been a default of more than 40 days in payment of the indebtedness secured by the assignment and the default has continued to the date of the demand;

(2) The demand contains a correct statement as to the amount the wage-earner is in default and the original or a photostatic copy of the assignment is exhibited to the employer; and

(3) Not less than 20 days before serving the demand, notice required under Section 2.2 ~~a notice of intention to make the demand~~ has been served upon the employee,

and an advice copy sent to the employer, by 2 methods: (i) first class mail; and (ii) registered or certified mail.

Service of any demand without complying with this Section has no legal effect. Proof of certified mail is prima facie evidence of service.

A demand under this Section applies only to wages due at the time of service of the demand and upon subsequent wages until the total amount due under the assignment is paid, or, if the wage assignment is revocable under federal law, until the employee revokes it or until the expiration of the employer's payroll period ending immediately prior to 84 days after service of such demand, whichever first occurs.

(Source: P.A. 88-395.)

(740 ILCS 170/2.1) (from Ch. 48, par. 39.2a)

Sec. 2.1. A demand shall be in the following form:

"Demand is hereby made upon an assignment of salary, wages, commissions or other compensation for services, executed by and delivered to on (insert date), to secure a debt contracted on (insert date).

The total amount of the debt is \$..... Payments in the amount of \$..... have been made. The duration of the contract is months. There is now due and owing without acceleration the sum of \$....., the last payment having been made on (insert date).

The employee herein named has been in default in his payments in the amount of \$....., of which \$..... has been due and owing for more than 40 days.

Unless you have received a written notice from the employee herein named revoking the wage assignment within the past 20 days, or do receive within 5 days after the service hereof, a notice of defense from the employee herein named, you are required by law to make payment in accordance with such

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assignment., first being duly sworn, deposes and says that the facts stated in the demand above are true and correct; and further deposes and says that he (or his principal, if he is an agent for the assignee) has not received notice from the debtor that he or she is revoking the wage assignment no notice of any defenses of the debtor.

Payments must be made until the total amount due under the assignment is paid or until the employee revokes the wage assignment.

Subscribed and sworn to before me on (insert date).

.....
.....
Notary Public".

(Source: P.A. 91-357, eff. 7-29-99.)
(740 ILCS 170/2.2) (from Ch. 48, par. 39.2b)

Sec. 2.2. Forms; notice of intent to assign wages; revocation.

(a) The notice to an employee required by Section 2 shall be in the following form:

"NOTICE OF INTENT TO ASSIGN WAGES

This notice is required by the Illinois Wage Assignment Act. The notice has been sent to tell you that a creditor (name and address listed below) plans to have your wages assigned. A wage assignment is a document you signed at the time you signed the contract for your debt. It authorizes your creditor to receive a portion of your wages directly from your employer, in order to pay your debt. This notice contains important information about the debt and what your options are. You should read the entire notice carefully.

WHY THE CREDITOR WANTS TO ASSIGN YOUR WAGES

You signed a wage assignment on (date) The wage assignment was signed as security if you failed to make payment on the contract you signed on (date) A copy of the wage assignment is attached. The creditor's records show that you have not made a payment since (date) and that you now owe \$..... on the contract. The creditor will send a demand for wages to your employer 20 days from the date you receive this.

WHAT YOU CAN DO TO PREVENT YOUR WAGES FROM BEING ASSIGNED

If you have a legal defense to the wage assignment you can stop the wage assignment by filling out the enclosed Notice of Defense Form and (1) sending it to the creditor by registered or certified mail and (2) giving a copy to your employer. You must do those 2 things within 20 days of receiving this notice. You have the right to contact an attorney concerning the wage assignment. In the event a false defense is made, you will be subject to payment of attorneys' fees, court costs and other expenses.

The creditor's name, and address, and phone number are:

.....
.....
.....

.....
(Signed by)"

(b) If the wage assignment is revocable under federal law, the notice required under subsection (a) shall also include the following:

UNDERSTANDING YOUR CHOICES UNDER THE ILLINOIS WAGE ASSIGNMENT ACT

There are options available to you in this process. You should consider your options and determine the one that is best for you. You have the right to contact an attorney at any point concerning the wage assignment, or to help you determine your best option.

Your options include:

(1) You can stop the wage assignment at any time, which will stop your wages from being deducted. It will not eliminate your debt, and interest may continue to accrue. You may contact your creditor for more information about the interest rate on your contract, and to determine how much interest might accrue if you stop the wage assignment.

Your creditor will still be able to pursue other means of collecting any debt you may owe, including filing a lawsuit against you for the full amount owed under the contract and any interest that might accrue. A lawsuit might result in you owing legal fees and other costs.

You can stop the wage assignment by filling out the enclosed Revocation Notice Form, or by writing a letter stating that you are revoking the wage assignment. Send the Revocation Notice Form or letter by registered or certified mail to the creditor, at the address listed above. It is highly recommended that you give a copy of the Revocation Notice Form or letter to your employer so your employer can stop any pending payments.

If you choose to write a letter, it should be addressed to the creditor, and should include:

(i) your name;

(ii) the account number; and

(iii) a statement that you are revoking the wage assignment, such as, "I am revoking the wage assignment."

Even if the wage assignment has already begun, you can still stop it now or at any point in the future.

(2) You can do nothing, and allow the wage assignment process to proceed. Starting in 20 days, part of your wages will be sent directly to the creditor to pay off your debt. This will reduce your take-home pay every pay period until the total amount of the debt is repaid.

Up to 15% of your wages will be sent to the creditor every pay period. Once the total amount is repaid, the creditor will send a notice to you and to your employer that includes the creditor's name, your name, and the account number, stating that the wage assignment is closed and no further wages should be assigned.

(3) You can contact your creditor to repay the debt, or to explore other options, including a repayment plan or refinancing, if available. You can contact your creditor at the address and phone number listed above.

If you agree on another repayment option with your creditor, the creditor will send a notice to your employer stating that your wages should not be assigned.

(c) If the wage assignment is revocable under federal law, the notice required under subsection (b) shall be accompanied by the following Revocation Notice Form, with the relevant information inserted by the creditor:

"REVOCATION NOTICE

The employee's name and address are:

.....
.....
.....
.....

The creditor's name and address are:

.....
.....
.....
.....

Re: (insert account number)

I, (insert name), hereby revoke the wage assignment I signed on (insert date the wage assignment was signed). You no longer have my permission to use this wage assignment.

..... (Signed by) (Date)"

(Source: P.A. 83-867.)

