



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-NINTH GENERAL ASSEMBLY

116TH LEGISLATIVE DAY

THURSDAY, MAY 19, 2016

11:04 O'CLOCK A.M.

SENATE
Daily Journal Index
116th Legislative Day

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The Senate met pursuant to adjournment.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Pastor Scott Marsh, Texas Christian Church, Clinton, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 18, 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 Palatine Police Department.

JCAR 2015 Annual Report, submitted by the Joint Committee on Administrative Rules.

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

LEGISLATIVE MEASURES FILED

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

Floor Amendment No. 1 to House Bill 4517
Floor Amendment No. 2 to House Bill 5973

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 19, 2016

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the committee and 3rd reading deadlines to May 27, 2016, for the following Senate bills:

2417 and 2520.

In addition, I hereby extend the committee deadline to May 27, 2016, for the following House Bills:

397 , 810 , 1646 , 3755 , 4633 and 5472.

Sincerely,

[May 19, 2016]

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

cc: Senate Republican Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1885

Offered by Senator Link and all Senators:
Mourns the death of Billy J. Burks of North Chicago.

SENATE RESOLUTION NO. 1886

Offered by Senator Link and all Senators:
Mourns the death of Thomas W. Glogovsky of Waukegan.

SENATE RESOLUTION NO. 1887

Offered by Senator Link and all Senators:
Mourns the death of Jerry "Red" Hacker of Franksville, Wisconsin.

SENATE RESOLUTION NO. 1888

Offered by Senator Link and all Senators:
Mourns the death of George L. Harlow.

SENATE RESOLUTION NO. 1889

Offered by Senator Link and all Senators:
Mourns the death of Gregory DeWitt "Pops" Holley, Sr., of Milwaukee, Wisconsin.

SENATE RESOLUTION NO. 1890

Offered by Senator Link and all Senators:
Mourns the death of Veronica Kapter of Waukegan.

SENATE RESOLUTION NO. 1891

Offered by Senator Link and all Senators:
Mourns the death of Charles D. "Dinky" Moats II of Trevor, Wisconsin.

SENATE RESOLUTION NO. 1892

Offered by Senator Link and all Senators:
Mourns the death of Erika Gertrude Johanna Nieper of Waukegan.

SENATE RESOLUTION NO. 1893

Offered by Senator Link and all Senators:
Mourns the death of Georgia May Robinson of Fort Myers, Florida and Lincolnshire.

SENATE RESOLUTION NO. 1894

Offered by Senator Link and all Senators:
Mourns the death of Frank J. Savaglio of Waukegan.

SENATE RESOLUTION NO. 1895

Offered by Senator Link and all Senators:
Mourns the death of Frank L. Skradski, Sr., or Rock Island.

SENATE RESOLUTION NO. 1896

Offered by Senator Link and all Senators:
Mourns the death of Theresa A. Skilling of Waukegan.

SENATE RESOLUTION NO. 1897

Offered by Senator Link and all Senators:

[May 19, 2016]

Mourns the death of John Richard Steele.

SENATE RESOLUTION NO. 1898

Offered by Senator Harris and all Senators: :

Mourns the death of Verniece Lindsay.

SENATE RESOLUTION NO. 1899

Offered by Senator McGuire and all Senators:

Mourns the death of James E. Gast of New Lenox.

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

REPORTS FROM STANDING COMMITTEES

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **House Bill No. 4264**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 3 to House Bill 5948

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

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 324
Senate Amendment No. 2 to Senate Resolution 1152
Senate Amendment No. 1 to Senate Bill 2932

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

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bill No. 4326**, reported the same back with the recommendation that the bill do pass.

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

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 5668

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

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

Senate Amendment No. 2 to House Bill 3211

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

[May 19, 2016]

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

Senate Amendment No. 2 to Senate Bill 250

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **House Bill No. 6167**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

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

Senate Amendment No. 4 to House Bill 940
Senate Amendment No. 2 to House Bill 3655
Senate Amendment No. 2 to House Bill 4715

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

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

Senate Amendment No. 3 to House Bill 6084

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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4312

A bill for AN ACT concerning education.

HOUSE BILL NO. 5628

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5931

A bill for AN ACT concerning care for persons with a developmental disabilities, which may be referred to as the Community Disability Living Wage Act.

Passed the House, May 18, 2016.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4312, 5628 and 5931** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 2221

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2228

[May 19, 2016]

A bill for AN ACT concerning criminal law.
 SENATE BILL NO. 2303
 A bill for AN ACT concerning business.
 SENATE BILL NO. 2331
 A bill for AN ACT concerning public aid.
 SENATE BILL NO. 2332
 A bill for AN ACT concerning public aid.
 Passed the House, May 18, 2016.

TIMOTHY D. MAPES, Clerk of 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 concurred with the Senate in the passage of bills of the following titles, to-wit:
 SENATE BILL NO. 2343
 A bill for AN ACT concerning the use of cell site simulator devices.
 SENATE BILL NO. 2354
 A bill for AN ACT concerning civil law.
 SENATE BILL NO. 2358
 A bill for AN ACT concerning civil law.
 SENATE BILL NO. 2386
 A bill for AN ACT concerning regulation.
 SENATE BILL NO. 2536
 A bill for AN ACT concerning public aid.
 SENATE BILL NO. 2931
 A bill for AN ACT concerning State government.
 SENATE BILL NO. 2964
 A bill for AN ACT concerning employment.
 Passed the House, May 18, 2016.

TIMOTHY D. MAPES, Clerk of 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. 104

WHEREAS, It is highly fitting that we remember those who contributed to the betterment of the State of Illinois; and

WHEREAS, Captain Joseph Laur was born in Indian Village, St. Francois, Lower Canada on March 14, 1814, one of 6 children of Charles and Luch Laur; and

WHEREAS, Captain Joseph Laur emigrated from Canada to Lincoln, Massachusetts in 1833; after working there for a few years, he began flat-boating around 1839 on the Ohio and Mississippi rivers, hauling merchandise from Pittsburgh, Pennsylvania to New Orleans, Louisiana, where he would sell the merchandise, dismantle the boat, sell the lumber, and return on foot by way of the Natchez Trace, which was being traversed by a constant stream of boatman during that era; and

WHEREAS, Captain Joseph Laur established a permanent home in Knob Prairie in Jefferson County in 1841; and

WHEREAS, Captain Joseph Laur mustered into the Union Army on October 19, 1861 as a First Lieutenant in Company K, Illinois Volunteer Infantry Regiment, commanded by Col. W.R. Morrison; and

[May 19, 2016]

WHEREAS, Captain Joseph Laur was promoted to Captain on June 10, 1862 and thus earned the nickname "Cap"; he fought at the battles of Fort Donelson, Shiloh, Corinth, the Red River expedition, and the siege of Vicksburg; he was injured in combat and discharged in September of 1865; and

WHEREAS, Captain Joseph Laur was awarded the contract on Star Route 11799 and served each post office from Ashley to Moore's Prairie; and

WHEREAS, Captain Joseph Laur died on June 8, 1895; during his time, Williamsburg became Old Town and was superseded by Waltonville; and

WHEREAS, Captain Joseph Laur's service to the United States and the State of Illinois has greatly benefited the surrounding communities; 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 Big Muddy Bridge east of Waltonville on IL Route 148 as the "Captain Joseph Laur Memorial Bridge"; and be it further

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

RESOLVED, That suitable copies of this resolution be presented to the Secretary of the Department of Transportation, the Mayor of Waltonville, and the family of Captain Joseph Laur.

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. 104 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4312, sponsored by Senator Raoul, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5628, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5931, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

INTRODUCTION OF BILL

SENATE BILL NO. 3430. Introduced by Senator Luechtefeld, a bill for AN ACT making appropriations.

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

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

[May 19, 2016]

At the hour of 11:13 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 11:55 o'clock a.m., the Senate resumed consideration of business.
Senator Link, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 19, 2016 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 4 to Senate Bill 345

The foregoing floor amendment was placed on the Secretary's Desk.

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 3 to Senate Bill 345**

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Haine, **House Bill No. 6041** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 6041

AMENDMENT NO. 1. Amend House Bill 6041 on page 5, line 25, after "it", by inserting "is".

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

On motion of Senator Collins, **House Bill No. 6200** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 5668** having been printed, was taken up and read by title a second time.

Senator Harris offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 5668

AMENDMENT NO. 1. Amend House Bill 5668 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Youth Unemployment Task Force Act.

Section 5. Definitions. As used in this Act:

"Department" means the Department of Human Services.

"Secretary" means the Secretary of Human Services.

"Task Force" means the Youth Unemployment Task Force.

Section 10. The Youth Unemployment Task Force.

(a) There is hereby created the Youth Unemployment Task Force.

(b) The Task Force shall include the following members:

(1) the Secretary of Human Services, or his or her designee;

(2) the Director of Commerce and Economic Opportunities, or his or designee;

(3) a representative of a Chicago-based organization focused on economic, educational,

and social programs for African Americans, appointed by the Secretary;

(4) a representative of a Chicago-based organization that connects partner communities and member schools to resources to improve outcomes of target populations, appointed by the Secretary; and

(5) representatives of other community-based organizations that focus on youth employment initiatives, appointed by the Secretary.

(c) The Task Force shall meet to organize and select a chairperson from the non-governmental members of the Task Force upon appointment of a majority of the members. The chairperson shall be elected by a majority vote of the members appointed to the Task Force, and the elected chairperson of the Task Force shall provide technical support and assistance to the Task Force and shall be responsible for administering its operations and ensuring that the requirements of this Act are met.

(d) The Task Force may consult with any persons or entities it deems necessary to carry out its purposes.

(e) The members of the Task Force shall receive no compensation for serving as members of the Task Force.

(f) The Task Force shall examine the State-wide youth unemployment crisis, and its particular effect on young people of color, including recommendations on how to improve employment among young people of color in this State.

(g) The Task Force shall submit its findings and recommendations to the General Assembly and the Governor on or before January 1, 2017.

Section 15. Repeal. This Act is repealed on January 1, 2018.

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 bill, as amended, was ordered to a third reading.

On motion of Senator Brady, **House Bill No. 4558** was taken up, read by title a second time and ordered to a third reading.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Hastings, **Senate Bill No. 2932** having been printed, was taken up, read by title a second time.

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2932

AMENDMENT NO. 1. Amend Senate Bill 2932 on page 1, line 8, by replacing "Board" with "Department"; and

on page 1, line 10, by replacing "Board" with "Department"; and

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

on page 3, line 4, by replacing "Board's" with "Department's"; and

on page 3, immediately below line 5, by inserting the following:

"(h) As used in this Section, "Department" means the Department of Central Management Services."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

SENATE BILL RECALLED

[May 19, 2016]

On motion of Senator Bertino-Tarrant, **Senate Bill No. 324** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 TO SENATE BILL 324

AMENDMENT NO. 1. Amend Senate Bill 324 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Finance Authority Act is amended by changing Sections 805-20, 830-30, 830-35, 830-45, and 830-55 and by adding Article 835 as follows:

(20 ILCS 3501/805-20)

Sec. 805-20. Powers and Duties; Industrial Project Insurance Program. The Authority has the power:

(a) to insure and make advance commitments to insure all or any part of the payments required on the bonds issued or a loan made to finance any environmental facility under the Illinois Environmental Facilities Financing Act or for any industrial project upon such terms and conditions as the Authority may prescribe in accordance with this Article. The insurance provided by the Authority shall be payable solely from the Fund created by Section 805-15 and shall not constitute a debt or pledge of the full faith and credit of the State, the Authority, or any political subdivision thereof;

(b) to enter into insurance contracts, letters of credit or any other agreements or contracts with financial institutions with respect to the Fund and any bonds or loans insured thereunder. Any such agreement or contract may contain terms and provisions necessary or desirable in connection with the program, subject to the requirements established by this Act, including without limitation terms and provisions relating to loan documentation, review and approval procedures, origination and servicing rights and responsibilities, default conditions, procedures and obligations with respect to insurance contracts made under this Act. The agreements or contracts may be executed on an individual, group or master contract basis with financial institutions;

(c) to charge reasonable fees to defray the cost of obtaining letters of credit or other similar documents, other than insurance contracts under paragraph (b). Any such fees shall be payable by such person, in such amounts and at such times as the Authority shall determine, and the amount of the fees need not be uniform among the various bonds or loans insured;

(d) to fix insurance premiums for the insurance of payments under the provisions of this Article. Such premiums shall be computed as determined by the Authority. Any premiums for the insurance of loan payments under the provisions of this Act shall be payable by such person, in such amounts and at such times as the Authority shall determine, and the amount of the premiums need not be uniform among the various bonds or loans insured;

(e) to establish application fees and prescribe application, notification, contract and insurance forms, rules and regulations it deems necessary or appropriate;

(f) to make loans and to issue bonds secured by insurance or other agreements authorized by paragraphs (a) and (b) of this Section 805-20 and to issue bonds secured by loans that are guaranteed by the federal government or agencies thereof;

(g) to issue a single bond issue, or a series of bond issues, for a group of industrial projects, a group of corporations, or a group of business entities or any combination thereof insured by insurance or backed by any other agreement authorized by paragraphs (a) and (b) of this Section or secured by loans that are guaranteed by the federal government or agencies thereof;

(h) to enter into trust agreements for the management of the Fund created under Section 805-15 of this Act;

(i) to exercise such other powers as are necessary or incidental to the powers granted in this Section and to the issuance of State Guarantees under Article 830 of this Act; and

(j) at the discretion of the Authority, to insure and make advance commitments to insure, and issue State Guarantees for, all or any part of the payments required on the bonds issued or loans made to finance any agricultural facility, project, farmer, producer, agribusiness, qualified veteran-owned small business, or program under Article 830 or Article 835 of this Act upon such terms and conditions as the Authority may prescribe in accordance with this Article. The insurance and State Guarantees provided by the Authority may be payable from the Fund created by Section 805-15 and is in addition to and not in replacement of the Illinois Agricultural Loan Guarantee Fund and the Illinois Farmer and Agribusiness Loan Guarantee Fund created under Article 830 of this Act.

(Source: P.A. 96-897, eff. 5-24-10; 97-333, eff. 8-12-11.)

(20 ILCS 3501/830-30)

Sec. 830-30. State Guarantees for existing debt.

[May 19, 2016]

(a) The Authority is authorized to issue State Guarantees for farmers' existing debts held by a lender. For the purposes of this Section, a farmer shall be a resident of Illinois, who is a principal operator of a farm or land, at least 50% of whose annual gross income is derived from farming and whose debt to asset ratio shall not be less than 40%, except in those cases where the applicant has previously used the guarantee program there shall be no debt to asset ratio or income restriction. For the purposes of this Section, debt to asset ratio shall mean the current outstanding liabilities of the farmer divided by the current outstanding assets of the farmer. The Authority shall establish the maximum permissible debt to asset ratio based on criteria established by the Authority. Lenders shall apply for the State Guarantees on forms provided by the Authority and certify that the application and any other documents submitted are true and correct. The lender or borrower, or both in combination, shall pay an administrative fee as determined by the Authority. The applicant shall be responsible for paying any fees or charges involved in recording mortgages, releases, financing statements, insurance for secondary market issues and any other similar fees or charges as the Authority may require. The application shall at a minimum contain the farmer's name, address, present credit and financial information, including cash flow statements, financial statements, balance sheets, and any other information pertinent to the application, and the collateral to be used to secure the State Guarantee. In addition, the lender must agree to bring the farmer's debt to a current status at the time the State Guarantee is provided and must also agree to charge a fixed or adjustable interest rate which the Authority determines to be below the market rate of interest generally available to the borrower. If both the lender and applicant agree, the interest rate on the State Guarantee Loan can be converted to a fixed interest rate at any time during the term of the loan. Any State Guarantees provided under this Section (i) shall not exceed \$500,000 per farmer, (ii) shall be set up on a payment schedule not to exceed 30 years, and shall be no longer than 30 years in duration, and (iii) shall be subject to an annual review and renewal by the lender and the Authority; provided that only one such State Guarantee shall be outstanding per farmer at any one time. No State Guarantee shall be revoked by the Authority without a 90-day notice, in writing, to all parties. In those cases where the borrower has not previously used the guarantee program, the lender shall not call due any loan during the first 3 years for any reason except for lack of performance or insufficient collateral. The lender can review and withdraw or continue with the State Guarantee on an annual basis after the first 3 years of the loan, provided a 90-day notice, in writing, to all parties has been given.

(b) The Authority shall provide or renew a State Guarantee to a lender if:

(i) A fee equal to 25 basis points on the loan is paid to the Authority on an annual basis by the lender.

(ii) The application provides collateral acceptable to the Authority that is at least equal to the State's portion of the Guarantee to be provided.

(iii) The lender assumes all responsibility and costs for pursuing legal action on collecting any loan that is delinquent or in default.

(iv) The lender is responsible for the first 15% of the outstanding principal of the note for which the State Guarantee has been applied.