(740 ILCS 170/4.1) (from Ch. 48, par. 39.4a)

Sec. 4.1. Revocation of wage assignment. If the wage assignment is revocable under federal law, the employee may revoke the wage assignment at any time by submitting the Revocation Notice Form as provided in subsection (c) of Section 2.2 of this Act or otherwise providing written notice of revocation to the creditor. Revocation is effective regardless of how the creditor receives it. Failure to use the sample language provided in the notice described in Section 2.2 does not affect the validity of the written notice of revocation. The employee may submit a copy of the notice to his or her employer. If the written notice of revocation is served upon the creditor prior to the creditor's service of demand upon the employer, the demand shall not be served. Within 20 days after receiving the notice required by Section 2 or within 5 days after service of the demand, the employee may notify his employer, in writing, of any defense he may have to the wage assignment. A copy of such notice shall be served upon the creditor by registered or certified mail. If served upon the creditor prior to the creditor's service of demand upon the employer, such demand shall not be served by the creditor. The notice shall be by affidavit and shall be in substantially the following form:

"I,, hereby (swear) (affirm) that I have a bona fide defense to the claim of, which claim is based on a debt contracted on (insert date), and for security on which debt a wage assignment was executed.

.....
Address for service of summons

.....
Employee

Subscribed and sworn to before me on (insert date):

....."
Notary Public

(Source: P.A. 91-357, eff. 7-29-99.)
(740 ILCS 170/4.2) (from Ch. 48, par. 39.4b)
Sec. 4.2.

If the employee has not served a Revocation Notice Form as provided in Section 4.1 of this Act or has not otherwise served the creditor with a written notice of revocation (if the wage assignment is revocable under federal law) given notice of defense as provided in this Act within 20 days after receiving the notice of intention to make a demand, the creditor may proceed with his demand, and the employer shall commence payment to the creditor not sooner than 5 business days after service of such demand, if no revocation notice has been received by the employer unless a notice of defense is received within that 5 day period. If the employee cures the default stated in the demand or revokes the wage assignment, the creditor shall notify the employer and release the demand. No employer shall be liable for payments made in compliance with this Section.

If a Revocation Notice Form as set forth in Section 4.1 of this Act or other written notice of revocation from the employee is received by an employer, if a notice of defense is received by an employer within the period specified in Section 4.1, no wages are subject to a demand served by the creditor for that wage assignment and the employer shall cease any deduction of wages currently taking place for that wage assignment, described in that notice of defense; unless the employer receives a copy of a subsequent written agreement between the creditor and employee authorizing such payments. If such an agreement is not reached, the creditor may not institute further proceedings on the wage assignment. If a notice of defense has been given, service of summons in any subsequent proceeding on the debt for which the wage assignment was given as security may be made by registered or certified mail.
(Source: Laws 1967, p. 2049.)

Section 99. Effective date. This Act takes effect January 1, 2017."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Biss, **Senate Bill No. 2804** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Haine	McConchie	Rose
Anderson	Harmon	McGuire	Sandoval
Bennett	Hastings	Morrison	Silverstein
Bertino-Tarrant	Holmes	Mulroe	Stadelman
Biss	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy, L.	Sullivan
Brady	Jones, E.	Murphy, M.	Syverson
Bush	Koehler	Noland	Trotter
Clayborne	Lightford	Nybo	Van Pelt
Collins	Link	Oberweis	Weaver
Connelly	Manar	Radogno	Mr. President
Cullerton, T.	Martinez	Raoul	
Cunningham	McCann	Rezin	
Delgado	McCarter	Righter	

[May 5, 2016]

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 Van Pelt, **Senate Bill No. 3163** was recalled from the order of third reading to the order of second reading.

Senator Van Pelt offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3163

AMENDMENT NO. 1. Amend Senate Bill 3163 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Freedom to Work Act.

Section 5. Definitions. In this Act:

"Covenant not to compete" means an agreement:

(1) between an employer and a low-wage employee that restricts such low-wage employee from performing:

(A) any work for another employer for a specified period of time;

(B) any work in a specified geographical area; or

(C) work for another employer that is similar to such low-wage employee's work for the employer included as a party to the agreement; and

(2) that is entered into after the effective date of this Act.

"Director" means the Director of Labor.

"Employer" has the meaning given to such term in subsection (c) of Section 3 of the Minimum Wage Law. "Employer" does not include governmental or quasi-governmental bodies.

"Low-wage employee" means an employee who earns the greater of (1) the hourly rate equal to the minimum wage required by the applicable federal, State, or local minimum wage law or (2) \$13.00 per hour.

Section 10. Prohibiting covenants not to compete for low-wage employees.

(a) No employer shall enter into a covenant not to compete with any low-wage employee of the employer.

(b) A covenant not to compete entered into between an employer and a low-wage employee is illegal and void.

Section 15. Director's duties. The Director, or his or her authorized representatives, have the authority to:

(a) Investigate and may enter and inspect such places and such records (and make copies thereof) at reasonable times during regular business hours, not including an inconvenient time at the employer's place of business, question employees, and investigate those facts, conditions, practices, or matters as he or she may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of this Act.

(b) Require from any employer full and correct statements and reports in writing, including sworn statements, at such times as the Director may deem necessary, regarding hiring, covenants not to compete, names, addresses, and other information pertaining to the employer's low-wage employees as the Director may deem necessary for the enforcement of this Act.

(c) Require by subpoena the attendance and testimony of witnesses and the production of all books, records, and other evidence relative to a matter under investigation or hearing. The subpoena shall be signed and issued by the Director or his or her authorized representative. If a person fails to comply with any subpoena lawfully issued under this Section or a witness refuses to produce evidence or testify to any matter regarding which he or she may be lawfully interrogated, the court may, upon application of the Director, or his or her authorized representative, compel obedience by proceedings for contempt.

Section 20. Employer duties. Every employer subject to any provision of this Act or of any order issued under this Act shall make and keep for a period of not less than 3 years, true and accurate records of the name, address, and occupation of each of the employer's low-wage employees, all interviews and meetings pertaining to the hiring process, including, but not limited to, discussions of covenants not to compete, and such other information, and make such reports therefrom to the Department, as the Department may by rule prescribe as necessary or appropriate for the enforcement of the provisions of this Act or of the rules adopted thereunder. Such records shall be open for inspection or copying by the Director or his or her authorized representative at any reasonable time as limited by paragraph (a) of Section 15 of this Act. Every employer shall furnish to the Director or his or her authorized representative on demand a sworn statement of such records and information upon forms prescribed or approved by the Director.

Section 25. Administrative rules.

The Department shall adopt rules under the Illinois Administrative Procedure Act, including definitions of terms, as appropriate to carry out the purposes of this Act, to prevent the circumvention or evasion thereof, and to safeguard the requirements governing covenants not to compete under the Act.

Section 30. Violations; Department duties.

(a) Any employer, whether directly or through any officer, employee, or agent, who:

(1) hinders or delays the Director or his or her authorized representative in the performance of his or her duties in the enforcement of this Act;

(2) refuses to admit the Director or his or her authorized representative to any place of employment;

(3) fails to keep the records required under this Act or to furnish such records required or any information to be furnished under this Act to the Director or his or her authorized representative upon request;

(4) falsifies any such record; or

(5) refuses to make such records available to the Director or his authorized representative.

(b) Any employer, whether directly or through any officer, employee, or agent, who discharges or in any other manner discriminates against any low-wage employee because that employee has made a complaint to his or her employer, or to the Director or his or her authorized representative, or because that employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this Act, or because that employee has testified or is about to testify in an investigation or proceeding under this Act, is guilty of a Class B misdemeanor.

(c) It is the duty of the Department to inquire diligently for any violations of this Act, and to institute the action for penalties herein provided, and to enforce generally the provisions of this Act.

Section 35. Civil fine.

An employer that violates any provision of this Act or any rule adopted under this Act is subject to a civil penalty for each employee affected as follows:

(1) first violation, a civil penalty not to exceed \$500;

(2) second or subsequent violation, a civil penalty not to exceed \$1,000.

In determining the amount of any civil fine under this Section, the Director shall consider the appropriateness of the fine to the size of the employer subject to the fine and the gravity of the applicable violation."

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 Van Pelt, **Senate Bill No. 3163** 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:

[May 5, 2016]

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Haine	McCarter	Rezin
Anderson	Harmon	McConchie	Righter
Barickman	Hastings	McConnaughay	Rose
Bennett	Holmes	McGuire	Sandoval
Bertino-Tarrant	Hunter	Morrison	Silverstein
Biss	Hutchinson	Mulroe	Stadelman
Bivins	Jones, E.	Muñoz	Steans
Brady	Koehler	Murphy, L.	Sullivan
Bush	Lightford	Murphy, M.	Syverson
Clayborne	Link	Noland	Trotter
Collins	Luechtefeld	Nybo	Van Pelt
Cullerton, T.	Manar	Oberweis	Weaver
Cunningham	Martinez	Radogno	Mr. President
Delgado	McCann	Raoul	

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

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

SENATE BILL RECALLED

On motion of Senator Muñoz, **Senate Bill No. 467** 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 467

AMENDMENT NO. 1. Amend Senate Bill 467 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 7-604, 7-607 and by adding Section 7-604.5 as follows:

(625 ILCS 5/7-604) (from Ch. 95 1/2, par. 7-604)

(Section scheduled to be repealed on December 31, 2016)

Sec. 7-604. Verification of liability insurance policy.

(a) The Secretary of State may select random samples of registrations of motor vehicles subject to Section 7-601 of this Code, or owners thereof, for the purpose of verifying whether or not the motor vehicles are insured.

In addition to such general random samples of motor vehicle registrations, the Secretary may select for verification other random samples, including, but not limited to registrations of motor vehicles owned by persons:

(1) whose motor vehicle registrations during the preceding 4 years have been suspended pursuant to Section 7-606 or 7-607 of this Code;

(2) who during the preceding 4 years have been convicted of violating Section 3-707, 3-708 or 3-710 of this Code while operating vehicles owned by other persons;

(3) whose driving privileges have been suspended during the preceding 4 years;

(4) who during the preceding 4 years acquired ownership of motor vehicles while the registrations of such vehicles under the previous owners were suspended pursuant to Section 7-606 or 7-607 of this Code; or

(5) who during the preceding 4 years have received a disposition of supervision under

subsection (c) of Section 5-6-1 of the Unified Code of Corrections for a violation of Section 3-707, 3-708, or 3-710 of this Code.

(b) Upon receiving certification from the Department of Transportation under Section 7-201.2 of this Code of the name of an owner or operator of any motor vehicle involved in an accident, the Secretary may

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verify whether or not at the time of the accident such motor vehicle was covered by a liability insurance policy in accordance with Section 7-601 of this Code.

(c) In preparation for selection of random samples and their verification, the Secretary may send to owners of randomly selected motor vehicles, or to randomly selected motor vehicle owners, requests for information about their motor vehicles and liability insurance coverage. The request shall require the owner to state whether or not the motor vehicle was insured on the verification date stated in the Secretary's request and the request may require, but is not limited to, a statement by the owner of the names and addresses of insurers, policy numbers, and expiration dates of insurance coverage.

(d) Within 30 days after the Secretary mails a request, the owner to whom it is sent shall furnish the requested information to the Secretary above the owner's signed affirmation that such information is true and correct. Proof of insurance in effect on the verification date, as prescribed by the Secretary, may be considered by the Secretary to be a satisfactory response to the request for information.

Any owner whose response indicates that his or her vehicle was not covered by a liability insurance policy in accordance with Section 7-601 of this Code shall be deemed to have registered or maintained registration of a motor vehicle in violation of that Section. Any owner who fails to respond to such a request shall be deemed to have registered or maintained registration of a motor vehicle in violation of Section 7-601 of this Code.

(e) If the owner responds to the request for information by asserting that his or her vehicle was covered by a liability insurance policy on the verification date stated in the Secretary's request, the Secretary may conduct a verification of the response by furnishing necessary information to the insurer named in the response. The insurer shall within 45 days inform the Secretary whether or not on the verification date stated the motor vehicle was insured by the insurer in accordance with Section 7-601 of this Code. The Secretary may by rule and regulation prescribe the procedures for verification.

(f) No random sample selected under this Section shall be categorized on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, economic status or geography.

(f-5) This Section shall be inoperative upon the effective date of the rules adopted by the Secretary to implement Section 7-604.5 of this Code.

(g) This Section is repealed on December 31, 2016.

(Source: P.A. 98-787, eff. 7-25-14; 99-333, eff. 12-30-15 (see Section 15 of P.A. 99-483 for the effective date of changes made by P.A. 99-333).)

(625 ILCS 5/7-604.5 new)

Sec. 7-604.5. Electronic verification of a liability insurance policy.