(c) There is hereby created outside of the State treasury a special fund to be known as the Illinois Agricultural Loan Guarantee Fund. The State Treasurer shall be custodian of this Fund. Any amounts in the Illinois Agricultural Loan Guarantee Fund not currently needed to meet the obligations of the Fund shall be invested as provided by law, and all interest earned from these investments shall be deposited into the Fund until the Fund reaches the maximum amount authorized in this Act; thereafter, interest earned shall be deposited into the General Revenue Fund. After September 1, 1989, annual investment earnings equal to 1.5% of the Fund shall remain in the Fund to be used for the purposes established in Section 830-40 of this Act. The Authority is authorized to transfer to the Fund such amounts as are necessary to satisfy claims during the duration of the State Guarantee program to secure State Guarantees issued under this Section, provided that amounts to be paid from the Industrial Project Insurance Fund created under Article 805 of this Act may be paid by the Authority directly to satisfy claims and need not be deposited first into the Illinois Agricultural Loan Guarantee Fund. If for any reason the General Assembly fails to make an appropriation sufficient to meet these obligations, this Act shall constitute an irrevocable and continuing appropriation of an amount necessary to secure guarantees as defaults occur and the irrevocable and continuing authority for, and direction to, the State Treasurer and the Comptroller to make the necessary transfers to the Illinois Agricultural Loan Guarantee Fund, as directed by the Governor, out of the General Revenue Fund. Within 30 days after November 15, 1985, the Authority may transfer up to \$7,000,000 from available appropriations into the Illinois Agricultural Loan Guarantee Fund for the purposes of this Act. Thereafter, the Authority may transfer additional amounts into the Illinois Agricultural Loan Guarantee Fund to secure guarantees for defaults as defaults occur. In the event of default by the farmer, the lender shall be entitled to, and the Authority shall direct payment on, the State Guarantee after 90 days

of delinquency. All payments by the Authority shall be made from the Illinois Agricultural Loan Guarantee Fund to satisfy claims against the State Guarantee shall be made, in whole or in part, from any of the following funds in such order and in such amounts as the Authority shall determine: (1) the Industrial Project Insurance Fund created under Article 805 of this Act (if the Authority exercises its discretion under subsection (j) of Section 805-20); (2) the Illinois Agricultural Loan Guarantee Fund; or (3) the Illinois Farmer and Agribusiness Loan Guarantee Fund. The Illinois Agricultural Loan Guarantee Fund shall guarantee receipt of payment of the 85% of the principal and interest owed on the State Guarantee Loan by the farmer to the guarantee holder, provided that payments by the Authority to satisfy claims against the State Guarantee shall be made in accordance with the preceding sentence. It shall be the responsibility of the lender to proceed with the collecting and disposing of collateral on the State Guarantee under this Section, Section 830-35, Section 830-45, Section 830-50, Section 830-55, or Article 835 within 14 months of the time the State Guarantee is declared delinquent; provided, however, that the lender shall not collect or dispose of collateral on the State Guarantee without the express written prior approval of the Authority. If the lender does not dispose of the collateral within 14 months, the lender shall be liable to repay to the State interest on the State Guarantee equal to the same rate which the lender charges on the State Guarantee; provided, however, that the Authority may extend the 14-month period for a lender in the case of bankruptcy or extenuating circumstances. The Fund from which a payment is made shall be reimbursed for any amounts paid from that Fund under this Section, Section 830-35, Section 830-45, Section 830-50, Section 830-55, or Article 835 upon liquidation of the collateral. The Authority, by resolution of the Board, may borrow sums from the Fund and provide for repayment as soon as may be practical upon receipt of payments of principal and interest by a farmer. Money may be borrowed from the Fund by the Authority for the sole purpose of paying certain interest costs for farmers associated with selling a loan subject to a State Guarantee in a secondary market as may be deemed reasonable and necessary by the Authority.

(d) Notwithstanding the provisions of this Section 830-30 with respect to the farmers and lenders who may obtain State Guarantees, the Authority may promulgate rules establishing the eligibility of farmers and lenders to participate in the State guarantee program and the terms, standards, and procedures that will apply, when the Authority finds that emergency conditions in Illinois agriculture have created the need for State Guarantees pursuant to terms, standards, and procedures other than those specified in this Section. (Source: P.A. 93-205, eff. 1-1-04.)

(20 ILCS 3501/830-35)

Sec. 830-35. State Guarantees for loans to farmers and agribusiness; eligibility.

(a) The Authority is authorized to issue State Guarantees to lenders for loans to eligible farmers and agribusinesses for purposes set forth in this Section. For purposes of this Section, an eligible farmer shall be a resident of Illinois (i) who is principal operator of a farm or land, at least 50% of whose annual gross income is derived from farming, (ii) whose annual total sales of agricultural products, commodities, or livestock exceeds \$20,000, and (iii) whose net worth does not exceed \$500,000. An eligible agribusiness shall be that as defined in Section 801-10 of this Act. The Authority may approve applications by farmers and agribusinesses that promote diversification of the farm economy of this State through the growth and development of new crops or livestock not customarily grown or produced in this State or that emphasize a vertical integration of grain or livestock produced or raised in this State into a finished agricultural product for consumption or use. "New crops or livestock not customarily grown or produced in this State" shall not include corn, soybeans, wheat, swine, or beef or dairy cattle. "Vertical integration of grain or livestock produced or raised in this State" shall include any new or existing grain or livestock grown or produced in this State. Lenders shall apply for the State Guarantees on forms provided by the Authority, certify that the application and any other documents submitted are true and correct, and pay an administrative fee as determined by the Authority. The applicant shall be responsible for paying any fees or charges involved in recording mortgages, releases, financing statements, insurance for secondary market issues and any other similar fees or charges as the Authority may require. The application shall at a minimum contain the farmer's or agribusiness' name, address, present credit and financial information, including cash flow statements, financial statements, balance sheets, and any other information pertinent to the application, and the collateral to be used to secure the State Guarantee. In addition, the lender must agree to charge an interest rate, which may vary, on the loan that the Authority determines to be below the market rate of interest generally available to the borrower. If both the lender and applicant agree, the interest rate on the State Guarantee Loan can be converted to a fixed interest rate at any time during the term of the loan. Any State Guarantees provided under this Section (i) shall not exceed \$500,000 per farmer or an amount as determined by the Authority on a case-by-case basis for an agribusiness, (ii) shall not exceed a term of 15 years, and (iii) shall be subject to an annual review and renewal by the lender and the Authority; provided that only one such State Guarantee shall be made per farmer or agribusiness, except that additional State Guarantees may be made for purposes of expansion of projects financed in

part by a previously issued State Guarantee. No State Guarantee shall be revoked by the Authority without a 90-day notice, in writing, to all parties. The lender shall not call due any loan for any reason except for lack of performance, insufficient collateral, or maturity. A lender may review and withdraw or continue with a State Guarantee on an annual basis after the first 5 years following closing of the loan application if the loan contract provides for an interest rate that shall not vary. A lender shall not withdraw a State Guarantee if the loan contract provides for an interest rate that may vary, except for reasons set forth herein.

(b) The Authority shall provide or renew a State Guarantee to a lender if:

(i) A fee equal to 25 basis points on the loan is paid to the Authority on an annual basis by the lender.

(ii) The application provides collateral acceptable to the Authority that is at least equal to the State's portion of the Guarantee to be provided.

(iii) The lender assumes all responsibility and costs for pursuing legal action on collecting any loan that is delinquent or in default.

(iv) The lender is responsible for the first 15% of the outstanding principal of the note for which the State Guarantee has been applied.

(c) There is hereby created outside of the State treasury a special fund to be known as the Illinois Farmer and Agribusiness Loan Guarantee Fund. The State Treasurer shall be custodian of this Fund. Any amounts in the Fund not currently needed to meet the obligations of the Fund shall be invested as provided by law, and all interest earned from these investments shall be deposited into the Fund until the Fund reaches the maximum amounts authorized in this Act; thereafter, interest earned shall be deposited into the General Revenue Fund. After September 1, 1989, annual investment earnings equal to 1.5% of the Fund shall remain in the Fund to be used for the purposes established in Section 830-40 of this Act. The Authority is authorized to transfer such amounts as are necessary to satisfy claims from available appropriations and from fund balances of the Farm Emergency Assistance Fund as of June 30 of each year to the Illinois Farmer and Agribusiness Loan Guarantee Fund to secure State Guarantees issued under this Section, ~~and Sections 830-30, 830-45, 830-50, and 830-55, and Article 835 of this Act. Amounts to be paid from the Industrial Project Insurance Fund created under Article 805 of this Act may be paid by the Authority directly to satisfy claims and need not be deposited first into the Illinois Farmer and Agribusiness Loan Guarantee Fund.~~ If for any reason the General Assembly fails to make an appropriation sufficient to meet these obligations, this Act shall constitute an irrevocable and continuing appropriation of an amount necessary to secure guarantees as defaults occur and the irrevocable and continuing authority for, and direction to, the State Treasurer and the Comptroller to make the necessary transfers to the Illinois Farmer and Agribusiness Loan Guarantee Fund, as directed by the Governor, out of the General Revenue Fund. In the event of default by the borrower on State Guarantee Loans under this Section, Section 830-45, Section 830-50, or Section 830-55, the lender shall be entitled to, and the Authority shall direct payment on, the State Guarantee after 90 days of delinquency. All payments by the Authority ~~shall be made from the Illinois Farmer and Agribusiness Loan Guarantee Fund~~ to satisfy claims against the State Guarantee shall be made, in whole or in part, from any of the following funds in such order and in such amounts as the Authority shall determine: (1) the Industrial Project Insurance Fund created under Article 805 of this Act (if the Authority exercises its discretion under subsection (j) of Section 805-20); (2) the Illinois Farmer and Agribusiness Loan Guarantee Fund; or (3) the Illinois Farmer and Agribusiness Loan Guarantee Fund. It shall be the responsibility of the lender to proceed with the collecting and disposing of collateral on the State Guarantee under this Section, Section 830-45, Section 830-50, or Section 830-55 within 14 months of the time the State Guarantee is declared delinquent. If the lender does not dispose of the collateral within 14 months, the lender shall be liable to repay to the State interest on the State Guarantee equal to the same rate that the lender charges on the State Guarantee, provided that the Authority shall have the authority to extend the 14-month period for a lender in the case of bankruptcy or extenuating circumstances. The Fund shall be reimbursed for any amounts paid under this Section, Section 830-30, Section 830-45, Section 830-50, or Section 830-55, or Article 835 upon liquidation of the collateral. The Authority, by resolution of the Board, may borrow sums from the Fund and provide for repayment as soon as may be practical upon receipt of payments of principal and interest by a borrower on State Guarantee Loans under this Section, Section 830-30, Section 830-45, Section 830-50, or Section 830-55, or Article 835. Money may be borrowed from the Fund by the Authority for the sole purpose of paying certain interest costs for borrowers associated with selling a loan subject to a State Guarantee under this Section, Section 830-30, Section 830-45, Section 830-50, or Section 830-55, or Article 835 in a secondary market as may be deemed reasonable and necessary by the Authority.

(d) Notwithstanding the provisions of this Section 830-35 with respect to the farmers, agribusinesses, and lenders who may obtain State Guarantees, the Authority may promulgate rules establishing the

eligibility of farmers, agribusinesses, and lenders to participate in the State Guarantee program and the terms, standards, and procedures that will apply, when the Authority finds that emergency conditions in Illinois agriculture have created the need for State Guarantees pursuant to terms, standards, and procedures other than those specified in this Section.

(Source: P.A. 96-897, eff. 5-24-10.)

(20 ILCS 3501/830-45)

Sec. 830-45. Young Farmer Loan Guarantee Program.

(a) The Authority is authorized to issue State Guarantees to lenders for loans to finance or refinance debts of young farmers. For the purposes of this Section, a young farmer is a resident of Illinois who is at least 18 years of age and who is a principal operator of a farm or land, who derives at least 50% of annual gross income from farming, whose net worth is not less than \$10,000 and whose debt to asset ratio is not less than 40%. For the purposes of this Section, debt to asset ratio means current outstanding liabilities, including any debt to be financed or refinanced under this Section 830-45, divided by current outstanding assets. The Authority shall establish the maximum permissible debt to asset ratio based on criteria established by the Authority. Lenders shall apply for the State Guarantees on forms provided by the Authority and certify that the application and any other documents submitted are true and correct. The lender or borrower, or both in combination, shall pay an administrative fee as determined by the Authority. The applicant shall be responsible for paying any fee or charge involved in recording mortgages, releases, financing statements, insurance for secondary market issues, and any other similar fee or charge that the Authority may require. The application shall at a minimum contain the young farmer's name, address, present credit and financial information, including cash flow statements, financial statements, balance sheets, and any other information pertinent to the application, and the collateral to be used to secure the State Guarantee. In addition, the borrower must certify to the Authority that, at the time the State Guarantee is provided, the borrower will not be delinquent in the repayment of any debt. The lender must agree to charge a fixed or adjustable interest rate that the Authority determines to be below the market rate of interest generally available to the borrower. If both the lender and applicant agree, the interest rate on the State guaranteed loan can be converted to a fixed interest rate at any time during the term of the loan. State Guarantees provided under this Section (i) shall not exceed \$500,000 per young farmer, (ii) shall be set up on a payment schedule not to exceed 30 years, but shall be no longer than 15 years in duration, and (iii) shall be subject to an annual review and renewal by the lender and the Authority. A young farmer may use this program more than once provided the aggregate principal amount of State Guarantees under this Section to that young farmer does not exceed \$500,000. No State Guarantee shall be revoked by the Authority without a 90-day notice, in writing, to all parties.

(b) The Authority shall provide or renew a State Guarantee to a lender if:

(i) The lender pays a fee equal to 25 basis points on the loan to the Authority on an annual basis.

(ii) The application provides collateral acceptable to the Authority that is at least equal to the State Guarantee.

(iii) The lender assumes all responsibility and costs for pursuing legal action on collecting any loan that is delinquent or in default.

(iv) The lender is at risk for the first 15% of the outstanding principal of the note for which the State Guarantee is provided.

(c) The Illinois Agricultural Loan Guarantee Fund, ~~and the Illinois Farmer and Agribusiness Loan Guarantee Fund~~ and the Industrial Project Insurance Fund may be used to secure State Guarantees issued under this Section as provided in Section 830-30, ~~and Section 830-35~~ and subsection (j) of Section 805-20, respectively. All payments by the Authority to satisfy claims against the State Guarantee shall be made, in whole or in part, from any of the following funds in such order and in such amounts as the Authority shall determine: (1) the Industrial Project Insurance Fund (if the Authority exercises its discretion under subsection (j) of Section 805-20); (2) the Illinois Agricultural Loan Guarantee Fund; or (3) the Illinois Farmer and Agribusiness Loan Guarantee Fund.

(d) Notwithstanding the provisions of this Section 830-45 with respect to the young farmers and lenders who may obtain State Guarantees, the Authority may promulgate rules establishing the eligibility of young farmers and lenders to participate in the State Guarantee program and the terms, standards, and procedures that will apply, when the Authority finds that emergency conditions in Illinois agriculture have created the need for State Guarantees pursuant to terms, standards, and procedures other than those specified in this Section.

(Source: P.A. 96-897, eff. 5-24-10.)

(20 ILCS 3501/830-55)

Sec. 830-55. Working Capital Loan Guarantee Program.

(a) The Authority is authorized to issue State Guarantees to lenders for loans to finance needed input costs related to and in connection with planting and raising agricultural crops and commodities in Illinois. Eligible input costs include, but are not limited to, fertilizer, chemicals, feed, seed, fuel, parts, and repairs. At the discretion of the Authority, the farmer, producer, or agribusiness must be able to provide the originating lender with a first lien on the proposed crop or commodity to be raised and an assignment of Federal Crop Insurance sufficient to secure the Working Capital Loan. Additional collateral may be required as deemed necessary by the lender and the Authority.

For the purposes of this Section, an eligible farmer, producer, or agribusiness is a resident of Illinois who is at least 18 years of age and who is a principal operator of a farm or land, who derives at least 50% of annual gross income from farming, and whose debt to asset ratio is not less than 40%. For the purposes of this Section, debt to asset ratio means current outstanding liabilities, including any debt to be financed or refinanced under this Section 830-55, divided by current outstanding assets. The Authority shall establish the maximum permissible debt to asset ratio based on criteria established by the Authority. Lenders shall apply for the State Guarantees on forms provided by the Authority and certify that the application and any other documents submitted are true and correct. The lender or borrower, or both in combination, shall pay an administrative fee as determined by the Authority. The applicant shall be responsible for paying any fee or charge involved in recording mortgages, releases, financing statements, insurance for secondary market issues, and any other similar fee or charge that the Authority may require. The application shall at a minimum contain the borrower's name, address, present credit and financial information, including cash flow statements, financial statements, balance sheets, and any other information pertinent to the application, and the collateral to be used to secure the State Guarantee. In addition, the borrower must certify to the Authority that, at the time the State Guarantee is provided, the borrower will not be delinquent in the repayment of any debt. The lender must agree to charge a fixed or adjustable interest rate that the Authority determines to be below the market rate of interest generally available to the borrower. If both the lender and applicant agree, the interest rate on the State guaranteed loan can be converted to a fixed interest rate at any time during the term of the loan. State Guarantees provided under this Section (i) shall not exceed \$250,000 per borrower, (ii) shall be repaid annually, and (iii) shall be subject to an annual review and renewal by the lender and the Authority. The State Guarantee may be renewed annually, for a period not to exceed 3 total years per State Guarantee, if the borrower meets financial criteria and other conditions, as established by the Authority. A farmer or agribusiness may use this program more than once provided the aggregate principal amount of State Guarantees under this Section to that farmer or agribusiness does not exceed \$250,000 annually. No State Guarantee shall be revoked by the Authority without a 90-day notice, in writing, to all parties.