(a) The Secretary may implement a program of electronic motor vehicle liability insurance policy verification for motor vehicles subject to Section 7-601 of this Code for the purpose of verifying whether or not the motor vehicle is insured. The program shall include, but is not limited to:

(1) a requirement that an insurance company authorized to sell motor vehicle liability insurance in this State shall make available, in a format designated by the Secretary, to the Secretary for each motor vehicle liability insurance policy issued by the company the following information:

(A) the name of the policy holder;

(B) the make, model, year, and vehicle identification number of the covered motor vehicle;

(C) the policy number;

(D) the policy effective date;

(E) the insurance company's National Association of Insurance Commissioners number; and

(F) any other information the Secretary deems necessary;

(2) a method for searching motor vehicle liability insurance policies issued and in effect in this State by using the information under subparagraphs (A), (B), or (C) of paragraph (1) of this subsection (a);

(3) a requirement that at least twice per calendar year, the Secretary shall verify the existence of a liability insurance policy for every registered motor vehicle subject to Section 7-601 of this Code; and if the Secretary is unable to verify the existence of a liability insurance policy, the Secretary shall send the vehicle owner a written notice allowing the vehicle owner 30 calendar days to provide proof of insurance on the date of the attempted verification, or to provide proof that the vehicle is no longer operable;

(4) a requirement that a vehicle owner who does not provide proof of insurance or proof of an inoperable vehicle under paragraph (3) of this subsection (a) shall be in violation of Section 7-601 of this Code and the Secretary shall suspend the vehicle's registration and the owner of the vehicle shall pay any applicable reinstatement fees under Section 7-606 of this Code; and

(5) a requirement that if a vehicle owner provides proof of insurance on the date of the attempted verification under paragraph (3) of this subsection (a), the Secretary shall verify the vehicle owner's response by furnishing necessary information to the insurance company. Within 7 calendar days of

receiving the information, the insurance company shall confirm and notify the Secretary the dates of the motor vehicle's insurance coverage. If the insurance company does not confirm coverage for the date of the attempted verification, the Secretary shall suspend the vehicle's registration and the owner of the vehicle shall pay any applicable reinstatement fees under Section 7-606 of this Code.

(b) In addition to the semi-annual verification of liability insurance under subsection (a) of this Section, the Secretary may select monthly verification for a motor vehicle, including, but not limited to, a motor vehicle owned or operated by a person:

(1) whose motor vehicle registration during the preceding 4 years has been suspended under Section 7-606 or 7-607 of this Code;

(2) who, during the preceding 4 years, has been convicted of violating Section 3-707, 3-708, or 3-710 of this Code while operating a vehicle owned by another person;

(3) whose driving privileges have been suspended during the preceding 4 years;

(4) who, during the preceding 4 years, acquired ownership of a motor vehicle while the registration of the vehicle under the previous owner was suspended under Section 7-606 or 7-607 of this Code; or

(5) who, during the preceding 4 years, has received a disposition of supervision under subsection (c) of Section 5-6-1 of the Unified Code of Corrections for a violation of Section 3-707, 3-708, or 3-710 of this Code.

(c) The Secretary may contract with a private contractor to carry out the Secretary's duties under this Section.

(d) Nothing in this Section provides the Secretary with regulatory authority over insurance companies.

(e) The Secretary may adopt any rules necessary to implement this Section.

(625 ILCS 5/7-607) (from Ch. 95 1/2, par. 7-607)

Sec. 7-607. Submission of false proof - penalty. If the Secretary determines that the proof of insurance submitted by a motor vehicle owner under Section 7-604, 7-604.5, 7-605 or 7-606 of this Code is false, the Secretary shall suspend the owner's vehicle registration. The Secretary shall terminate the suspension 6 months after its effective date upon payment by the owner of a reinstatement fee of \$200 and submission of proof of insurance as prescribed by the Secretary.

All fees collected under this Section shall be disbursed under subsection (g) of Section 2-119 of this Code.

(Source: P.A. 99-127, eff. 1-1-16.)

Section 96. No revival or extension. This Act does not revive or extend any Section or Act otherwise repealed."

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 Muñoz, **Senate Bill No. 467** 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.

The following voted in the affirmative:

Althoff	Forby	McCarter	Righter
Anderson	Haine	McConchie	Rose
Barickman	Harmon	McConnaughay	Sandoval
Bennett	Hastings	McGuire	Silverstein
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Sullivan
Brady	Jones, E.	Murphy, L.	Syverson

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Bush	Koehler	Murphy, M.	Trotter
Clayborne	Lightford	Noland	Van Pelt
Collins	Link	Nybo	Weaver
Connelly	Luechtefeld	Oberweis	Mr. President
Cullerton, T.	Manar	Radogno	
Cunningham	Martinez	Raoul	
Delgado	McCann	Rezin	

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

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

On motion of Senator Rezin, **Senate Bill No. 3058** 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	McConchie	Rose
Anderson	Harmon	McConnaughay	Sandoval
Barickman	Hastings	McGuire	Silverstein
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Sullivan
Brady	Jones, E.	Murphy, L.	Syverson
Bush	Koehler	Murphy, M.	Trotter
Clayborne	Lightford	Noland	Van Pelt
Collins	Link	Nybo	Weaver
Connelly	Luechtefeld	Oberweis	Mr. President
Cullerton, T.	Manar	Radogno	
Cunningham	Martinez	Raoul	
Delgado	McCann	Rezin	
Forby	McCarter	Righter	

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

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

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. 1 to Senate Bill 323
 Floor Amendment No. 2 to Senate Bill 345
 Floor Amendment No. 1 to Senate Bill 583
 Floor Amendment No. 4 to Senate Bill 2370
 Floor Amendment No. 4 to Senate Bill 2417

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

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Committee Amendment No. 1 to Senate Joint Resolution 45

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. 1 to House Bill 4515
 Committee Amendment No. 1 to House Bill 4688
 Committee Amendment No. 1 to House Bill 5902
 Committee Amendment No. 1 to House Bill 6084

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2016 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Floor Amendment No. 1 to Senate Bill 3402; HOUSE BILL 4446.**

Executive: **HOUSE BILL 4715.**

Insurance: **Floor Amendment No. 2 to Senate Bill 345.**

State Government and Veterans Affairs: **HOUSE BILLS 3217 and 5540.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2016 meeting, to which was referred **Senate Bill No. 346** on April 15, 2015, reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.
 And **Senate Bill No. 346** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2016 meeting, to which was referred **Senate Bills Numbered 1485 and 1585** on October 10, 2015, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.
 And **Senate Bills Numbered 1485 and 1585** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2016 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 3 to Senate Bill 2370
Floor Amendment No. 4 to Senate Bill 2370

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

SENATE BILL RECALLED

On motion of Senator Van Pelt, **Senate Bill No. 2370** was recalled from the order of third reading to the order of second reading.

Senator Van Pelt offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2370

AMENDMENT NO. 3. Amend Senate Bill 2370, AS AMENDED, by replacing everything after the enacting clause with the following:

[May 5, 2016]

"Section 5. The Counties Code is amended by changing Section 3-4006 as follows:

(55 ILCS 5/3-4006) (from Ch. 34, par. 3-4006)

Sec. 3-4006. Duties of public defender. The Public Defender, as directed by the court, shall act as attorney, without fee, before any court within any county for all persons who are held in custody or who are charged with the commission of any criminal offense, and who the court finds are unable to employ counsel.

The Public Defender shall be the attorney, without fee, when so appointed by the court under Section 1-20 of the Juvenile Court Act or Section 1-5 of the Juvenile Court Act of 1987 or by any court under Section 5(b) of the Parental Notice of Abortion Act of 1983 for any party who the court finds is financially unable to employ counsel.