(b) The Authority shall provide a State Guarantee to a lender if:

- (i) The borrower pays to the Authority a fee equal to 100 basis points on the loan.
- (ii) The application provides collateral acceptable to the Authority that is at least equal to the State Guarantee.
- (iii) The lender assumes all responsibility and costs for pursuing legal action on collecting any loan that is delinquent or in default.
- (iv) The lender is at risk for the first 15% of the outstanding principal of the note for which the State Guarantee is provided.

(c) The Illinois Agricultural Loan Guarantee Fund, ~~and~~ the Illinois Farmer and Agribusiness Loan Guarantee Fund, ~~and~~ the Industrial Project Insurance Fund may be used to secure State Guarantees issued under this Section as provided in Section 830-30, ~~and~~ Section 830-35, and subsection (j) of Section 805-20, respectively. If the Authority exercises its discretion under subsection (j) of Section 805-20 to secure a State Guarantee with the Industrial Project Insurance Fund and also exercises its discretion under this subsection to secure the same State Guarantee with the Illinois Agricultural Loan Guarantee Fund, the Illinois Farmer and Agribusiness Loan Guarantee Fund, or both, all payments by the Authority to satisfy claims against the State Guarantee shall be made from the Industrial Project Insurance Fund, the Illinois Agricultural Loan Guarantee Fund, or the Illinois Farmer and Agribusiness Loan Guarantee Fund, as applicable, in such order and in such amounts as the Authority shall determine.

(d) Notwithstanding the provisions of this Section 830-55 with respect to the borrowers and lenders who may obtain State Guarantees, the Authority may promulgate rules establishing the eligibility of borrowers and lenders to participate in the State Guarantee program and the terms, standards, and procedures that will apply, when the Authority finds that emergency conditions in Illinois agriculture have created the need for State Guarantees pursuant to terms, standards, and procedures other than those specified in this Section.

(Source: P.A. 96-897, eff. 5-24-10.)

(20 ILCS 3501/Art. 835 heading new)

ARTICLE 835. VETERANS ASSISTANCE

(20 ILCS 3501/835-5 new)

Sec. 835-5. Legislative findings. The General Assembly hereby finds and declares the following: (i) that there is an inadequate supply of funds available in this State at rates sufficiently low to enable veterans to own and operate small businesses successfully in this State; (ii) such an inadequate supply of funds makes the transition of veterans from service in the armed forces of the United States to civilian life more difficult and results in increased unemployment of veterans and its attendant problems; (iii) that there have been recurrent shortages of funds available to small businesses owned and operated by veterans in this State from private market sources at reasonable interest rates; and (iv) that the ordinary operations of private enterprise have not in the past corrected these conditions.

(20 ILCS 3501/835-10 new)

Sec. 835-10. Definitions. As used or referred to in this Article 835, the following words and terms shall have the following meanings, except where the context clearly requires otherwise:

"Fund" means one or more of the Industrial Project Insurance Fund, the Illinois Agricultural Loan Guarantee Fund, or the Illinois Farmer and Agribusiness Loan Guarantee Fund, as applicable.

"Illinois Agricultural Loan Guarantee Fund" means the Illinois Agricultural Loan Guarantee Fund created under Section 830-30(c) of this Act.

"Illinois Farmer and Agribusiness Loan Guarantee Fund" means the Illinois Farmer and Agribusiness Loan Guarantee Fund created under Section 830-35(c) of this Act.

"Industrial Project Insurance Fund" means the Industrial Project Insurance Fund created under Section 805-15 of this Act.

"Qualified veteran-owned small business" has the meaning provided in subsection (e) of Section 45-57 of the Illinois Procurement Code.

(20 ILCS 3501/835-15 new)

Sec. 835-15. Powers and duties. The Authority may enter into a State Guarantee with a lender, or a person holding a note, of a loan or loans to a qualified veteran-owned small business and may make payment, in whole or in part, on a State Guarantee from any of the following funds in such order and in such amounts as the Authority shall determine: (1) the Industrial Project Insurance Fund (if the Authority exercises its discretion under subsection (j) of Section 805-20); (2) the Illinois Agricultural Loan Guarantee Fund; or (3) the Illinois Farmer and Agribusiness Loan Guarantee Fund.

(20 ILCS 3501/835-20 new)

Sec. 835-20. State Guarantees for loans to qualified veteran-owned small businesses.

(a) The Authority is authorized to issue State Guarantees to lenders for loans to qualified veteran-owned small business for the general corporate purposes of those qualified veteran-owned small businesses. Lenders shall apply for the State Guarantees on forms provided by the Authority, certify that the application and any other documents submitted are true and correct, and pay an administrative fee as determined by the Authority. The applicant shall be responsible for paying any fees or charges involved in recording mortgages, releases, and financing statements, and any other similar fees or charges as the Authority may require. The application shall, at a minimum, contain the name, address, present credit and financial information, including cash flow statements, financial statements, and balance sheets, of the qualified veteran-owned small business, any other information pertinent to the application, and the collateral to be used to secure the State Guarantee.

In addition, the lender must agree to charge an interest rate, which may vary, on the loan that the Authority determines to be below the market rate of interest generally available to the borrower. If both the lender and applicant agree, the interest rate on the loan subject to a State Guarantee can be converted to a fixed interest rate at any time during the term of the loan. Any State Guarantees provided under this Section shall (i) not exceed \$500,000 per qualified veteran-owned small business, (ii) not exceed a term of 15 years, and (iii) be subject to an annual review and renewal by the lender and the Authority; provided that only one such State Guarantee shall be made per qualified veteran-owned small business, except that additional State Guarantees may be made for purposes of expansion of projects financed in part by a previously issued State Guarantee. No State Guarantee shall be revoked by the Authority without a 90-day notice, in writing, to all parties. The lender shall not call due any loan for any reason except for lack of performance, insufficient collateral, or maturity. A lender may review and withdraw or continue with a State Guarantee on an annual basis after the first 5 years following closing of the loan application if the loan contract provides for an interest rate that does not vary. A lender shall not withdraw a State Guarantee if the loan contract provides for an interest rate that may vary, except for reasons set forth in this Section.

(b) The Authority shall provide or renew a State Guarantee to a lender if:

(1) a fee equal to 25 basis points on the loan is paid to the Authority on an annual basis by the lender;

[May 19, 2016]

(2) the application provides collateral acceptable to the Authority that is at least equal to the State's portion of the Guarantee to be provided;

(3) the lender assumes all responsibility and costs for pursuing legal action on collecting any loan that is delinquent or in default; and

(4) the lender is responsible for the first 15% of the outstanding principal of the note for which the State Guarantee has been applied.

(c) If, for any reason, the General Assembly fails to make an appropriation sufficient to meet the obligations under a State Guarantee, this Act shall constitute an irrevocable and continuing appropriation of an amount necessary to secure guarantees as defaults occur and the irrevocable and continuing authority for, and direction to, the State Treasurer and the Comptroller to make the necessary transfers to the Industrial Project Insurance Fund, the Illinois Agricultural Loan Guarantee Fund, or the Illinois Farmer and Agribusiness Loan Guarantee Fund, or any combination of those funds, as directed by the Governor, out of the General Revenue Fund. In the event of a default by the borrower on a loan subject to a State Guarantee under this Section, Section 830-30, Section 830-35, Section 830-45, Section 830-50, or Section 830-55, the lender shall be entitled to, and the Authority shall direct payment on, the State Guarantee after 90 days of delinquency. Payments by the Authority to satisfy claims against the State Guarantee shall be made, in whole or in part, from any of the following funds in such order and in such amounts as the Authority shall determine: (1) the Industrial Project Insurance Fund created under Article 805 of this Act (if the Authority exercises its discretion under subsection (j) of Section 805-20); (2) the Illinois Farmer and Agribusiness Loan Guarantee Fund; or (3) the Illinois Agricultural Loan Guarantee Fund. It shall be the responsibility of the lender to proceed with collecting and disposing of collateral on the State Guarantee under this Section within 14 months after the State Guarantee is declared delinquent. If the lender does not dispose of the collateral within that 14-month period, the lender shall be liable to repay to the State interest on the State Guarantee at a rate equal to the same rate that the lender charges on the State Guarantee, provided that the Authority shall have the authority to extend the 14-month period for a lender in the case of bankruptcy or extenuating circumstances. The applicable fund or funds shall be reimbursed for any amounts paid under this Section, Section 830-30, Section 830-35, Section 830-45, Section 830-50, or Section 830-55 upon liquidation of the collateral. The Authority, by resolution of the Board, may borrow sums from a fund or funds and provide for repayment as soon as may be practical upon receipt of payments of principal and interest by a borrower on loans subject to a State Guarantee under this Section, Section 830-30, Section 830-35, Section 830-45, Section 830-50, or Section 830-55. Money may be borrowed from the Fund by the Authority for the sole purpose of paying certain interest costs for borrowers associated with selling a loan subject to a State Guarantee under this Section, Section 830-30, Section 830-35, Section 830-45, Section 830-50, or Section 830-55 in a secondary market as may be deemed reasonable and necessary by the Authority.

(d) Notwithstanding the provisions of this Section with respect to the qualified veteran-owned small businesses and lenders who may obtain State Guarantees, the Authority may adopt rules establishing the eligibility of qualified veteran-owned small businesses and lenders to participate in the State Guarantee program and the terms, standards, and procedures that will apply, if the Authority finds that emergency conditions in Illinois have created the need for State Guarantees pursuant to terms, standards, and procedures other than those specified in this Section.

(20 ILCS 3501/835-25 new)

Sec. 835-25. Authority administrative expenses. The Authority is authorized to reimburse itself for the ordinary and necessary expenses of administering the State Guarantee programs under this Article and Article 830 from amounts from time to time available in the Industrial Project Insurance Fund, the Illinois Farmer and Agribusiness Loan Guarantee Fund, or the Illinois Agricultural Loan Guarantee Fund, in whole or in part, in such order and in such amounts as the Authority shall determine. Ordinary and necessary expenses of administering those State Guarantee programs include, without limitation, costs of general administration, staff, accounting and auditing services, legal services, judgments, loan servicing, realization upon collateral, communications with borrowers and lenders, and similar expenses, all to the extent reasonably allocable to such State Guarantee programs.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Bertino-Tarrant, **Senate Bill No. 324** 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	Martinez	Righter
Anderson	Haine	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Harris	McConnaughay	Stadelman
Bertino-Tarrant	Hastings	McGuire	Steans
Biss	Holmes	Morrison	Sullivan
Bivins	Hunter	Mulroe	Syversen
Brady	Hutchinson	Muñoz	Trotter
Bush	Jones, E.	Murphy, L.	Van Pelt
Clayborne	Koehler	Murphy, M.	Weaver
Collins	Landek	Noland	Mr. President
Connelly	Lightford	Nybo	
Cullerton, T.	Link	Oberweis	
Cunningham	Luechtefeld	Radogno	
Delgado	Manar	Raoul	

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

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

On motion of Senator Cunningham, **Senate Bill No. 2431** 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	Martinez	Righter
Anderson	Haine	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Harris	McConnaughay	Stadelman
Bertino-Tarrant	Hastings	McGuire	Steans
Biss	Holmes	Morrison	Sullivan
Bivins	Hunter	Mulroe	Syversen
Brady	Hutchinson	Muñoz	Trotter
Bush	Jones, E.	Murphy, L.	Van Pelt
Clayborne	Koehler	Murphy, M.	Weaver
Collins	Landek	Noland	Mr. President
Connelly	Lightford	Nybo	
Cullerton, T.	Link	Oberweis	
Cunningham	Luechtefeld	Radogno	
Delgado	Manar	Raoul	

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

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

On motion of Senator Haine, **Senate Bill No. 3112** 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	Martinez	Righter
Anderson	Haine	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Harris	McConnaughay	Stadelman
Bertino-Tarrant	Hastings	McGuire	Steans
Biss	Holmes	Morrison	Sullivan
Bivins	Hunter	Mulroe	Syverson
Brady	Hutchinson	Muñoz	Trotter
Bush	Jones, E.	Murphy, L.	Van Pelt
Clayborne	Koehler	Murphy, M.	Weaver
Collins	Landek	Noland	Mr. President
Connelly	Lightford	Nybo	
Cullerton, T.	Link	Oberweis	
Cunningham	Luechtefeld	Radogno	
Delgado	Manar	Raoul	

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

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Bush, **House Bill No. 4352** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Haine	McCann	Righter
Anderson	Harmon	McConchie	Rose
Barickman	Harris	McConnaughay	Sandoval
Bennett	Hastings	McGuire	Stadelman
Bertino-Tarrant	Holmes	Morrison	Steans
Biss	Hunter	Mulroe	Sullivan
Bivins	Hutchinson	Muñoz	Syverson
Brady	Jones, E.	Murphy, L.	Trotter
Bush	Koehler	Murphy, M.	Van Pelt
Collins	Landek	Noland	Weaver
Connelly	Lightford	Nybo	Mr. President

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Cullerton, T.	Link	Oberweis
Cunningham	Luechtefeld	Radogno
Delgado	Manar	Raoul
Forby	Martinez	Rezin

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bush, **House Bill No. 4367** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **House Bill No. 4370** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 48; NAYS 6.

The following voted in the affirmative:

Althoff	Forby	Martinez	Rezin
Anderson	Haine	McCann	Sandoval
Bennett	Harmon	McConnaughay	Stadelman
Bertino-Tarrant	Harris	McGuire	Stears
Biss	Hastings	Morrison	Sullivan
Brady	Holmes	Mulroe	Syverson
Bush	Hunter	Muñoz	Trotter
Clayborne	Hutchinson	Murphy, L.	Van Pelt
Collins	Jones, E.	Murphy, M.	Mr. President
Connelly	Koehler	Noland	

Cullerton, T.	Lightford	Nybo
Cunningham	Link	Radogno
Delgado	Manar	Raoul

The following voted in the negative:

Barickman	McCarter	Oberweis
Bivins	McConchie	Rose

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator T. Cullerton, **House Bill No. 4379** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Clayborne, **House Bill No. 4371** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Martinez	Raoul
Anderson	Haine	McCann	Rezin
Barickman	Harmon	McCarter	Righter
Bennett	Harris	McConchie	Rose
Bertino-Tarrant	Hastings	McConnaughay	Sandoval
Biss	Holmes	McGuire	Stadelman

Bivins	Hunter	Morrison	Steans
Brady	Hutchinson	Mulroe	Sullivan
Bush	Jones, E.	Muñoz	Syverson
Clayborne	Koehler	Murphy, L.	Trotter
Collins	Landek	Murphy, M.	Van Pelt
Connelly	Lightford	Noland	Weaver
Cullerton, T.	Link	Nybo	Mr. President
Cunningham	Luechtefeld	Oberweis	
Delgado	Manar	Radogno	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Althoff, **House Bill No. 4387** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Connelly, **House Bill No. 4388** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Martinez	Rezin
Anderson	Haine	McCann	Righter
Barickman	Harmon	McConchie	Rose
Bennett	Harris	McConnaughay	Sandoval
Bertino-Tarrant	Hastings	McGuire	Stadelman

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Biss	Holmes	Morrison	Steans
Bivins	Hunter	Mulroe	Sullivan
Brady	Hutchinson	Muñoz	Syverson
Bush	Jones, E.	Murphy, L.	Trotter
Clayborne	Koehler	Murphy, M.	Van Pelt
Collins	Landek	Noland	Weaver
Connelly	Lightford	Nybo	Mr. President
Cullerton, T.	Link	Oberweis	
Cunningham	Luechtefeld	Radogno	
Delgado	Manar	Raoul	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bertino-Tarrant, **House Bill No. 4391** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Luechtefeld, **House Bill No. 4397** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Martinez	Raoul
Anderson	Haine	McCann	Rezin
Barickman	Harmon	McCarter	Righter
Bennett	Harris	McConchie	Rose

Bertino-Tarrant	Hastings	McConnaughay	Sandoval
Biss	Holmes	McGuire	Stadelman
Bivins	Hunter	Morrison	Steans
Brady	Hutchinson	Mulroe	Sullivan
Bush	Jones, E.	Muñoz	Syverson
Clayborne	Koehler	Murphy, L.	Trotter
Collins	Landek	Murphy, M.	Van Pelt
Connelly	Lightford	Noland	Weaver
Cullerton, T.	Link	Nybo	Mr. President
Cunningham	Luechtefeld	Oberweis	
Delgado	Manar	Radogno	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Barickman, **House Bill No. 4425** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Weaver, **House Bill No. 4432** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Martinez	Raoul
Anderson	Haine	McCann	Rezin
Barickman	Harmon	McCarter	Righter

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Bennett	Harris	McConchie	Rose
Bertino-Tarrant	Hastings	McConnaughay	Sandoval
Biss	Holmes	McGuire	Stadelman
Bivins	Hunter	Morrison	Stears
Brady	Hutchinson	Mulroe	Sullivan
Bush	Jones, E.	Muñoz	Syverson
Clayborne	Koehler	Murphy, L.	Trotter
Collins	Landek	Murphy, M.	Van Pelt
Connelly	Lightford	Noland	Weaver
Cullerton, T.	Link	Nybo	Mr. President
Cunningham	Luechtefeld	Oberweis	
Delgado	Manar	Radogno	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harris, **House Bill No. 4445** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Mulroe, **House Bill No. 4447** was recalled from the order of third reading to the order of second reading.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4447

AMENDMENT NO. 1. Amend House Bill 4447 on page 26, line 5, after "overcome.", by inserting "The court's order granting a child's request for genetic testing must specify the ways in which the testing results may be used for purposes of protecting the child's best interests.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Mulroe, **House Bill No. 4447** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Hastings, **House Bill No. 4449** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Martinez	Raoul
Anderson	Haine	McCann	Rezin
Barickman	Harmon	McCarter	Righter
Bennett	Harris	McConchie	Rose
Bertino-Tarrant	Hastings	McConnaughay	Sandoval
Biss	Holmes	McGuire	Stadelman
Bivins	Hunter	Morrison	Steans
Brady	Hutchinson	Mulroe	Sullivan
Bush	Jones, E.	Muñoz	Syverson
Clayborne	Koehler	Murphy, L.	Trotter
Collins	Landek	Murphy, M.	Van Pelt

Connelly	Lightford	Noland	Weaver
Cullerton, T.	Link	Nybo	Mr. President
Cunningham	Luechtefeld	Oberweis	
Delgado	Manar	Radogno	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harris, **House Bill No. 4477** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Harmon, **House Bill No. 4515** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 43; NAYS 8.

The following voted in the affirmative:

Althoff	Hunter	McCarter	Radogno
Bertino-Tarrant	Hutchinson	McConchie	Raoul
Biss	Jones, E.	McConnaughay	Righter
Bush	Koehler	McGuire	Sandoval
Clayborne	Landek	Morrison	Steans
Cunningham	Lightford	Mulroe	Sullivan
Delgado	Link	Muñoz	Syverson
Harmon	Luechtefeld	Murphy, M.	Trotter
Harris	Manar	Noland	Van Pelt

Hastings	Martinez	Nybo	Mr. President
Holmes	McCann	Oberweis	

The following voted in the negative:

Anderson	Brady	Rose
Barickman	Connelly	Weaver
Bivins	Cullerton, T.	

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 in the Senate Amendment adopted thereto.

Senator Collins asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 4515**.

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 345** was recalled from the order of third reading to the order of second reading.

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

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 345

AMENDMENT NO. 2. Amend Senate Bill 345 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Autism and Co-Occurring Medical Conditions Awareness Act.

Section 5. Findings. The General Assembly finds the following:

(1) The medical consensus is that autism is an idiopathic disorder that has complex and multiple etiologies. The development of autism appears to be a complex interaction of multiple genetic and environmental factors. Both the prevalence and incidence of autism has risen in recent decades.

(2) The Centers for Disease Control estimates that one in 68 children born in 2002 and one in 42 boys have been identified as living with autism.

(3) A 2012 survey conducted by the Centers for Disease Control of U.S. households estimated one in 50 children ages 6 to 17 has an autism spectrum disorder.

(4) Autism spectrum disorders occur among all racial, ethnic, and socioeconomic groups.

(5) Autism spectrum disorders are almost 5 times more common among boys than among girls.

(6) According to the Centers for Disease Control, autism rates increased 78% between 2002 and 2008. The most recent estimate is roughly 30% higher than the estimate for 2008 (one in 88), 60% higher than the estimate for 2006 (one in 110), and 120% higher than the estimates for 2000 and 2002 (one in 150).

(7) While autism spectrum disorders have primarily been diagnosed in measuring deficits in the areas of communication, socialization, and behavior, recent clinical and scientific investigations have determined that co-occurring pathophysiological conditions may occur more commonly in persons also diagnosed with autism. These pathologies include, but are not limited to, allergies, autoimmune conditions, gastrointestinal diseases, immune dysregulation, metabolic disturbances, mitochondrial abnormalities, oxidative stress, neuroinflammation, and seizure disorders.

(8) Scientific inquiry is providing evidence of biological markers, including, but not limited to, single nucleotide polymorphisms, indications of cellular inflammation, increased cellular oxidation and damage, and abnormal DNA methylation, that may be clinically significant in the provision of appropriate medical care for persons also diagnosed with an autism spectrum disorder.

Therefore, it is the intention of the General Assembly to promote a greater awareness and the detection, diagnosis, and treatment of underlying and co-occurring medical conditions that occur more commonly in

persons with autism to further awareness, scientific understanding, and health outcomes for persons living with autism.

Section 10. Definitions. In this Act:

"Autism spectrum disorder" means a neurobiological disorder, including autism, regressive autism, Asperger Syndrome, and pervasive developmental disorders not otherwise specified.

"Clinical symptomatology" means any indication of disorder or disease when experienced by an individual as a change from normal function, sensation, or appearance.

"Co-occurring or otherwise diagnosed medical condition" means a simultaneous illness, condition, injury, disease, pathology, or disability that is not primarily diagnosed as an autism spectrum disorder.

"Department" means the Department of Financial and Professional Regulation.

"Pathophysiological" means the functional alterations in the body related to a disease or syndrome.

"Provider" means any provider of healthcare services in this State.

Section 15. Study and education. Public partnerships and private partnerships supporting the discovery of biomarkers and their implications in pathophysiological conditions shall be encouraged and information derived from such discoveries shall be disseminated to providers and made available to the general public through research initiatives that may be promoted by universities, medical clinics, health care providers, consortiums, State agencies, private organizations, public organizations, and any party that may contribute to the scientific understanding of medical conditions associated or occurring more often in persons also diagnosed with an autism spectrum disorder than in the general population.

Universities, private organizations, public organizations, and associations are encouraged to develop for providers who treat persons with autism spectrum disorders continuing education courses which address training in evaluation, diagnosis, and treatments for co-occurring and otherwise diagnosed pathophysiological conditions in autism spectrum disorders to promote and align standard of care practices to reflect emerging clinical findings and promising practices derived from improved patient outcomes.

Section 20. Treatment or service of persons with an autism spectrum disorder. Providers are strongly encouraged to evaluate persons diagnosed with an autism spectrum disorder for co-occurring or otherwise diagnosed medical conditions when clinical symptomatology is present or suspected and prescribe appropriate treatments or services in alignment with care practices for the condition, illness, injury, disease, or disability. Providers may consider, without limitation, whether or not a medication or any ingredient, allergen, potential toxicant, or artificial agent may exacerbate clinical symptomatology of autism spectrum disorder or a related or co-occurring or otherwise diagnosed medical condition and, if so, may consider adopting measures that would result in the reduction or elimination of risk to the patient.

Section 25. Complaints. Any person with an autism spectrum disorder, or the person's parent or legal guardian on his or her behalf, who believes they have not received an appropriate medical assessment, evaluation, diagnosis, service or treatment from a provider because he or she is also diagnosed with an autism spectrum disorder may report the incident to the Department.

Section 30. Right to seek new care. A person with an autism spectrum disorder, or the person's parent or legal guardian on his or her behalf, retains the right to seek further medical opinions or care from other providers.

A parent or legal guardian shall not be threatened with loss of parental or legal guardianship rights for a person with autism spectrum disorder for pursuing additional medical expertise, especially in the case of trying to ascertain appropriate identification and diagnosis of underlying or co-occurring medical conditions that may or may not be exacerbating symptoms primarily associated with an autism spectrum disorder. This Section does not abrogate or restrict any responsibilities set forth under the Abused and Neglected Child Reporting Act.

Any person diagnosed as having an autism spectrum disorder or his or her parent or legal guardian shall not be denied the right to pursue appropriate and available medical interventions or treatments that may help to ameliorate or improve the symptoms primarily associated with an autism spectrum disorder or co-occurring or otherwise diagnosed medical condition.

Any person diagnosed as having an autism spectrum disorder or his or her parent or legal guardian shall not be denied the right to decline a medical treatment or intervention.

Section 35. Repeal. In order to consider the most innovative medical study and research involving autism and co-occurring medical conditions, this Act is repealed 5 year after the effective date of this Act of the 99th General Assembly.

Section 90. The Illinois Insurance Code is amended by changing Section 356z.14 and by adding Section 356z.24 as follows:

(215 ILCS 5/356z.14)

Sec. 356z.14. Autism spectrum disorders.

(a) A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 95th General Assembly must provide individuals under 21 years of age coverage for the diagnosis of autism spectrum disorders and for the treatment of autism spectrum disorders to the extent that the diagnosis and treatment of autism spectrum disorders are not already covered by the policy of accident and health insurance or managed care plan.

(b) Coverage provided under this Section shall be subject to a maximum benefit of \$36,000 per year, but shall not be subject to any limits on the number of visits to a service provider. After December 30, 2009, the Director of the Division of Insurance shall, on an annual basis, adjust the maximum benefit for inflation using the Medical Care Component of the United States Department of Labor Consumer Price Index for All Urban Consumers. Payments made by an insurer on behalf of a covered individual for any care, treatment, intervention, service, or item, the provision of which was for the treatment of a health condition not diagnosed as an autism spectrum disorder, shall not be applied toward any maximum benefit established under this subsection.

(c) Coverage under this Section shall be subject to copayment, deductible, and coinsurance provisions of a policy of accident and health insurance or managed care plan to the extent that other medical services covered by the policy of accident and health insurance or managed care plan are subject to these provisions.

(d) This Section shall not be construed as limiting benefits that are otherwise available to an individual under a policy of accident and health insurance or managed care plan and benefits provided under this Section may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are less favorable to the insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illness generally.

(e) An insurer may not deny or refuse to provide otherwise covered services, or refuse to renew, refuse to reissue, or otherwise terminate or restrict coverage under an individual contract to provide services to an individual because the individual or their dependent is diagnosed with an autism spectrum disorder or due to the individual utilizing benefits in this Section.

(f) Upon request of the reimbursing insurer, a provider of treatment for autism spectrum disorders shall furnish medical records, clinical notes, or other necessary data that substantiate that initial or continued medical treatment is medically necessary and is resulting in improved clinical status. When treatment is anticipated to require continued services to achieve demonstrable progress, the insurer may request a treatment plan consisting of diagnosis, proposed treatment by type, frequency, anticipated duration of treatment, the anticipated outcomes stated as goals, and the frequency by which the treatment plan will be updated.

(g) When making a determination of medical necessity for a treatment modality for autism spectrum disorders, an insurer must make the determination in a manner that is consistent with the manner used to make that determination with respect to other diseases or illnesses covered under the policy, including an appeals process. During the appeals process, any challenge to medical necessity must be viewed as reasonable only if the review includes a physician with expertise in the most current and effective treatment modalities for autism spectrum disorders.

(h) Coverage for medically necessary early intervention services must be delivered by certified early intervention specialists, as defined in 89 Ill. Admin. Code 500 and any subsequent amendments thereto.

(h-5) If an individual has been diagnosed as having an autism spectrum disorder, meeting the diagnostic criteria in place at the time of diagnosis, and treatment is determined medically necessary, then that individual shall remain eligible for coverage under this Section even if subsequent changes to the diagnostic criteria are adopted by the American Psychiatric Association. If no changes to the diagnostic criteria are adopted after April 1, 2012, and before December 31, 2014, then this subsection (h-5) shall be of no further force and effect.

(h-10) An insurer may not require, as a condition for coverage of other covered services, that an individual diagnosed with an autism spectrum disorder receive any medication or intervention that has been determined by the individual's health care provider to be medically contraindicated for the individual. An insurer may not deny or refuse to provide covered services, or refuse to renew, refuse to reissue, or

otherwise terminate or restrict coverage under an individual contract, for a person diagnosed with an autism spectrum disorder on the basis that the individual declined an alternative medication or covered service when the individual's health care provider determined that such medication or covered service may exacerbate clinical symptomatology and is medically contraindicated for the individual. For the purposes of this subsection (h-10), "clinical symptomatology" means any indication of disorder or disease when experienced by an individual as a change from normal function, sensation, or appearance.

(h-15) If, at any time, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register or publishes a comment in the Federal Register or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Public Law 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of any coverage outlined in subsection (h-10), then subsection (h-10) is inoperative with respect to all coverage outlined in subsection (h-10) other than that authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of the coverage set forth in subsection (h-10).

(i) As used in this Section:

"Autism spectrum disorders" means pervasive developmental disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, including autism, Asperger's disorder, and pervasive developmental disorder not otherwise specified.

"Diagnosis of autism spectrum disorders" means one or more tests, evaluations, or assessments to diagnose whether an individual has autism spectrum disorder that is prescribed, performed, or ordered by (A) a physician licensed to practice medicine in all its branches or (B) a licensed clinical psychologist with expertise in diagnosing autism spectrum disorders.

"Medically necessary" means any care, treatment, intervention, service or item which will or is reasonably expected to do any of the following: (i) prevent the onset of an illness, condition, injury, disease or disability; (ii) reduce or ameliorate the physical, mental or developmental effects of an illness, condition, injury, disease or disability; or (iii) assist to achieve or maintain maximum functional activity in performing daily activities.

"Treatment for autism spectrum disorders" shall include the following care prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by (A) a physician licensed to practice medicine in all its branches or (B) a certified, registered, or licensed health care professional with expertise in treating effects of autism spectrum disorders when the care is determined to be medically necessary and ordered by a physician licensed to practice medicine in all its branches:

(1) Psychiatric care, meaning direct, consultative, or diagnostic services provided by a licensed psychiatrist.

(2) Psychological care, meaning direct or consultative services provided by a licensed psychologist.

(3) Habilitative or rehabilitative care, meaning professional, counseling, and guidance services and treatment programs, including applied behavior analysis, that are intended to develop, maintain, and restore the functioning of an individual. As used in this subsection (i), "applied behavior analysis" means the design, implementation, and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(4) Therapeutic care, including behavioral, speech, occupational, and physical therapies that provide treatment in the following areas: (i) self care and feeding, (ii) pragmatic, receptive, and expressive language, (iii) cognitive functioning, (iv) applied behavior analysis, intervention, and modification, (v) motor planning, and (vi) sensory processing.

(j) Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 96-1000, eff. 7-2-10; 97-972, eff. 1-1-13.)

(215 ILCS 5/356z.24 new)

Sec. 356z.24. Immune gamma globulin therapy.

(a) Patients with primary immunodeficiency are susceptible to the ravages of infection because they have impaired antibody response and quality. Immune gamma globulin therapy is intended for continuous replacement therapy for primary immunodeficiency and may be delivered through intravenous immunoglobulin or subcutaneous immunoglobulin. For patients with a primary immunodeficiency,

immune gamma globulin therapy protects against life-threatening infections, reduces hospitalizations, preserves organ function, increases life span, and is lifesaving. Immune gamma globulin is a human plasma product regulated by the United States Food and Drug Administration and approved for the treatment of primary immunodeficiency. No generic immune gamma globulin product exists. Patients diagnosed with primary immunodeficiency may have varying clinical responses to a prescribed drug, including those that may qualify as a serious medical contraindication. Infusions should not be interrupted to learn about a patient's tolerance for frequency of infusion as this will put the patient's life at risk and to do so would be consistent with medical malpractice. Some patients with primary immunodeficiency have normal levels of immunoglobulins at diagnosis but cannot make the antibodies that will neutralize infection. In these cases, trough dosing is not clinically appropriate.

(b) A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 99th General Assembly may not allow for the delay, discontinuation, or interruption of immune gamma globulin therapy for persons who are diagnosed with a primary immunodeficiency when prescribed immune gamma globulin therapy by a physician licensed to practice medicine in all of its branches. Administration of immune gamma globulin therapy shall not be delayed or interrupted by an insurer once a diagnosis is established and immune gamma globulin is prescribed. For the purposes of this Section, delay, interruption, or discontinuation of therapy means interfering with treatment as prescribed by the licensed physician by altering the prescribed dose, frequency, route, venue, product, or administration, which is determined by the physician based on patient tolerability, individual patient characteristics, needs, and clinical response. Product interchangeability not authorized by a prescribing physician is prohibited.