In cases subject to Section 5-170 of the Juvenile Court Act of 1987 involving a minor who was under 15 years of age at the time of the commission of the offense, that occurs in a county with a full-time public defender office, a public defender, without fee or appointment, may represent and have access to a minor during a custodial interrogation. In cases subject to Section 5-170 of the Juvenile Court Act of 1987 involving a minor who was under 15 years of age at the time of the commission of the offense, that occurs in a county without a full-time public defender, the law enforcement agency conducting the custodial interrogation shall ensure that the minor is able to consult with an attorney who is under contract with the county to provide public defender services. Representation by the public defender shall terminate at the first court appearance if the court determines that the minor is not indigent.

Every court shall, with the consent of the defendant and where the court finds that the rights of the defendant would be prejudiced by the appointment of the public defender, appoint counsel other than the public defender, except as otherwise provided in Section 113-3 of the "Code of Criminal Procedure of 1963". That counsel shall be compensated as is provided by law. He shall also, in the case of the conviction of any such person, prosecute any proceeding in review which in his judgment the interests of justice require.

(Source: P.A. 86-962.)

Section 10. The Juvenile Court Act of 1987 is amended by changing Sections 5-170 and 5-401.5 as follows:

(705 ILCS 405/5-170)

Sec. 5-170. Representation by counsel.

(a) In a proceeding under this Article, a minor who was under 15 13 years of age at the time of the commission of an act that if committed by an adult would be a violation of Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 must be represented by counsel throughout during the entire custodial interrogation of the minor.

(b) In a judicial proceeding under this Article, a minor may not waive the right to the assistance of counsel in his or her defense.

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

(705 ILCS 405/5-401.5)

Sec. 5-401.5. When statements by minor may be used.

(a) In this Section, "custodial interrogation" means any interrogation (i) during which a reasonable person in the subject's position would consider himself or herself to be in custody and (ii) during which a question is asked that is reasonably likely to elicit an incriminating response.

In this Section, "electronic recording" includes motion picture, audiotape, videotape, or digital recording.

In this Section, "place of detention" means a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons or allegations that those persons are delinquent minors.

(a-5) An oral, written, or sign language statement of a minor, who at the time of the commission of the offense was under 18 years of age, is presumed to be involuntarily made when the statement is obtained from the minor while the minor is subject to custodial interrogation by a law enforcement officer, State's Attorney, juvenile officer, or other public official or employee prior to the officer, State's Attorney, public official, or employee:

(1) continuously reads to the minor, in its entirety and without stopping for purposes of a response from the minor or verifying comprehension, the following statement: "You have the right to remain silent. That means you do not have to say anything. Anything you do say can be used against you in court. You

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have the right to get help from a lawyer. If you cannot pay for a lawyer, the court will get you one for free. You can ask for a lawyer at any time. You have the right to stop this interview at any time."; and

(2) after reading the statement required by paragraph (1) of this subsection (a-5), the public official or employee shall ask the minor the following questions and wait for the minor's response to each question:

(A) "Do you want to have a lawyer?"

(B) "Do you want to talk to me?"

(b) An oral, written, or sign language statement of a minor who, at the time of the commission of the offense was under the age of 18 years, made as a result of a custodial interrogation conducted at a police station or other place of detention on or after the effective date of this amendatory Act of the 99th 93rd General Assembly shall be presumed to be inadmissible as evidence against the minor in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be a misdemeanor offense under Article 11 of the Criminal Code of 2012 or any felony offense brought under Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, or 9-3.3, of the Criminal Code of 1961 or the Criminal Code of 2012, or under clause (d)(1)(F) of Section 11-501 of the Illinois Vehicle Code unless:

(1) an electronic recording is made of the custodial interrogation; and

(2) the recording is substantially accurate and not intentionally altered.

(b-5) (Blank). Under the following circumstances, an oral, written, or sign language statement of a minor who, at the time of the commission of the offense was under the age of 17 years, made as a result of a custodial interrogation conducted at a police station or other place of detention shall be presumed to be inadmissible as evidence against the minor, unless an electronic recording is made of the custodial interrogation and the recording is substantially accurate and not intentionally altered:

(1) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 11-1.40 or 20-1.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2014;

(2) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 10-2, 18-4, or 19-6 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2015; and

(3) in any criminal proceeding or juvenile court proceeding, for an act that if committed by an adult would be brought under Section 11-1.30 or 18-2 or subsection (e) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2016.

(b-10) If, during the course of an electronically recorded custodial interrogation conducted under this Section of a minor who, at the time of the commission of the offense was under the age of 18 17 years, the minor makes a statement that creates a reasonable suspicion to believe the minor has committed an act that if committed by an adult would be an offense other than an offense required to be recorded under subsection (b) ~~or (b-5)~~, the interrogators may, without the minor's consent, continue to record the interrogation as it relates to the other offense notwithstanding any provision of law to the contrary. Any oral, written, or sign language statement of a minor made as a result of an interrogation under this subsection shall be presumed to be inadmissible as evidence against the minor in any criminal proceeding or juvenile court proceeding, unless the recording is substantially accurate and not intentionally altered.

(c) Every electronic recording made under this Section must be preserved until such time as the minor's adjudication for any offense relating to the statement is final and all direct and habeas corpus appeals are exhausted, or the prosecution of such offenses is barred by law.

(d) If the court finds, by a preponderance of the evidence, that the minor was subjected to a custodial interrogation in violation of this Section, then any statements made by the minor during or following that non-recorded custodial interrogation, even if otherwise in compliance with this Section, are presumed to be inadmissible in any criminal proceeding or juvenile court proceeding against the minor except for the purposes of impeachment.

(e) Nothing in this Section precludes the admission (i) of a statement made by the minor in open court in any criminal proceeding or juvenile court proceeding, before a grand jury, or at a preliminary hearing, (ii) of a statement made during a custodial interrogation that was not recorded as required by this Section because electronic recording was not feasible, (iii) of a voluntary statement, whether or not the result of a custodial interrogation, that has a bearing on the credibility of the accused as a witness, (iv) of a spontaneous statement that is not made in response to a question, (v) of a statement made after questioning that is routinely asked during the processing of the arrest of the suspect, (vi) of a statement made during a custodial interrogation by a suspect who requests, prior to making the statement, to respond to the interrogator's questions only if an electronic recording is not made of the statement, provided that an electronic recording is made of the statement of agreeing to respond to the interrogator's question, only if a recording is not made of the statement, (vii) of a statement made during a custodial interrogation that is

conducted out-of-state, (viii) of a statement given in violation of subsection (b) at a time when the interrogators are unaware that a death has in fact occurred, (ix) ~~(blank) of a statement given in violation of subsection (b-5) at a time when the interrogators are unaware of facts and circumstances that would create probable cause to believe that the minor committed an act that if committed by an adult would be an offense required to be recorded under subsection (b-5),~~ or (x) of any other statement that may be admissible under law. The State shall bear the burden of proving, by a preponderance of the evidence, that one of the exceptions described in this subsection (e) is applicable. Nothing in this Section precludes the admission of a statement, otherwise inadmissible under this Section, that is used only for impeachment and not as substantive evidence.

(f) The presumption of inadmissibility of a statement made by a suspect at a custodial interrogation at a police station or other place of detention may be overcome by a preponderance of the evidence that the statement was voluntarily given and is reliable, based on the totality of the circumstances.

(g) Any electronic recording of any statement made by a minor during a custodial interrogation that is compiled by any law enforcement agency as required by this Section for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided under Section 7 of the Freedom of Information Act, and the information shall not be transmitted to anyone except as needed to comply with this Section.

(h) A statement, admission, confession, or incriminating information made by or obtained from a minor related to the instant offense, as part of any behavioral health screening, assessment, evaluation, or treatment, whether or not court-ordered, shall not be admissible as evidence against the minor on the issue of guilt only in the instant juvenile court proceeding. The provisions of this subsection (h) are in addition to and do not override any existing statutory and constitutional prohibition on the admission into evidence in delinquency proceedings of information obtained during screening, assessment, or treatment.

(i) The changes made to this Section by Public Act 98-61 apply to statements of a minor made on or after January 1, 2014 (the effective date of Public Act 98-61).

(Source: P.A. 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14; 98-547, eff. 1-1-14; 98-756, eff. 7-16-14.)

Section 15. The Code of Criminal Procedure of 1963 is amended by changing Section 103-2.1 as follows:

(725 ILCS 5/103-2.1)

Sec. 103-2.1. When statements by accused may be used.

(a) In this Section, "custodial interrogation" means any interrogation during which (i) a reasonable person in the subject's position would consider himself or herself to be in custody and (ii) during which a question is asked that is reasonably likely to elicit an incriminating response.

In this Section, "place of detention" means a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency, not a courthouse, that is owned or operated by a law enforcement agency at which persons are or may be held in detention in connection with criminal charges against those persons.

In this Section, "electronic recording" includes motion picture, audiotape, or videotape, or digital recording.

(a-5) An oral, written, or sign language statement of a minor, who at the time of the commission of the offense was under 18 years of age, is presumed to be involuntarily made when the statement is obtained from the minor while the minor is subject to custodial interrogation by a law enforcement officer, State's Attorney, juvenile officer, or other public official or employee prior to the officer, State's Attorney, public official, or employee:

(1) continuously reads to the minor, in its entirety and without stopping for purposes of a response from the minor or verifying comprehension, the following statement: "You have the right to remain silent. That means you do not have to say anything. Anything you do say can be used against you in court. You have the right to get help from a lawyer. If you cannot pay for a lawyer, the court will get you one for free. You can ask for a lawyer at any time. You have the right to stop this interview at any time."; and

(2) after reading the statement required by paragraph (1) of this subsection (a-5), the public official or employee shall ask the minor the following questions and wait for the minor's response to each question:

(A) "Do you want to have a lawyer?"

(B) "Do you want to talk to me?"

(a-10) An oral, written, or sign language statement of a minor, who at the time of the commission of the offense was under 18 years of age, made as a result of a custodial interrogation conducted at a police station or other place of detention on or after the effective date of this amendatory Act of the 99th General Assembly shall be presumed to be inadmissible as evidence in a criminal proceeding or a juvenile court

proceeding for an act that if committed by an adult would be a misdemeanor offense under Article 11 of the Criminal Code of 2012 or a felony offense under the Criminal Code of 2012 unless:

- (1) an electronic recording is made of the custodial interrogation; and
- (2) the recording is substantially accurate and not intentionally altered.

(b) An oral, written, or sign language statement of an accused made as a result of a custodial interrogation conducted at a police station or other place of detention shall be presumed to be inadmissible as evidence against the accused in any criminal proceeding brought under Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, or 9-3.3 of the Criminal Code of 1961 or the Criminal Code of 2012 or under clause (d)(1)(F) of Section 11-501 of the Illinois Vehicle Code unless:

- (1) an electronic recording is made of the custodial interrogation; and
- (2) the recording is substantially accurate and not intentionally altered.

(b-5) Under the following circumstances, an oral, written, or sign language statement of an accused made as a result of a custodial interrogation conducted at a police station or other place of detention shall be presumed to be inadmissible as evidence against the accused, unless an electronic recording is made of the custodial interrogation and the recording is substantially accurate and not intentionally altered:

- (1) in any criminal proceeding brought under Section 11-1.40 or 20-1.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2014;
- (2) in any criminal proceeding brought under Section 10-2, 18-4, or 19-6 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2015; and
- (3) in any criminal proceeding brought under Section 11-1.30 or 18-2 or subsection (e) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, if the custodial interrogation was conducted on or after June 1, 2016.

(b-10) If, during the course of an electronically recorded custodial interrogation conducted under this Section, the accused makes a statement that creates a reasonable suspicion to believe the accused has committed an offense other than an offense required to be recorded under subsection (b) or (b-5), the interrogators may, without the accused's consent, continue to record the interrogation as it relates to the other offense notwithstanding any provision of law to the contrary. Any oral, written, or sign language statement of an accused made as a result of an interrogation under this subsection shall be presumed to be inadmissible as evidence against the accused in any criminal proceeding, unless the recording is substantially accurate and not intentionally altered.

(c) Every electronic recording made under this Section must be preserved until such time as the defendant's conviction for any offense relating to the statement is final and all direct and habeas corpus appeals are exhausted, or the prosecution of such offenses is barred by law.

(d) If the court finds, by a preponderance of the evidence, that the defendant was subjected to a custodial interrogation in violation of this Section, then any statements made by the defendant during or following that non-recorded custodial interrogation, even if otherwise in compliance with this Section, are presumed to be inadmissible in any criminal proceeding against the defendant except for the purposes of impeachment.

(e) Nothing in this Section precludes the admission (i) of a statement made by the accused in open court at his or her trial, before a grand jury, or at a preliminary hearing, (ii) of a statement made during a custodial interrogation that was not recorded as required by this Section, because electronic recording was not feasible, (iii) of a voluntary statement, whether or not the result of a custodial interrogation, that has a bearing on the credibility of the accused as a witness, (iv) of a spontaneous statement that is not made in response to a question, (v) of a statement made after questioning that is routinely asked during the processing of the arrest of the suspect, (vi) of a statement made during a custodial interrogation by a suspect who requests, prior to making the statement, to respond to the interrogator's questions only if an electronic recording is not made of the statement, provided that an electronic recording is made of the statement of agreeing to respond to the interrogator's question, only if a recording is not made of the statement, (vii) of a statement made during a custodial interrogation that is conducted out-of-state, (viii) of a statement given in violation of subsection (b) at a time when the interrogators are unaware that a death has in fact occurred, (ix) of a statement given in violation of subsection (b-5) at a time when the interrogators are unaware of facts and circumstances that would create probable cause to believe that the accused committed an offense required to be recorded under subsection (b-5), or (x) of any other statement that may be admissible under law. The State shall bear the burden of proving, by a preponderance of the evidence, that one of the exceptions described in this subsection (e) is applicable. Nothing in this Section precludes the admission of a statement, otherwise inadmissible under this Section, that is used only for impeachment and not as substantive evidence.