(c) Upon the diagnosis of primary immunodeficiency by the prescribing physician, authorization or reauthorization by insurers of immune gamma globulin therapy shall be expedited by insurers. Due to the potential lifesaving necessity of immune gamma globulin, determination of authorization or reauthorization may not take more than 2 weeks and reauthorization may not be required more frequently than every 12 months unless a more frequent duration has been indicated by the prescribing physician. Since immune gamma globulin therapy is intended for continuous replacement of antibodies, once a diagnosis of primary immunodeficiency is made, the previous diagnosis and current clinical judgment of the prescribing physician shall be sufficient for renewed authorization or authorization for continuation of care if the patient requires new authorization due to change in insurers.

(d) Review of a patient's clinical history for meaningful infections and the available laboratory findings, genetic findings, and imaging studies, along with physical evidence of end-organ damage from recurrent infections and the favorable effect of immune gamma globulin replacement on clinical course and the treating physician's clinical judgment is sufficient to validate an antibody deficiency diagnosis. Trough levels of antibodies and normal immune globulin levels may be used by clinicians to monitor treatment and shall not be used to discontinue or otherwise deny coverage of immune gamma globulin therapy for a patient determined by a physician to have a primary immunodeficiency.

(e) Any standards, policies, provisions, or practices by insurers that require a person who is diagnosed with a primary immunodeficiency to delay, discontinue, or interrupt immune gamma globulin therapy that could result in a potentially life threatening situation are prohibited when prescribed by a physician licensed to practice medicine in all its branches.

(f) If, at any time, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register or publishes a comment in the Federal Register or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Public Law 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of any coverage outlined in subsections (b) and (c), then subsections (b) and (c) are inoperative with respect to all coverage outlined in subsections (b) and (c) other than that authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of the coverage set forth in subsections (b) and (c).

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 345

[May 19, 2016]

AMENDMENT NO. 4. Amend Senate Bill 345 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Autism and Co-Occurring Medical Conditions Awareness Act.

Section 5. Findings. The General Assembly finds the following:

(1) The medical consensus is that autism is an idiopathic disorder that has complex and multiple etiologies. The development of autism appears to be a complex interaction of multiple genetic and environmental factors. Both the prevalence and incidence of autism has risen in recent decades.

(2) The Centers for Disease Control estimates that one in 68 children born in 2002 and one in 42 boys have been identified as living with autism.

(3) A 2012 survey conducted by the Centers for Disease Control of U.S. households estimated one in 50 children ages 6 to 17 has an autism spectrum disorder.

(4) Autism spectrum disorders occur among all racial, ethnic, and socioeconomic groups.

(5) Autism spectrum disorders are almost 5 times more common among boys than among girls.

(6) According to the Centers for Disease Control, autism rates increased 78% between 2002 and 2008. The most recent estimate is roughly 30% higher than the estimate for 2008 (one in 88), 60% higher than the estimate for 2006 (one in 110), and 120% higher than the estimates for 2000 and 2002 (one in 150).

(7) While autism spectrum disorders have primarily been diagnosed in measuring deficits in the areas of communication, socialization, and behavior, recent clinical and scientific investigations have determined that co-occurring pathophysiological conditions may occur more commonly in persons also diagnosed with autism. These pathologies include, but are not limited to, allergies, autoimmune conditions, gastrointestinal diseases, immune dysregulation, metabolic disturbances, mitochondrial abnormalities, oxidative stress, neuroinflammation, and seizure disorders.

(8) Scientific inquiry is providing evidence of biological markers, including, but not limited to, single nucleotide polymorphisms, indications of cellular inflammation, increased cellular oxidation and damage, and abnormal DNA methylation, that may be clinically significant in the provision of appropriate medical care for persons also diagnosed with an autism spectrum disorder.

Therefore, it is the intention of the General Assembly to promote a greater awareness and the detection, diagnosis, and treatment of underlying and co-occurring medical conditions that occur more commonly in persons with autism to further awareness, scientific understanding, and health outcomes for persons living with autism.

Section 10. Definitions. In this Act:

"Autism spectrum disorder" means a neurobiological disorder, including autism, regressive autism, Asperger Syndrome, and pervasive developmental disorders not otherwise specified.

"Clinical symptomatology" means any indication of disorder or disease when experienced by an individual as a change from normal function, sensation, or appearance.

"Co-occurring or otherwise diagnosed medical condition" means a simultaneous illness, condition, injury, disease, pathology, or disability that is not primarily diagnosed as an autism spectrum disorder.

"Department" means the Department of Financial and Professional Regulation.

"Pathophysiological" means the functional alterations in the body related to a disease or syndrome.

"Provider" means any provider of healthcare services in this State.

Section 15. Study and education. Public partnerships and private partnerships supporting the discovery of biomarkers and their implications in pathophysiological conditions shall be encouraged and information derived from such discoveries shall be disseminated to providers and made available to the general public through research initiatives that may be promoted by universities, medical clinics, health care providers, consortiums, State agencies, private organizations, public organizations, and any party that may contribute to the scientific understanding of medical conditions associated or occurring more often in persons also diagnosed with an autism spectrum disorder than in the general population.

Universities, private organizations, public organizations, and associations are encouraged to develop for providers who treat persons with autism spectrum disorders continuing education courses which address training in evaluation, diagnosis, and treatments for co-occurring and otherwise diagnosed pathophysiological conditions in autism spectrum disorders to promote and align standard of care practices to reflect emerging clinical findings and promising practices derived from improved patient outcomes.

[May 19, 2016]

Section 20. Treatment or service of persons with an autism spectrum disorder. Providers are strongly encouraged to evaluate persons diagnosed with an autism spectrum disorder for co-occurring or otherwise diagnosed medical conditions when clinical symptomatology is present or suspected and prescribe appropriate treatments or services in alignment with care practices for the condition, illness, injury, disease, or disability. Providers may consider, without limitation, whether or not a medication or any ingredient, allergen, potential toxicant, or artificial agent may exacerbate clinical symptomatology of autism spectrum disorder or a related or co-occurring or otherwise diagnosed medical condition and, if so, may consider adopting measures that would result in the reduction or elimination of risk to the patient.

Section 25. Complaints. Any person with an autism spectrum disorder, or the person's parent or legal guardian on his or her behalf, who believes they have not received an appropriate medical assessment, evaluation, diagnosis, service or treatment from a provider because he or she is also diagnosed with an autism spectrum disorder may report the incident to the Department.

Section 30. Right to seek new care. A person with an autism spectrum disorder, or the person's parent or legal guardian on his or her behalf, retains the right to seek further medical opinions or care from other providers.

A parent or legal guardian shall not be threatened with loss of parental or legal guardianship rights for a person with autism spectrum disorder for pursuing additional medical expertise, especially in the case of trying to ascertain appropriate identification and diagnosis of underlying or co-occurring medical conditions that may or may not be exacerbating symptoms primarily associated with an autism spectrum disorder. This Section does not abrogate or restrict any responsibilities set forth under the Abused and Neglected Child Reporting Act.

Any person diagnosed as having an autism spectrum disorder or his or her parent or legal guardian shall not be denied the right to pursue appropriate and available medical interventions or treatments that may help to ameliorate or improve the symptoms primarily associated with an autism spectrum disorder or co-occurring or otherwise diagnosed medical condition.

Any person diagnosed as having an autism spectrum disorder or his or her parent or legal guardian shall not be denied the right to decline a medical treatment or intervention.

Section 35. Repeal. In order to consider the most innovative medical study and research involving autism and co-occurring medical conditions, this Act is repealed 5 year after the effective date of this Act.

Section 90. The Illinois Insurance Code is amended by changing Section 356z.14 and by adding Section 356z.24 as follows:

(215 ILCS 5/356z.14)

Sec. 356z.14. Autism spectrum disorders.

(a) A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 95th General Assembly must provide individuals under 21 years of age coverage for the diagnosis of autism spectrum disorders and for the treatment of autism spectrum disorders to the extent that the diagnosis and treatment of autism spectrum disorders are not already covered by the policy of accident and health insurance or managed care plan.

(b) Coverage provided under this Section shall be subject to a maximum benefit of \$36,000 per year, but shall not be subject to any limits on the number of visits to a service provider. After December 30, 2009, the Director of the Division of Insurance shall, on an annual basis, adjust the maximum benefit for inflation using the Medical Care Component of the United States Department of Labor Consumer Price Index for All Urban Consumers. Payments made by an insurer on behalf of a covered individual for any care, treatment, intervention, service, or item, the provision of which was for the treatment of a health condition not diagnosed as an autism spectrum disorder, shall not be applied toward any maximum benefit established under this subsection.

(c) Coverage under this Section shall be subject to copayment, deductible, and coinsurance provisions of a policy of accident and health insurance or managed care plan to the extent that other medical services covered by the policy of accident and health insurance or managed care plan are subject to these provisions.

(d) This Section shall not be construed as limiting benefits that are otherwise available to an individual under a policy of accident and health insurance or managed care plan and benefits provided under this Section may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are

less favorable to the insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illness generally.

(e) An insurer may not deny or refuse to provide otherwise covered services, or refuse to renew, refuse to reissue, or otherwise terminate or restrict coverage under an individual contract to provide services to an individual because the individual or their dependent is diagnosed with an autism spectrum disorder or due to the individual utilizing benefits in this Section.

(f) Upon request of the reimbursing insurer, a provider of treatment for autism spectrum disorders shall furnish medical records, clinical notes, or other necessary data that substantiate that initial or continued medical treatment is medically necessary and is resulting in improved clinical status. When treatment is anticipated to require continued services to achieve demonstrable progress, the insurer may request a treatment plan consisting of diagnosis, proposed treatment by type, frequency, anticipated duration of treatment, the anticipated outcomes stated as goals, and the frequency by which the treatment plan will be updated.

(g) When making a determination of medical necessity for a treatment modality for autism spectrum disorders, an insurer must make the determination in a manner that is consistent with the manner used to make that determination with respect to other diseases or illnesses covered under the policy, including an appeals process. During the appeals process, any challenge to medical necessity must be viewed as reasonable only if the review includes a physician with expertise in the most current and effective treatment modalities for autism spectrum disorders.

(h) Coverage for medically necessary early intervention services must be delivered by certified early intervention specialists, as defined in 89 Ill. Admin. Code 500 and any subsequent amendments thereto.

(h-5) If an individual has been diagnosed as having an autism spectrum disorder, meeting the diagnostic criteria in place at the time of diagnosis, and treatment is determined medically necessary, then that individual shall remain eligible for coverage under this Section even if subsequent changes to the diagnostic criteria are adopted by the American Psychiatric Association. If no changes to the diagnostic criteria are adopted after April 1, 2012, and before December 31, 2014, then this subsection (h-5) shall be of no further force and effect.

(h-10) An insurer may not deny or refuse to provide covered services, or refuse to renew, refuse to reissue, or otherwise terminate or restrict coverage under an individual contract, for a person diagnosed with an autism spectrum disorder on the basis that the individual declined an alternative medication or covered service when the individual's health care provider has determined that such medication or covered service may exacerbate clinical symptomatology and is medically contraindicated for the individual and the individual has requested and received a medical exception as provided for under Section 45.1 of the Managed Care Reform and Patient Rights Act. For the purposes of this subsection (h-10), "clinical symptomatology" means any indication of disorder or disease when experienced by an individual as a change from normal function, sensation, or appearance.

(h-15) If, at any time, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register or publishes a comment in the Federal Register or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Public Law 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of any coverage outlined in subsection (h-10), then subsection (h-10) is inoperative with respect to all coverage outlined in subsection (h-10) other than that authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of the coverage set forth in subsection (h-10).

(i) As used in this Section:

"Autism spectrum disorders" means pervasive developmental disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, including autism, Asperger's disorder, and pervasive developmental disorder not otherwise specified.

"Diagnosis of autism spectrum disorders" means one or more tests, evaluations, or assessments to diagnose whether an individual has autism spectrum disorder that is prescribed, performed, or ordered by (A) a physician licensed to practice medicine in all its branches or (B) a licensed clinical psychologist with expertise in diagnosing autism spectrum disorders.

"Medically necessary" means any care, treatment, intervention, service or item which will or is reasonably expected to do any of the following: (i) prevent the onset of an illness, condition, injury, disease or disability; (ii) reduce or ameliorate the physical, mental or developmental effects of an illness, condition, injury, disease or disability; or (iii) assist to achieve or maintain maximum functional activity in performing daily activities.

"Treatment for autism spectrum disorders" shall include the following care prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by (A) a physician licensed to practice medicine in all its branches or (B) a certified, registered, or licensed health care professional with expertise in treating effects of autism spectrum disorders when the care is determined to be medically necessary and ordered by a physician licensed to practice medicine in all its branches:

(1) Psychiatric care, meaning direct, consultative, or diagnostic services provided by a licensed psychiatrist.

(2) Psychological care, meaning direct or consultative services provided by a licensed psychologist.

(3) Habilitative or rehabilitative care, meaning professional, counseling, and guidance services and treatment programs, including applied behavior analysis, that are intended to develop, maintain, and restore the functioning of an individual. As used in this subsection (i), "applied behavior analysis" means the design, implementation, and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(4) Therapeutic care, including behavioral, speech, occupational, and physical therapies that provide treatment in the following areas: (i) self care and feeding, (ii) pragmatic, receptive, and expressive language, (iii) cognitive functioning, (iv) applied behavior analysis, intervention, and modification, (v) motor planning, and (vi) sensory processing.

(j) Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 96-1000, eff. 7-2-10; 97-972, eff. 1-1-13.)

(215 ILCS 5/356z.24 new)

Sec. 356z.24. Immune gamma globulin therapy.

(a) A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 99th General Assembly may not allow for the delay, discontinuation, or interruption of immune gamma globulin therapy for persons who are diagnosed with a primary immunodeficiency when prescribed as medically necessary by a physician licensed to practice medicine in all of its branches and if provided as a covered benefit under the plan. Nothing in this Section shall prevent an insurer from applying appropriate utilization review standards to the ongoing coverage of immune gamma globulin therapy for persons diagnosed with a primary immunodeficiency by a physician licensed to practice medicine in all of its branches.

(b) Upon diagnosis of primary immunodeficiency by the prescribing physician, determination of an initial authorization for immune gamma globulin therapy shall be no less than 3 months. Reauthorization for immune gamma globulin therapy for patients with a primary immunodeficiency diagnosis may occur every 6 months thereafter. For patients with a diagnosis of primary immunodeficiency who have been receiving immune gamma globulin therapy for at least 2 years with sustained beneficial response based on the treatment notes or clinical narrative detailing progress to date, reauthorization shall be no less than 12 months unless a more frequent duration has been indicated by the prescribing physician.

(c) If, at any time, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register or publishes a comment in the Federal Register or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Public Law 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of any coverage outlined in subsections (a) and (b), then subsections (a) and (b) are inoperative with respect to all coverage outlined in subsections (a) and (b) other than that authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of the coverage set forth in subsections (a) and (b).

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 2 and 4 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

[May 19, 2016]

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 345** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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

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

Senator McGuire asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 345**.

SENATE BILL RECALLED

On motion of Senator Manar, **Senate Bill No. 250** was recalled from the order of third reading to the order of second reading.

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

Senator Manar offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 250

AMENDMENT NO. 2. Amend Senate Bill 250 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 1A-16.6 and 1A-16.8 as follows:
(10 ILCS 5/1A-16.6)

Sec. 1A-16.6. Government agency voter registration.

(a) ~~The By April 1, 2016, the~~ State Board of Elections shall establish and maintain a portal for automatic government agency registration that permits an eligible person to electronically apply to register to vote or to update his or her existing voter registration whenever he or she conducts business, either online or in person, with a designated government agency. The portal shall interface with the online voter registration system established in Section 1A-16.5 of this Code and shall be capable of receiving and processing voter registration application information, including electronic signatures, from a designated government agency. The State Board of Elections shall modify the online voter registration system as necessary to implement this Section.

Voter registration data received from a designated government agency through the online registration application system shall be processed as provided for in Section 1A-16.5 of this Code.