(f) The presumption of inadmissibility of a statement made by a suspect at a custodial interrogation at a police station or other place of detention may be overcome by a preponderance of the evidence that the statement was voluntarily given and is reliable, based on the totality of the circumstances.

(g) Any electronic recording of any statement made by an accused during a custodial interrogation that is compiled by any law enforcement agency as required by this Section for the purposes of fulfilling the requirements of this Section shall be confidential and exempt from public inspection and copying, as provided under Section 7 of the Freedom of Information Act, and the information shall not be transmitted to anyone except as needed to comply with this Section.

(Source: P.A. 97-1150, eff. 1-25-13; 98-547, eff. 1-1-14.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Van Pelt offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 2370

AMENDMENT NO. 4. Amend Senate Bill 2370, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3 on page 4, line 15 by replacing "involuntarily made" with "inadmissible"; and

on page 11, line 11 by replacing "involuntarily made" with "inadmissible".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 3 and 4 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 Van Pelt, **Senate Bill No. 2370** 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	McConchie	Rose
Anderson	Harmon	McConnaughay	Sandoval
Bennett	Hastings	McGuire	Silverstein
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Stears
Bivins	Hutchinson	Muñoz	Sullivan
Brady	Jones, E.	Murphy, L.	Syverson
Bush	Koehler	Murphy, M.	Trotter
Clayborne	Lightford	Noland	Van Pelt
Collins	Link	Nybo	Weaver
Connelly	Luechtefeld	Oberweis	Mr. President
Cullerton, T.	Manar	Radogno	
Cunningham	Martinez	Raoul	
Delgado	McCann	Rezin	
Forby	McCarter	Righter	

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

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

[May 5, 2016]

READING CONSTITUTIONAL AMENDMENT A THIRD TIME

On motion of Senator Haine, **House Joint Resolution Constitutional Amendment No. 36**, having been printed, was taken up, read in full a third time.

Senator Haine moved that House Joint Resolution Constitutional Amendment No. 36, be adopted. And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Forby	McCarter	Rezin
Anderson	Haine	McConchie	Righter
Barickman	Harmon	McConnaughay	Rose
Bennett	Hastings	McGuire	Sandoval
Bertino-Tarrant	Holmes	Morrison	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Koehler	Murphy, L.	Sullivan
Bush	Lightford	Murphy, M.	Syverson
Clayborne	Link	Noland	Trotter
Connelly	Luechtefeld	Nybo	Van Pelt
Cullerton, T.	Manar	Oberweis	Weaver
Cunningham	Martinez	Radogno	Mr. President
Delgado	McCann	Raoul	

The motion prevailed.

And the resolution was adopted by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Sandoval, **Senate Bill No. 2571** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2571

AMENDMENT NO. 1. Amend Senate Bill 2571 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Highway Code is amended by adding Section 9-132 as follows:
(605 ILCS 5/9-132 new)

Sec. 9-132. Highway design. A unit of local government may consult a highway design publication outside the Department's Bureau of Design and Environment Manual for the construction of any highway in ownership or control of the unit of local government, except for a highway that is part of the National System of Interstate and Defense Highways, if:

- (a) the unit of local government receives federal or State funds for the construction project;
- (b) the highway design publication is recognized by the Federal Highway Administration;
- (c) the highway design publication is adopted by the unit of local government; and
- (d) the design complies with all other applicable federal laws."

AMENDMENT NO. 2 TO SENATE BILL 2571

AMENDMENT NO. 2. Amend Senate Bill 2571, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

[May 5, 2016]

on page 1, line 9, by replacing "Bureau of Design and Environment Manual" with "Bureau of Local Roads and Streets Manual"; and

on page 1, line 15, by replacing "recognized" with "approved".

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.

**CONSIDERATION OF
RESOLUTION ON SECRETARY'S DESK**

Senator Mulroe moved that **Senate Resolution No. 1511**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Mulroe moved that Senate Resolution No. 1511 be adopted.

The motion prevailed.

And the resolution was adopted.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet immediately upon adjournment:

Revenue in Room 212

Insurance in Room 400

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 1785

Offered by Senator Link and all Senators:

Mourns the death of Michael R. Sullivan.

SENATE RESOLUTION NO. 1786

Offered by Senator Link and all Senators:

Mourns the death of Ellen M. Tobolski of Vernon Hills.

SENATE RESOLUTION NO. 1787

Offered by Senator Althoff and all Senators:

Mourns the death of Robert W. Hagen of Spring Grove.

SENATE RESOLUTION NO. 1788

Offered by Senator Althoff and all Senators:

Mourns the death of Linda W. Stittgen of Johnsburg.

SENATE RESOLUTION NO. 1789

Offered by Senator Althoff and all Senators:

Mourns the death of Craig Allan Baird.

SENATE RESOLUTION NO. 1790

Offered by Senator Althoff and all Senators:

Mourns the death of Gerald A. "Yogi" Bauman of Union.

SENATE RESOLUTION NO. 1791

Offered by Senator Althoff and all Senators:

Mourns the death of Kathleen Boyle of McHenry.

SENATE RESOLUTION NO. 1792

[May 5, 2016]

Offered by Senator Althoff and all Senators:
Mourns the death of Ed Hall of Harvard.

SENATE RESOLUTION NO. 1793

Offered by Senator Althoff and all Senators:
Mourns the death of Patricia M. Moore.

SENATE RESOLUTION NO. 1794

Offered by Senator Althoff and all Senators:
Mourns the death of William Douglas Jones of Woodstock.

SENATE RESOLUTION NO. 1795

Offered by Senator Althoff and all Senators:
Mourns the death of Gwen L. Radovich of Woodstock.

SENATE RESOLUTION NO. 1796

Offered by Senator Koehler and all Senators:
Mourns the death of Steven J. Stella of East Peoria.

SENATE RESOLUTION NO. 1797

Offered by Senator L. Murphy and all Senators:
Mourns the death of Richard T. Vana of Des Plaines.

SENATE RESOLUTION NO. 1798

Offered by Senator Anderson and all Senators:
Mourns the death of Matthew C. Murrin of Silvis.

SENATE RESOLUTION NO. 1799

Offered by Senator Anderson and all Senators:
Mourns the death of Harlin Eugene "Gene" Terry of Moline.

SENATE RESOLUTION NO. 1800

Offered by Senator Anderson and all Senators:
Mourns the death of Dr. Earl H. Clark of Rock Island.

SENATE RESOLUTION NO. 1801

Offered by Senator Anderson and all Senators:
Mourns the death of Raymond D. Metzger of Rock Island.

SENATE RESOLUTION NO. 1802

Offered by Senator Anderson and all Senators:
Mourns the death of James N. Vaughn of East Moline.

SENATE RESOLUTION NO. 1803

Offered by Senator Anderson and all Senators:
Mourns the death of Gerald C. Bloomberg of Rock Island.

SENATE RESOLUTION NO. 1804

Offered by Senator Anderson and all Senators:
Mourns the death of Michael "Mike" Flaherty.

SENATE RESOLUTION NO. 1805

Offered by Senator Anderson and all Senators:
Mourns the death of James E. Haronik of Silvis.

SENATE RESOLUTION NO. 1806

Offered by Senator Anderson and all Senators:
Mourns the death of Melvin D. "Bud" Matherly, Jr., of Coal Valley.

SENATE RESOLUTION NO. 1807

Offered by Senator Anderson and all Senators:
Mourns the death of Lawrence J. Sweet of East Moline.

SENATE RESOLUTION NO. 1808

Offered by Senator Anderson and all Senators:
Mourns the death of Robert F. Harmon, Jr., of Milan.

SENATE RESOLUTION NO. 1810

Offered by Senator Muñoz and all Senators:
Mourns the death of Bernice T. Midden of Springfield.

SENATE RESOLUTION NO. 1811

Offered by Senator Link and all Senators:
Mourns the death of John “Johnny Angel” Norris.

SENATE RESOLUTION NO. 1812

Offered by Senator Link and all Senators:
Mourns the death of Paul J. Gerjol.

SENATE RESOLUTION NO. 1813

Offered by Senators McConnaughay – Holmes and all Senators:
Mourns the death of Albert Denis McCoy.

SENATE RESOLUTION NO. 1814

Offered by Senator McConnaughay and all Senators:
Mourns the death of Jane Brodie Eisenhower of Iowa City, Iowa, formerly of Geneva.

SENATE RESOLUTION NO. 1815

Offered by Senator McConnaughay and all Senators:
Mourns the death of Robert J. “Rob” McConnaughay.

SENATE RESOLUTION NO. 1816

Offered by Senator McConnaughay and all Senators:
Mourns the death of Glenn D. Cushing of Maple Park.

SENATE RESOLUTION NO. 1817

Offered by Senator E. Jones III and all Senators:
Mourns the death of Tiara Michelle Parks.

SENATE RESOLUTION NO. 1818

Offered by Senator Link and all Senators:
Mourns the death of Barbara Jean Furlan of Wadsworth.

SENATE RESOLUTION NO. 1819

Offered by Senator Link and all Senators:
Mourns the death of Lee “Babe” Greenspan of Chicago.

SENATE RESOLUTION NO. 1820

Offered by Senator Link and all Senators:
Mourns the death of Frances B. Petric of Mequon, Wisconsin.

SENATE RESOLUTION NO. 1822

Offered by Senator Clayborne and all Senators:
Mourns the death of Chyriell Drain-Hill.

SENATE RESOLUTION NO. 1823

Offered by Senator Lightford and all Senators:
Mourns the death of Jeffery Scott Turner.

SENATE RESOLUTION NO. 1825

Offered by Senator Stadelman and all Senators:
Mourns the death of former Illinois State Senator Vivian Hickey of Rockford.

SENATE RESOLUTION NO. 1827

Offered by Senator Anderson and all Senators:
Mourns the death of William A. Schultz, Jr., of Silvis.

SENATE RESOLUTION NO. 1828

Offered by Senator Anderson and all Senators:
Mourns the death of Otto E. Ehm of Rock Island.

SENATE RESOLUTION NO. 1829

Offered by Senator Anderson and all Senators:
Mourns the death of Ralph B. Smith, Sr., of Rock Island.

SENATE RESOLUTION NO. 1830

Offered by Senator Anderson and all Senators:
Mourns the death of Larry Wayne Dolan of Moline.

SENATE RESOLUTION NO. 1831

Offered by Senator Anderson and all Senators:
Mourns the death of Gary G. Newman of Moline.

SENATE RESOLUTION NO. 1832

Offered by Senator Anderson and all Senators:
Mourns the death of Robert V. Lofgren of Moline.

SENATE RESOLUTION NO. 1833

Offered by Senator Anderson and all Senators:
Mourns the death of Edward Otto Gizynski of Silvis.

SENATE RESOLUTION NO. 1834

Offered by Senator Haine and all Senators:
Mourns the death of Eva H. Sawyer of Hillside.

SENATE RESOLUTION NO. 1835

Offered by Senator Haine and all Senators:
Mourns the death of John Douglas Behme of Worden.

SENATE RESOLUTION NO. 1836

Offered by Senator McGuire and all Senators:
Mourns the death of Robert L. "Bob" Rohder of Joliet.

SENATE RESOLUTION NO. 1837

Offered by Senator McConaughay and all Senators:
Mourns the death of David J. Zarr of Geneva.

SENATE RESOLUTION NO. 1838

Offered by Senator McConaughay and all Senators:
Mourns the death of Betty Stephano of Batavia.

SENATE RESOLUTION NO. 1839

Offered by Senator Clayborne and all Senators:
Mourns the death of John Edward "Flukie" Cowan.

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. 149

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, May 05, 2016, the House of Representatives stands adjourned until Tuesday, May 10, 2016 at 12:00 o'clock noon or until the call of the Speaker; and the Senate stands adjourned until Tuesday, May 10, 2016, at 12:00 o'clock noon or until the call of the President.

Adopted by the House, May 5, 2016.

TIMOTHY D. MAPES, Clerk of the House

By unanimous consent, on motion of Senator Clayborne, the foregoing message reporting House Joint Resolution No. 149 was taken up for immediate consideration.

Senator Clayborne 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.

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 5, 2016

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 Don Harmon to temporarily replace Senator Napoleon Harris III as a member of the Senate Insurance Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Insurance Committee.

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

[May 5, 2016]

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 5, 2016

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 Martin Sandoval to temporarily replace Senator Antonio Munoz as a member of the Senate Insurance Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Insurance Committee.

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

cc: Senate Minority Leader Christine Radogno

At the hour of 4:00 o'clock p.m., pursuant to **House Joint Resolution No. 149**, the Chair announced the Senate stand adjourned until Tuesday, May 10, 2016, at 12:00 o'clock noon, or until the call of the President.

[May 5, 2016]