[May 19, 2016]

Whenever the registration interface is accessible to the general public, including, but not limited to, online transactions, the interface shall allow the applicant to complete the process as provided for in Section 1A-16.5 of this Code. The online interface shall be capable of providing the applicant with the applicant's voter registration status with the State Board of Elections and, if registered, the applicant's current registration address. The applicant shall not be required to re-enter any registration data, such as name, address, and birth date, if the designated government agency already has that information on file. ~~The applicant shall be informed that by choosing to register to vote or to update his or her existing voter registration, the applicant consents to the transfer of the applicant's personal information to the State Board of Elections.~~

(a-5) Whenever an employee of a designated government agency serves a member of the public a government employee is accessing the registration system while servicing the applicant, the agency shall inform the individual in writing of the qualifications to register to vote in Illinois and of the penalties provided by law for submission of a false voter registration application and shall provide an opportunity to attest to meeting those qualifications under penalty of perjury. The agency shall notify the individual that his or her personal information shall be transferred to the State Board of Elections for the purpose of creating an electronic voter registration application, and that the individual will only be registered to vote if he or she meets the qualifications to register to vote in Illinois. The agency shall not require the individual to provide duplicate information, including, but not limited to, any information he or she has already provided as part of the underlying service transaction, except for a signature. The agency shall inform the individual in writing that declining to transfer his or her personal information for voter registration purposes is confidential and will not affect any services the individual may be seeking from the agency. The individual shall not be required to disclose the reason for declining, including his or her citizenship status. After each transaction, the agency shall electronically transfer to the State Board of Elections personal information relevant to voter registration, including all records of documents relating to identity, address, and citizenship, for every applicant, regardless of whether or not the individual executed an attestation. The State Board of Elections shall electronically transfer to the appropriate election authority all voter registration information required for each voter registration application it creates. government employee shall notify the applicant of the applicant's registration status with the State Board of Elections and, if registered, the applicant's current registration address. If the applicant elects to register to vote or to update his or her existing voter registration, the government employee shall collect the needed information and assist the applicant with his or her registration. The applicant shall be informed that by choosing to register to vote or to update his or her existing voter registration, the applicant consents to the transfer of the applicant's personal information to the State Board of Elections.

(a-10) Upon receipt of personal information collected and transferred by a designated government agency, the State Board of Elections shall check the information against the statewide voter registration database. The State Board of Elections shall create and electronically transmit to the appropriate election authority a voter registration application for all individuals who are not registered to vote in Illinois and are not disqualified as provided in subsection (a-15) of this Section or whose information reliably indicates a more recent update to the name or address of a person already included in the statewide voter database, regardless of whether they provided an attestation during the agency transaction. The election authority shall process the application accordingly. If an individual did not provide an attestation during the agency transaction, the election authority shall not treat the application as complete or add the individual to the voter registration list until the expiration of a period of time established by rule for declining registration.

(a-15) If the State Board of Elections determines that personal information collected and transferred by the designated government agency includes a green card or other legal proof that the person is not a United States citizen, then the State Board of Elections shall not create a voter registration application and shall notify the person of the reason his or her voter registration application is incomplete.

(a-20) Unless the application is incomplete pursuant to subsection (a-15), the State Board of Elections shall create and electronically transmit to the appropriate election authority a voter registration application for any individual who has attested to meeting voter registration applications. If the personal information collected and transferred by the designated government agency does not make it clear whether or not a person is qualified to register to vote in Illinois, the person's attestation that he or she is so qualified shall be deemed sufficient evidence of meeting qualifications to register to vote and the election authority shall process the application accordingly.

(a-25) The appropriate election authority shall ensure that any applicant who is registered to vote or whose existing voter registration is updated under this Section is promptly sent written notice of the change. The notice may be sent by electronic mail if the applicant has provided an electronic mail address on the voter registration form. The notice required by this subsection (a-25) may be sent or combined with

other notices required or permitted by law, including, but not limited to, any notices sent pursuant to Section 1A-16.5 of this Code. Any notice required by this subsection (a-25) shall contain, at a minimum:

(1) the applicant's name, date of birth, and residential address as reflected on the voter registration list;

(2) a statement that the applicant will be registered to vote or will have his or her voter registration updated unless he or she declines registration within a period of time established by rule;

(3) a statement of the qualifications to be a voter;

(4) a statement that it is illegal for a person who is not qualified to be a voter to vote in an election, which shall be printed in larger text than the rest of the notice;

(5) a statement notifying the applicant to contact the appropriate election authority if he or she does not meet the qualifications to be a voter and stating that the applicant does not have to provide a reason he or she is not qualified to vote or disclose citizenship status;

(6) a statement notifying the applicant to contact the appropriate election authority if his or her voter registration has been updated in error;

(7) a statement notifying the applicant that he or she may opt out of voter registration, or request a change to registration information, at any time by contacting an election official;

(8) a prepaid postcard allowing the applicant to opt out of voter registration or update his or her voter registration information, or directions for opting out of voter registration or updating voter registration information online;

(9) contact information for the appropriate election authority, including a phone number, address, electronic mail address, and website address;

(10) a statement notifying the applicant that some personal information related to voter registration may be subject to public disclosure for purposes related to the electoral process unless protected under an address confidentiality program; and

(11) any other information necessary to fulfill the obligations of this Section or local, State, or federal law.

(a-30) The appropriate election authority shall ensure that any applicant whose voter registration application is not accepted or deemed incomplete is promptly sent written notice of the application's status. The notice may be sent by electronic mail if the applicant has provided an electronic mail address on the voter registration form. The notice required by this subsection (a-30) may be sent or combined with other notices required or permitted by law, including, but not limited to, any notices sent pursuant to Section 1A-16.5 of this Code. Any notice required by this subsection (a-30) shall contain, at a minimum, the reason the application was not accepted or deemed incomplete and contact information for the appropriate election authority including a phone number, address, electronic mail address, and website address.

(a-35) If a designated government agency transfers information, or if the State Board of Elections creates and transmits a voter registration application, for a person who does not qualify as an eligible voter, it shall not constitute a completed voter registration form, and the person shall not be considered to have registered to vote. If the registration is processed by any election authority, it shall be presumed to have been effected and officially authorized by the State and that person shall not be found on that basis to have made a false claim to citizenship or to have committed an act of moral turpitude, nor shall that person be subject to penalty under any relevant laws, including, but not limited to, Sections 29-10 and 29-19 of this Code. This subsection (a-35) does not apply to any person who knows that he or she is ineligible to register to vote but who knowingly and willfully registers to vote or attests under penalty of perjury that he or she is eligible to register to vote.

(a-40) No employee of a designated government agency shall transmit to the State Board of Elections personal information for any person who applies for or is issued a temporary visitor's driver's license pursuant to Section 6-105.1 of the Illinois Vehicle Code.

(a-45) In the event that the registration of a voter is changed from one address to another within the State and the voter appears at the polls and offers to vote from the prior registration address, attesting that the prior registration address is the true current address, the voter, if confirmed by the election authority as having been registered at the prior registration address and canceled only by the process authorized by this Section, shall be issued a regular ballot, and the change of registration address shall be canceled. If the election authority is unable to immediately confirm the registration, the voter shall be permitted to register and vote a regular ballot, provided that he or she meets the documentary requirements for same-day registration. If the election authority is unable to confirm the registration and the voter does not meet the requirements for same-day registration, the voter shall be issued a provisional ballot and the provisional ballot shall be counted as provided for under Article 18A of this Code. No voter shall be disqualified from voting due to an error relating to an update of registration made under this Section.

(a-50) In accordance with technical specifications provided by the State Board of Elections, each designated government agency shall maintain a data transfer mechanism capable of transmitting voter registration application information, including electronic signatures where available, to the online voter registration system established in Section 1A-16.5 of this Code. Each designated government agency shall establish and operate a voter registration system capable of transmitting voter registration application information to the portal as described in this Section by July 1, 2016.

(b) Whenever an applicant's data is transferred from a designated government agency, the agency must transmit a signature image if available. If no signature image was provided by the agency or if no signature image is available in the Secretary of State's database or the statewide voter registration database, the applicant must be notified that their registration will remain in a pending status and the applicant will be required to provide identification and a signature to the election authority on Election Day in the polling place or during early voting.

(b-5) The State Board of Elections and designated government agencies shall implement policies and procedures to protect the privacy and security of voter information as it is acquired, stored, and transmitted among agencies, including policies for the retention and preservation of voter information. Information designated as confidential under this Section may be recorded and shared among the State Board of Elections, election authorities, and designated government agencies, but shall be used only for voter registration purposes, shall not be disclosed to the public except in the aggregate as required by subsection (d) of this Section, and shall not be subject to the Freedom of Information Act. The following information shall be designated as confidential: any portion of an applicant's Social Security number, any portion of an applicant's motor vehicle driver's license number or State identification number, an applicant's decision to decline voter registration, the identity of the designated government agency providing information relating to a specific applicant, and the personal residence and contact information of any applicant for whom local, State, or federal law requires confidentiality, including, but not limited to, a victim of domestic violence pursuant to the Address Confidentiality for Victims of Domestic Violence Act or a victim of stalking pursuant to the Stalking No Contact Order Act. This subsection (b-5) shall not apply to information the State Board of Elections is required to share with the Electronic Registration Information Center.

(c) The voter registration procedures implemented under this Section shall comport with the federal National Voter Registration Act of 1993, as amended, and shall specifically require that the State Board of Elections shall track registration data received through the online registration system that originated from a designated government agency for the purposes of maintaining statistics required by the federal National Voter Registration Act of 1993, as amended.

(c-5) No later than September 1, 2016, designated government agencies under this Section shall transfer all personal information contained in relevant agency databases and collected since September 1, 2015 to the State Board of Elections for cross-reference against the statewide voter registration database. The State Board of Elections shall create voter registration applications for all persons who are not registered to vote in Illinois and are not disqualified as provided in subsection (a-15) of this Section or whose records indicate a more recent update to an existing voter registration, and shall transmit these voter registration applications to the appropriate election authorities for processing and registration.

(d) The State Board of Elections shall submit an annual public report to the General Assembly and the Governor by December 1, 2015 detailing the progress made to implement the government agency voter registration portal described in this Section. The report shall include all of the following: the number of records transferred under this Section by agency, the number of voters newly added to the statewide voter registration list because of records transferred under this Section by agency, the number of updated registrations under this Section by agency, the number of persons who opted out of voter registration, and the number of voters who submitted voter registration forms using the online procedure described in Section 1A-16.5 of this Code. Any report produced under this subsection (d) shall exclude any information that identifies any individual personally.

(d-5) The State Board of Elections, each election authority that maintains a website, and each designated government agency that maintains a website shall provide information on their websites informing the public about the new registration procedures described in this Section. Each designated government agency shall display signage or provide literature for the public containing information about the new registration procedures described in this Section.

(d-10) No later than January 1, 2017, the State Board of Elections shall hold at least one public hearing on implementing this amendatory Act of the 99th General Assembly at which the public may provide input.

(e) The State Board of Elections, in consultation with election authorities, the Secretary of State, designated government agencies, and community organizations, shall adopt rules as necessary to implement the provisions of this Section, in consultation with the impacted agencies.

(e-5) Subsection (c-5) of this Section shall be implemented no later than September 1, 2016. Subsections (a-5) through (a-45) and subsection (b-5) of this Section shall be implemented no later than July 1, 2017 for all designated government agencies maintained by the Secretary of State and no later than January 1, 2018 for all other designated government agencies.

(f) As used in this Section, a "designated government agency" means the Secretary of State's Driver Services and Vehicle Services Departments, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Employment Security, ~~and~~ the Department on Aging, any federal source that agrees to submit personal identification information to the State for voter registration purposes, and any other reliable State government source the State Board of Elections may designate.

(Source: P.A. 98-1171, eff. 6-1-15.)

(10 ILCS 5/1A-16.8)

Sec. 1A-16.8. Automatic transfer of registration based upon information from the National Change of Address database and designated government agencies, as defined in Section 1A-16.6 of this Code. The State Board of Elections shall cross-reference the statewide voter registration database against the United States Postal Service's National Change of Address database twice each calendar year, April 15 and October 1 in odd-numbered years and April 15 and December 1 in even-numbered years, and shall share the findings with the election authorities. In addition, beginning no later than September 1, 2016, the State Board of Elections shall utilize data provided as part of its membership in the Electronic Registration Information Center in order to cross-reference the statewide voter registration database against databases of relevant personal information kept by designated government agencies, including, but not limited to, driver's license information kept by the Secretary of State, at least 6 times each calendar year and shall share the findings with election authorities. An election authority shall automatically register any voter who has moved into its jurisdiction from another jurisdiction in Illinois or has moved within its jurisdiction provided that:

(1) the election authority whose jurisdiction includes the new registration address

provides the voter an opportunity to reject the change in registration address through a mailing, sent by non-forwardable mail, to the new registration address, and

(2) when the election authority whose jurisdiction includes the previous registration

address is a different election authority, then that election authority provides the same opportunity through a mailing, sent by forwardable mail, to the previous registration address.

This change in registration shall trigger the same inter-jurisdictional or intra-jurisdictional workflows as if the voter completed a new registration card, including the cancellation of the voter's previous registration. Should the registration of a voter be changed from one address to another within the State and should the voter appear at the polls and offer to vote from the prior registration address, attesting that the prior registration address is the true current address, the voter, if confirmed by the election authority as having been registered at the prior registration address and canceled only by the process authorized by this Section, shall be issued a regular ballot, and the change of registration address shall be canceled. If the election authority is unable to immediately confirm the registration, the voter shall be permitted to register and vote a regular ballot, provided that he or she meets the documentary requirements for same-day registration. If the election authority is unable to confirm the registration and the voter does not meet the requirements for same-day registration, the voter shall be issued a provisional ballot and the provisional ballot shall be counted as provided under Article 18A of this Code. No voter shall be disqualified from voting due to an error relating to an update of registration under this Section.

(Source: P.A. 98-1171, eff. 6-1-15.)

Section 10. The Illinois Vehicle Code is amended by changing Section 2-105 as follows:

(625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

Sec. 2-105. Offices of Secretary of State.

(a) The Secretary of State shall maintain offices in the State capital and in such other places in the State as he may deem necessary to properly carry out the powers and duties vested in him.

(b) The Secretary of State may construct and equip one or more buildings in the State of Illinois outside of the County of Sangamon as he deems necessary to properly carry out the powers and duties vested in him. The Secretary of State may, on behalf of the State of Illinois, acquire public or private property needed therefor by lease, purchase or eminent domain. The care, custody and control of such sites and buildings constructed thereon shall be vested in the Secretary of State. Expenditures for the construction and

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equipping of any of such buildings upon premises owned by another public entity shall not be subject to the provisions of any State law requiring that the State be vested with absolute fee title to the premises. The exercise of the authority vested in the Secretary of State by this Section is subject to the appropriation of the necessary funds.

(c) Pursuant to Sections 1A-16.6 and Section 1A-25 of the Election Code, the Secretary of State shall make driver services facilities available for use as places of accepting applications for voter registration.

(d) (Blank).

(e) Each person applying at a driver services facility for a driver's license or permit, a corrected driver's license or permit, an Illinois identification card or a corrected Illinois identification card shall be notified, under the procedures set forth in Section 1A-16.6 of the Election Code, that unless he or she opts out that the person shall be registered may apply to register to vote, and if his or her address has changed, his or her voter registration information shall be updated to the new address within this State at such station and may also apply to transfer his or her voter registration at such station to a different address in the State. Such notification may be made in writing or verbally issued by an employee or the Secretary of State.

The Secretary of State shall promulgate such rules as may be necessary for the efficient execution of his duties and the duties of his employees under this Section.

(f) Any person applying at a driver services facility for issuance or renewal of a driver's license or Illinois Identification Card shall be provided, without charge, with a brochure warning the person of the dangers of financial identity theft. The Department of Financial and Professional Regulation shall prepare these brochures and provide them to the Secretary of State for distribution. The brochures shall (i) identify signs warning the reader that he or she might be an intended victim of the crime of financial identity theft, (ii) instruct the reader in how to proceed if the reader believes that he or she is the victim of the crime of identity theft, and (iii) provide the reader with names and telephone numbers of law enforcement and other governmental agencies that provide assistance to victims of financial identity theft.

(Source: P.A. 97-81, eff. 7-5-11.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Manar, **Senate Bill No. 250** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 42; NAYS 16.

The following voted in the affirmative:

Anderson	Forby	Link	Rezin
Barickman	Haine	Manar	Rose
Bennett	Harmon	Martinez	Sandoval
Bertino-Tarrant	Harris	McCann	Stadelman
Biss	Hastings	McGuire	Steans
Bush	Holmes	Morrison	Sullivan
Clayborne	Hunter	Mulroe	Trotter
Collins	Hutchinson	Muñoz	Van Pelt
Cullerton, T.	Jones, E.	Murphy, L.	Mr. President
Cunningham	Koehler	Noland	
Delgado	Lightford	Raoul	

The following voted in the negative:

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Althoff	Luechtefeld	Nybo	Weaver
Bivins	McCarter	Oberweis	
Brady	McConchie	Radogno	
Connelly	McConnaughay	Righter	
Landek	Murphy, M.	Syverson	

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.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Trotter, as chief co-sponsor pursuant to Senate Rule 5-1(b)(i), **House Bill No. 4167** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 39; NAYS 15; Present 2.

The following voted in the affirmative:

Bennett	Haine	Lightford	Noland
Bertino-Tarrant	Harmon	Link	Raoul
Biss	Harris	Manar	Sandoval
Bush	Hastings	Martinez	Stadelman
Clayborne	Holmes	McCann	Steans
Collins	Hunter	McGuire	Sullivan
Cullerton, T.	Hutchinson	Morrison	Trotter
Cunningham	Jones, E.	Mulroe	Van Pelt
Delgado	Koehler	Muñoz	Mr. President
Forby	Landek	Murphy, L.	

The following voted in the negative:

Althoff	Luechtefeld	Murphy, M.	Rose
Barickman	McCarter	Nybo	Syverson
Bivins	McConchie	Radogno	Weaver
Connelly	McConnaughay	Righter	

The following voted present:

Brady
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.

HOUSE BILL RECALLED

On motion of Senator Raoul, **House Bill No. 3655** was recalled from the order of third reading to the order of second reading.

Senator Raoul offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3655

[May 19, 2016]

AMENDMENT NO. 2. Amend House Bill 3655, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Fantasy Sports Contest Act.

Section 5. Legislative intent. This Act is designed to provide regulation of companies providing access to paid fantasy sports contests and protect Illinois consumers who play paid fantasy sports contests for prizes from unfair acts and practices that may arise in the gaming process. The regulation is also intended to protect the families of persons who play paid fantasy sports contests to the extent that they may be affected by unfair and deceptive practices that lead to unaffordable losses.

Section 10. Definitions. In this Act:

"Beginner fantasy sports player" means an individual who is at least 21 years of age and who has entered fewer than 51 fantasy sports contests offered by a single fantasy sports contest operator.

"Board" means the Illinois Gaming Board.

"Confidential information" means information related to the play of a fantasy sports contest by fantasy sports players obtained as a result of or by virtue of a person's employment with a fantasy sports contest operator.

"Entry fee" means the cash or cash equivalent paid by a fantasy sports player located in Illinois at the time of entry for participation in a fantasy sports contest.

"Fantasy sports contest" means any fantasy contest, in which:

(1) the value of all prizes and awards offered to winning participants are established and made known to the participants in advance of the contest and their value is not determined by the number of participants or the amount of any fees paid by those participants;

(2) all winning outcomes are determined predominantly by accumulated statistical results of the performance of individual athletes in real-world professional athletic competitions; a professional athletic competition does not include any amateur-level or collegiate-level sport; and

(3) no winning outcome is based on the score, point spread, or any performance or performances of any single actual team or combination of such teams or solely on any single performance of an individual athlete or player in any single actual event.

A fantasy sports contest in a game or contest that involves individual athletes from real-world professional athletic teams, such as football, baseball, basketball, hockey, soccer, and other team sports: (i) shall consist of individual athletes from at least 3 different real-world professional athletic teams and (ii) shall not have more than 4 individual athletes from a single real-world professional athletic team. However, the prohibition contained in item (ii) of this paragraph does not apply to a season-long fantasy sports contest.

"Fantasy sports contest operator" means any individual, partnership, corporation, or limited liability company that engages in the business of offering, by means of the Internet, a smart phone application, or other similar electronic or digital media or communication technologies, multiple fantasy sports contests to persons.

"Fantasy sports contest platform" means any website, smart phone application, or other portal providing access to a fantasy sports contest.

"Fantasy sports contest revenues" means the amount of entry fees collected from fantasy sports players located in Illinois accepted by a fantasy sports contest operator that are not awarded as prizes to fantasy sports players.

"Fantasy sports player" means an individual 21 years of age or over who enters into a fantasy sports contest with an entry fee offered by a fantasy sports contest operator.

"Highly experienced fantasy sports player" means an individual who is at least 21 years of age and has (1) entered more than 1,000 contests offered by a single fantasy sports contest operator or (2) has won more than 3 prizes valued at \$1,000 or more. Once a fantasy sports player is classified as a highly experienced fantasy sports player, a player shall remain classified as such.

"Minor" means an individual under 21 years of age.

"Prize" means anything of value, including money, contest credits, merchandise, or admission to another contest.

"Scripts" means commands that a fantasy sports contest-related computer program can execute that are created by fantasy sports players (or by third parties for the use of fantasy sports players) to automate processes on a fantasy sports contest platform.

"Season-long fantasy sports contest" means a fantasy sports contest offered by a fantasy sports contest operator that is conducted over an entire sports season where the entry fee is paid prior to the start of the season.

Section 15. Applicability. This Act and all rules adopted under the authority of this Act shall only apply to fantasy sports contests when an entry fee is paid by a fantasy sports player at the time of entry for participation in a fantasy sports contest.

Section 20. Authority of the Board.

(a) The Board shall have jurisdiction over and shall supervise all fantasy sports contests governed by this Act. The Board shall have all powers necessary and proper to fully and effectively execute the provisions of this Act, including, but not limited to, the following:

(1) To investigate applicants and determine the eligibility of applicants for licenses that best serve the interests of the citizens of Illinois.

(2) To adopt such rules as in its judgment may be necessary to protect or enhance the credibility and integrity of fantasy sports contests authorized by this Act and the regulatory process under this Act.

(3) To provide for the establishment and collection of all license and registration fees and taxes imposed by this Act and the rules issued pursuant to this Act. All license fees shall be deposited into the State Gaming Fund, and all taxes collected shall be deposited into the Education Assistance Fund.

(4) To suspend, revoke, or restrict licenses; to require the removal of a fantasy sports contest operator or an employee of a fantasy sports contest operator for a violation of this Act or a Board rule or for engaging in a fraudulent practice; and to impose civil penalties of up to \$5,000 against individuals and up to \$10,000 or an amount equal to the daily fantasy sports contest revenues, whichever is larger, against licensees for each violation of any provision of the Act, any rules adopted by the Board, any order of the Board, or any other action which, in the Board's discretion, is a detriment or impediment to fantasy sports contests.

(5) To provide for the levy and collection of penalties and fines for the violation of provisions of this Act and the rules adopted under this Act. All such fines and penalties shall be deposited into the State Gaming Fund.

(b) The Board shall adopt emergency rules to administer this Act in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For the purposes of the Illinois Administrative Procedure Act, the General Assembly finds that the adoption of rules to implement this Act is deemed an emergency and necessary to the public interest, safety, and welfare.

Section 25. Fantasy sports player accounts.

(a) A fantasy sports contest operator shall not allow a fantasy sports player to create more than one username or more than one account. A fantasy sports contest operator shall take commercially and technologically reasonable measures to verify a fantasy sports player's true identity and address. A fantasy sports contest operator shall implement and prominently publish procedures to terminate all accounts of a fantasy sports player that establishes or seeks to establish more than one username or more than one account, whether directly or by use of another person as a proxy. The procedures may allow a fantasy sports player that establishes or seeks to establish more than one username or more than one account to retain one account provided that the fantasy sports contest operator investigates and makes a good faith determination that the fantasy sports player's conduct was not intended to obtain a competitive advantage.

(b) Fantasy sports contest operators shall not allow fantasy sports players to use a proxy server for the purpose of misrepresenting their location in order to engage in fantasy sports contests.

(c) Fantasy sports contest operators shall implement and prominently publish procedures to terminate all accounts of any fantasy sports player that establishes or seeks to establish more than one username or more than one account, whether directly or by use of another person as a proxy. If an account is terminated for establishing or seeking to establish more than one username or more than one account, the account holder is prohibited from establishing another account with that fantasy sports contest operator.

(d) Fantasy sports contest operators shall take commercially and technologically reasonable measures to prevent one fantasy sports player from acting as a proxy for another. These measures shall include, without limitation, use of geolocation technologies to prevent simultaneous logins to a single account from geographically inconsistent locations.

Section 30. Protection of consumer funds on deposit and compliance with data security requirements.

(a) Fantasy sports contest operators shall comply with all applicable State and federal requirements for data security, including, but not limited to, age verification and location software.

(b) Funds in fantasy sports players' accounts shall be held in segregated accounts by the fantasy sports contest operators for the fantasy sports players that establish the accounts. Fantasy sports contest operators shall implement and prominently publish procedures that:

(1) prevent unauthorized withdrawals from fantasy sports player accounts by fantasy sports contest operators or others;

(2) prevent commingling of funds in a fantasy sports player's account with other funds, including, without limitation, funds of the fantasy sports contest operator; fantasy sports player funds shall be segregated from fantasy sports contest operators' operational funds and any other funds held by the fantasy sports contest operator; and

(3) address reporting on complaints by fantasy sports players that their accounts have been misallocated, compromised, or otherwise mishandled.

(c) Fantasy sports contest operators shall implement and prominently publish procedures that allow any fantasy sports player to permanently close an account at any time and for any reason. The procedures shall allow for cancellation by any means, including, without limitation, by a fantasy sports player on any fantasy sports contest platform used by that fantasy sports player to make deposits into a fantasy sports player account. A copy of a fantasy sports contest operator's procedures shall be submitted to the Board and any changes shall be submitted within 30 days.

(d) When a fantasy sports player account is closed, the fantasy sports contest operator shall refund all funds in the account no later than 5 business days after submission of the request or 10 business days after submission of any tax reporting information required by law, whichever is later, unless the fantasy sports contest operator makes a good faith determination that the fantasy sports player engaged in fraudulent or other conduct that would constitute a violation of this Act, rules adopted pursuant to this Act, or the fantasy sports contest operator's policies, in which case, upon notice to the fantasy sports player of that determination, the withdrawal may be held pending a reasonable investigative period to resolve its investigation. For the purposes of this subsection (d), a request for withdrawal shall be considered honored if it is processed by the fantasy sports contest operator, but delayed by a payment processor, a credit card issuer, or the custodian of the financial account.

(e) If a prize is awarded to a fantasy sports player with a closed account, that prize, to the extent it consists of funds, shall be distributed by the fantasy sports contest operator within 5 business days, or 10 business days of submission of any tax reporting information required by law, unless the fantasy sports contest operator makes a good faith determination that the fantasy sports player engaged in fraudulent or other conduct that would constitute a violation of this Act or rules adopted pursuant to this Act. If such determination is made, then the prize may be withheld, provided that it is then awarded to another fantasy sports player in the same contest who would have won the prize had the fantasy sports player with the closed account not participated.

(f) A fantasy sports contest operator shall close any fantasy player account that is inactive for 2 years and notify the account holder that the account has been closed by email and by mail to the account holder's last known address. When a fantasy sports player account is closed due to inactivity, the fantasy sports contest operator shall refund all funds in the fantasy sports player account within 30 days, subject to the receipt of any tax information required by law. In the event that funds in a closed fantasy sports player account exceed \$5 and cannot be refunded and remain unclaimed, the fantasy sports contest operator shall provide notice of the existence of funds to the fantasy sports player no less often than annually for 3 years. If the funds in a closed fantasy sports player account are for \$5 or less, such notice shall be provided one time upon the closing of the account. Such notice shall be provided by email and by mail to the account holder's last known address and shall provide a process for claiming the funds. In the event that funds in a closed fantasy sports player account cannot be refunded and remain unclaimed by the fantasy sports player after 3 years, such funds shall be reported and delivered by the fantasy sports contest operator to the State Treasurer for deposit in the Unclaimed Property Trust Fund as reportable property under the Uniform Disposition of Unclaimed Property Act.

(g) A fantasy sports contest operator shall prominently publish all contractual terms and conditions and rules of general applicability that affect a fantasy sports player's account. Presentation of such terms, conditions, and rules at the time of onboarding a new fantasy sports player shall not suffice.

(h) Fantasy sports player's deposits shall be limited to no more than \$3,000 per quarter. However, a fantasy sports contest operator may establish and prominently publish procedures for temporarily or permanently increasing a fantasy sports player's deposit limit, at the request of the fantasy sports player, above \$3,000 per quarter. Such procedures shall be submitted to the Board.

If established by a fantasy sports contest operator, such procedures shall include evaluation of information, including income or asset information, sufficient to establish that the fantasy sports player can afford losses that might result from gameplay at the deposit limit level requested.

When a temporary or permanent deposit level limit increase is approved, the fantasy sports contest operator's procedures shall provide for annual re-certification of a player's financial ability to afford losses.

Section 35. Restrictions on games offered by a fantasy sports contest operator.

(a) All fantasy sports contest operators, except fantasy sports contest operators who only offer season-long fantasy sports contests, shall develop games that are limited to beginner fantasy sports players and shall prohibit fantasy sports players who are not beginner fantasy sports players from participating in those games either directly or through another person as a proxy. A fantasy sports contest operator shall suspend the account of any fantasy sports player who is not a beginner fantasy sports player and attempts to enter a game limited to beginner fantasy sports players directly or through another person as a proxy and shall ban such individual from further play.

(b) All fantasy sports contest operators, except fantasy sports contest operators who only offer season-long fantasy sports contests, shall develop games in which highly experienced fantasy sports players cannot participate either directly or through another person as a proxy. A fantasy sports contest operator shall suspend the account of any highly experienced fantasy sports player who attempts to enter a game that excludes highly experienced fantasy sports players directly or through another person as a proxy and shall ban such individual from further play. Fantasy sports contest operators shall identify highly experienced fantasy sports players by a symbol attached to their username, or by other easily visible means, on all fantasy sports contest platforms.

(c) Fantasy sports contest operators shall have prominently published rules that govern when each fantasy sports contest shall close or lock. Each fantasy sports contest operator shall also prominently disclose contest-specific information about the time that the contest closes or locks in connection with each contest offered. A fantasy sports contest operator shall strictly enforce all disclosed closing or lock times.

(d) Fantasy sports contest operators shall restrict the number of entries into fantasy sports contests in the following manner:

(1) Fantasy sports contest operators shall not allow fantasy sports players to submit more than one entry in any fantasy sports contest involving 12 total entries or less.

(2) Fantasy sports contest operators shall not allow fantasy sports players to submit more than 2 entries in any fantasy sports contest involving 13 to 36 total entries.

(3) Fantasy sports contest operators shall not allow fantasy sports players to submit more than 3 entries in any fantasy sports contest involving 37 to 100 total entries.

(4) Fantasy sports contest operators shall not allow fantasy sports players to submit more than 3% of all entries in any contest involving more than 100 total entries.

(5) For all advertised fantasy sports contests, the fantasy sports contest operator shall prominently include information about the maximum number of entries that may be submitted for that contest.

(e) Fantasy sports contest operators shall allow individuals to restrict themselves from entering fantasy sports contests under this Act. These restrictions shall include, but not be limited to, (1) fantasy sports contest entry limits, (2) limiting play to fantasy sports contest with entry fees below an established limit, and (3) self-imposed deposit limits less than allowed under this Act. Fantasy sports contest operators shall implement and prominently publish procedures for fantasy sports players to implement the restrictions. Fantasy sports players shall have the option to adjust these limits to make them more restrictive of gameplay as often as they like, but shall not have the option to make limits less restrictive of gameplay within 90 days after setting the limits.

Section 37. Fantasy sports contest disclosures. Fantasy sports contest operators, except fantasy sports contest operators who only offer season-long fantasy sports contests, must display for each fantasy sports contest the maximum percentage of the total entry fees to be retained by the fantasy sports contest operator. The maximum percentage retained shall be conspicuously displayed above, next to, or under the entry fee listed for each fantasy sports contest; however, a fantasy sports contest operator may satisfy this requirement by providing a hyperlink above, next to, or under the entry fee listed for each fantasy sports contest that will take the fantasy sports player directly to the maximum percentage of the total entry fees to be retained by the fantasy sports contest operator for that fantasy sports contest.

Section 40. Prohibited activities by a fantasy sports contest operator.

(a) No fantasy sports contest operator employee, principal, officer, director, or contractor shall play on any fantasy sports contest platform of any fantasy sports contest operator or play through another person as a proxy. For the purposes of this subsection (a), a contractor is limited to a contractor who can access information of a fantasy sports contest operator related to the conduct of a fantasy sports contest that is not available to other fantasy sports players. Fantasy sports contest operators shall make these restrictions known to all affected individuals and corporate entities.

(b) No fantasy sports contest operator employee, principal, officer, director, or contractor shall disclose confidential information that may affect fantasy sports contest gameplay to any person permitted to engage in fantasy sports contest gameplay. Fantasy sports contest operators shall make these restrictions known to all affected individuals and corporate entities.

(c) No fantasy sports contest operator shall allow a professional athlete whose individual statistics or performance may be used to determine any part of the outcome of any fantasy sports contest to enter fantasy sports contests in the sports in which he or she participates. A fantasy sports contest operator shall take commercially reasonable efforts to prevent a sports agent, team employee, referee, or league official associated with any competition that is the subject of fantasy sports contests to enter fantasy sports contests in the sport in which he or she participates, nor shall such athlete, sports agent, team official, team representative, referee, or league official play through another person as a proxy.

(1) Fantasy sports contest operators shall take commercially reasonable efforts to obtain lists of persons described in this subsection (c) for the purpose of implementing this subsection (c).

(2) Fantasy sports contest operators, upon learning of a violation of this subsection (c), shall bar the individual committing the violation from playing in any fantasy sports contest by suspending the individual's account and banning the individual from further play, shall terminate any existing promotional agreements with the individual, and shall refuse to make any new promotional agreements that compensate the individual.

(3) Fantasy sports contest operators shall make these restrictions known to all affected individuals and corporate entities.

(d) No fantasy sports contest operator shall allow minors to create a fantasy sports contest account. Fantasy sports contest operators shall include age verification measures when establishing a fantasy sports contest account.

(e) No fantasy sports contest operator may extend credit to a fantasy sports player.

(f) A fantasy sports contest operator shall not permit unauthorized scripts to be used on fantasy sports contest platforms and shall use commercially reasonable efforts to monitor for and to prevent use of such scripts.

(g) A fantasy sports contest operator shall bar any individual or corporation found to be using an unauthorized script from playing in any fantasy sports contest by terminating the individual or corporate account and by banning that individual or corporation from further play.

(h) A fantasy sports contest operator shall not authorize scripts that provide a player with a competitive advantage over another player.

(i) For the purpose of subsections (f), (g), and (h) of this Section, a script shall be treated as offering a competitive advantage for reasons including, but not limited to, its potential use to:

(1) facilitate entry of multiple contests with a single line-up;

(2) facilitate changes in many line-ups at one time;

(3) facilitate use of commercial products designed and distributed by third parties to identify advantageous game strategies; or

(4) gather information about the performance of others for the purpose of identifying or entering contests against fantasy sports players who are less likely to be successful.

(j) A fantasy sports contest operator shall not offer a fantasy sports contest that involves an amateur-level or collegiate-level sport.

Section 45. Advertising.

(a) Advertisements of fantasy sports contest operators shall not depict (i) minors (other than professional athletes who may be minors), (ii) students, (iii) schools, colleges, or universities, or (iv) school, college, or university settings. However, incidental depiction of non-featured minors or minors accompanying adults shall not be a violation of this subsection (a).

(b) Fantasy sports contest operators shall not advertise on school, college, or university campuses.

(c) Fantasy sports contest operators shall not advertise at amateur athletic competitions, except to the extent that those competitions are played in stadiums where professional competitions are held and where

non-digital advertisements have been posted, erected, or otherwise displayed in a manner that would require substantial effort to remove.

Section 50. Withholding of delinquent child support.

(a) From individual winnings of \$600 or more that are subject to reporting to the Internal Revenue Service on Form 1099, a fantasy sports contest operator shall withhold up to the full amount of winnings necessary to pay the winner's past due child support amount as certified by the Department of Healthcare and Family Services under Section 10-17.15 of the Illinois Public Aid Code. Amounts withheld shall be paid to the Department of Healthcare and Family Services by the fantasy sports contest operator, as applicable. This process shall be accomplished as provided in 89 Ill. Adm. Code 160.70(q).

(b) For withholding of winnings, the fantasy sports contest operator shall be entitled to an administrative fee not to exceed the lesser of 4% of the total amount of cash winnings paid to the fantasy sports player or \$150.

(c) In no event shall the total amount withheld from the cash payout exceed the total cash winnings claimed by the obligor. If the cash payout claimed is greater than the amount sufficient to satisfy the obligor's delinquent child support payments, the fantasy sports contest operator shall pay the obligor the remaining balance of the payout.

(d) Any fantasy sports player that knowingly claims winnings from a single fantasy sports contest in a manner to intentionally avoid reporting winnings to the Internal Revenue Service shall be guilty of a Class A misdemeanor. Fantasy sports contest operators shall take commercially and technologically reasonable measures to ensure fantasy sports players comply with all reporting requirements. If a fantasy sports contest operator reasonably believes that the fantasy sports player engaged in conduct that would constitute a violation of federal reporting requirements, the fantasy sports contest operator shall bar the individual committing the violation from playing in any fantasy sports contest by suspending the individual's account and banning such individual from further play until the individual provides the fantasy sports contest operator proof that the individual has resolved all compliance issues with the Internal Revenue Service.

(e) A fantasy sports contest operator who in good faith complies with the requirements of this Section shall not be liable to the gaming winner or any other individual or entity.

(f) Upon request of a fantasy sports contest operator under this Act, an agent of the Board (such as a gaming special agent employed by the Board, a State police officer, or a revenue agent) shall be responsible for notifying the person identified as being delinquent in child support payments that the fantasy sports contest operator is required by law to withhold all or a portion of his or her winnings. If given, this notification must be provided at the time the winnings are withheld.

(g) The provisions of this Section shall be operative on and after the date that rules are adopted by the Department of Healthcare and Family Services pursuant to Section 10-17.15 of the Illinois Public Aid Code.

(h) The delinquent child support required to be withheld under this Section has priority over any secured or unsecured claim on cash winnings, except claims for federal or State taxes that are required to be withheld under federal or State law.

Section 55. Audits. All fantasy sports contest operators with annual fantasy sports contest revenue of \$100,000 or more shall annually be subject to an audit of the financial transactions and condition of the fantasy sports contest operator's total operations as they relate to the offering and operating of fantasy sports contests and to ensure compliance with all of the requirements in this Act. Fantasy sports contest operators with annual fantasy sports contest revenues less than \$100,000 shall every 3 years be subject to an audit of the financial transactions and condition of the fantasy sports contest operator's total operations as they relate to the offering and operating of fantasy sports contests and to ensure compliance with all of the requirements in this Act. All audits and compliance engagements shall be conducted by certified public accountants or an independent testing laboratory approved by the Board. Each certified public accountant must be registered in the State of Illinois under the Illinois Public Accounting Act. The compensation for each certified public accountant or independent testing laboratory shall be paid directly by the fantasy sports contest operator to the certified public accountant or independent testing laboratory. The audit shall be conducted and submitted to the Board by January 31 of the year in which the audit is due.

Section 60. Annual reports. All fantasy sports contest operators licensed by the Board must annually submit a report to the Board no later than January 31 of each year. Information included in the report shall include:

- (1) the number of fantasy sports player accounts with the fantasy sports contest

operator; this shall be broken down between beginner fantasy sports players and highly experienced fantasy sports players;

(2) the number of new accounts established;

(3) the number of accounts closed;

(4) the total amount of entry fees received from fantasy sports players located in Illinois;

(5) the total amount of prizes awarded to fantasy sports players located in Illinois;

(6) the total amount of fantasy sports contest revenue;

(7) the number of fantasy sports players that are located in Illinois that requested deposit limit increases; and

(8) the number of deposit limit increases granted to fantasy sports players located in Illinois by the fantasy sports contest operator.

Section 65. Application for licensure; background investigation; fees.

(a) A qualified person may apply to the Board for a fantasy sports contest operator license to conduct fantasy sports contests as provided in this Act. The application shall be made on forms provided by the Board. The burden is upon each applicant to demonstrate suitability for licensure. Each fantasy sports contest operator shall be licensed by the Board. The Board may issue a license for a period of up to 2 years or, in the case of fantasy sports contest operators with annual fantasy sports revenues less than \$100,000, for up to 3 years.

(b) Each person seeking and possessing a license as a fantasy sports contest operator shall submit to a background investigation conducted by the Board with the assistance of the State Police or other law enforcement. To the extent that the corporate structure of the applicant allows, the background investigation shall include any or all of the following as the Board deems appropriate or as provided by rule: (i) each beneficiary of a trust, (ii) each partner of a partnership, (iii) each member of a limited liability company, (iv) each director and officer of a publicly or non-publicly held corporation, (v) each stockholder of a non-publicly held corporation, (vi) each stockholder of 5% or more of a publicly held corporation, or (vii) each stockholder of 5% or more in a parent or subsidiary corporation.

(c) Each person seeking and possessing a license as a fantasy sports contest operator shall disclose the identity of every person, association, trust, corporation, or limited liability company having a greater than 1% direct or indirect pecuniary interest in the fantasy sports contest operator for which the license is sought. If the disclosed entity is a trust, the application shall disclose the names and addresses of the beneficiaries; if a corporation, the names and addresses of all stockholders and directors; if a limited liability company, the names and addresses of all members; or if a partnership, the names and addresses of all partners, both general and limited.

(d) All information, records, interviews, reports, statements, memoranda, or other data supplied to or used by the Board in the course of its review or investigation of an application for a license or a renewal under this Act shall be privileged and strictly confidential and shall be used only for the purpose of evaluating an applicant for a license or a renewal. The information, records, interviews, reports, statements, memoranda, or other data shall not be admissible as evidence nor discoverable in any action of any kind in any court or before any tribunal, board, agency, or person, except for any action deemed necessary by the Board.

(e) No person may be licensed as a fantasy sports contest operator if that person has been found by the Board to:

(1) have a background, including a criminal record, reputation, habits, social or

business associations, or prior activities, that poses a threat to the public interests of the State or to the security and integrity of fantasy sports contests;

(2) create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of fantasy sports contests; or

(3) present questionable business practices and financial arrangements incidental to the conduct of fantasy sports contests.

(f) Any applicant for a license under this Act has the burden of proving his or her qualifications to the satisfaction of the Board. The Board may adopt rules to establish additional qualifications and requirements to preserve the integrity and security of fantasy sports contests in this State.

(g) A fantasy sports contest operator that has been operating in Illinois for at least 6 months on December 23, 2015 or any other entity that holds a current owners license under the Riverboat Gambling Act from the Board may operate fantasy sports contests until a final decision is rendered on the application for a fantasy sports contest operator license. The operation of fantasy sports contests under this subsection (g):

shall not be regulated under any provision of the Riverboat Gambling Act, or rule adopted thereunder; and shall not be the basis for, or have any impact on, any decision or action relating to an owners license under the Riverboat Gambling Act.

(h) A non-refundable application fee shall be paid at the time an application for a license is filed with the Board in the following amounts:

- (1) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$10,000,000.....\$25,000
- (2) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$5,000,000 but not more than \$10,000,000.....\$12,500
- (3) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$1,000,000 but not more than \$5,000,000.....\$7,500
- (4) Fantasy sports contest operator with annual fantasy sports contest revenue of at least \$100,000 but not more than \$1,000,000.....\$5,000
- (5) Fantasy sports contest operator with annual fantasy sports contest revenue less than \$100,000.....\$500

(i) The Board shall establish a fee for each license not to exceed the following for the initial licensure period:

- (1) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$10,000,000.....\$50,000
- (2) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$5,000,000 but not more than \$10,000,000.....\$25,000
- (3) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$1,000,000 but not more than \$5,000,000.....\$15,000
- (4) Fantasy sports contest operator with annual fantasy sports contest revenue of at least \$100,000 but not more than \$1,000,000.....\$10,000
- (5) Fantasy sports contest operator with annual fantasy sports contest revenue less than \$100,000.....\$1,500

(j) For subsequent licensure periods, the renewal fee shall not exceed the following:

- (1) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$10,000,000.....\$37,500
- (2) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$5,000,000 but not more than \$10,000,000.....\$18,750
- (3) Fantasy sports contest operator with annual fantasy sports contest revenue greater than \$1,000,000 but no more than \$5,000,000.....\$11,250
- (4) Fantasy sports contest operator with annual fantasy sports contest revenue of at least \$100,000 but not more than \$1,000,000.....\$7,500
- (5) Fantasy sports contest operator with annual fantasy sports contest revenue less than \$100,000.....\$1,125

Section 70. Distribution of license fees.

(a) All fees collected under Section 65 of this Act shall be deposited into the State Gaming Fund.

(b) Fees collected under Section 65 of this Act shall be used for the administration of this Act.

(c) All licenses issued by the Board under this Act are renewable every 2 years for fantasy sports contest operators with annual fantasy sports contest revenues of \$100,000 or more and every 3 years for fantasy

sports contest operators with annual fantasy sports contest revenues less than \$100,000 unless sooner cancelled or terminated. No license issued under this Act is transferable or assignable.

Section 75. Imposition and distribution of tax.

(a) A privilege tax is imposed on persons engaged in the business of operating fantasy sports contests based on the fantasy sports contest revenues received by a fantasy sports contest operator licensed under this Act at the following graduated tax rates:

- (1) 5% of annual fantasy sports contest revenues up to and including \$1,000,000;
- (2) 7.5% of annual fantasy sports contest revenues in excess of \$1,000,000 but not exceeding \$3,000,000;
- (3) 10% of annual fantasy sports contest revenues in excess of \$3,000,000 but not exceeding \$8,000,000;
- (4) 15% of annual fantasy sports contest revenues in excess of \$8,000,000 but not exceeding \$15,000,000;
- (5) 22.5% of annual fantasy sports contest revenues in excess of \$15,000,000 but not exceeding \$25,000,000; and
- (6) 30% of annual fantasy sports contest revenues in excess of \$25,000,000.

(b) The taxes imposed by this Section shall be paid by the fantasy sports contest operator to the Board not later than the fifteenth day of every month for the previous month's privilege taxes. All payments not remitted when due shall be paid together with a penalty assessment on the unpaid balance at a rate of 1.5% per month.

(c) All of the tax collected under this Section shall be deposited into the Education Assistance Fund.

Section 80. Limitation on taxation of fantasy sports contest operators. Fantasy sports contest operators shall not be subjected to any excise tax, license tax, permit tax, privilege tax, or occupation tax that is imposed exclusively upon the licensee by the State or any political subdivision thereof, except as provided in this Act.

Section 900. The Regulatory Sunset Act is amended by changing Section 4.30 as follows:
(5 ILCS 80/4.30)

Sec. 4.30. Acts repealed on January 1, 2020. The following Acts are repealed on January 1, 2020:

The Auction License Act.

The Community Association Manager Licensing and Disciplinary Act.

The Illinois Architecture Practice Act of 1989.

The Illinois Landscape Architecture Act of 1989.

The Illinois Professional Land Surveyor Act of 1989.

The Land Sales Registration Act of 1999.

The Orthotics, Prosthetics, and Pedorthics Practice Act.

The Perfusionist Practice Act.

The Professional Engineering Practice Act of 1989.

The Real Estate License Act of 2000.

The Structural Engineering Practice Act of 1989.

The Fantasy Sports Contest Act.

(Source: P.A. 96-610, eff. 8-24-09; 96-626, eff. 8-24-09; 96-682, eff. 8-25-09; 96-726, eff. 7-1-10; 96-730, eff. 8-25-09; 96-855, eff. 12-31-09; 96-856, eff. 12-31-09; 96-1000, eff. 7-2-10.)

Section 905. The Illinois Public Aid Code is amended by changing Section 10-17.15 as follows:
(305 ILCS 5/10-17.15)

Sec. 10-17.15. Certification of information to State gaming licensees.

(a) For purposes of this Section, "State gaming licensee" means, as applicable, an organization licensee or advance deposit wagering licensee licensed under the Illinois Horse Racing Act of 1975, an owners licensee licensed under the Riverboat Gambling Act, ~~or~~ a licensee that operates, under any law of this State, one or more facilities or gaming locations at which lawful gambling is authorized and licensed as provided in the Riverboat Gambling Act ~~, or a fantasy sports contest operator licensed under the Fantasy Sports Contest Act.~~

(b) The Department may provide, by rule, for certification to any State gaming licensee of past due child support owed by a responsible relative under a support order entered by a court or administrative body of this or any other State on behalf of a resident or non-resident receiving child support services under this Article in accordance with the requirements of Title IV-D, Part D, of the Social Security Act. The State

gaming licensee shall have the ability to withhold from winnings required to be reported to the Internal Revenue Service on Form W-2G or, in the case of a fantasy sports contest operator, the ability to withhold from individual winnings of \$600 or more that are subject to reporting to the Internal Revenue Service on Form 1099, up to the full amount of winnings necessary to pay the winner's past due child support. The rule shall provide for notice to and an opportunity to be heard by each responsible relative affected and any final administrative decision rendered by the Department shall be reviewed only under and in accordance with the Administrative Review Law.

(c) For withholding of winnings, the State gaming licensee shall be entitled to an administrative fee not to exceed the lesser of 4% of the total amount of cash winnings paid to the gambling winner or \$150.

(d) In no event may the total amount withheld from the cash payout, including the administrative fee, exceed the total cash winnings claimed by the obligor. If the cash payout claimed is greater than the amount sufficient to satisfy the obligor's delinquent child support payments, the State gaming licensee shall pay the obligor the remaining balance of the payout, less the administrative fee authorized by subsection (c) of this Section, at the time it is claimed.

(e) A State gaming licensee who in good faith complies with the requirements of this Section shall not be liable to the gaming winner or any other individual or entity.

(Source: P.A. 98-318, eff. 8-12-13.)

Section 910. The Criminal Code of 2012 is amended by changing Section 28-1 as follows:
(720 ILCS 5/28-1) (from Ch. 38, par. 28-1)
Sec. 28-1. Gambling.

(a) A person commits gambling when he or she:

(1) knowingly plays a game of chance or skill for money or other thing of value, unless excepted in subsection (b) of this Section;

(2) knowingly makes a wager upon the result of any game, contest, or any political nomination, appointment or election;

(3) knowingly operates, keeps, owns, uses, purchases, exhibits, rents, sells, bargains for the sale or lease of, manufactures or distributes any gambling device;

(4) contracts to have or give himself or herself or another the option to buy or sell, or contracts to buy or sell, at a future time, any grain or other commodity whatsoever, or any stock or security of any company, where it is at the time of making such contract intended by both parties thereto that the contract to buy or sell, or the option, whenever exercised, or the contract resulting therefrom, shall be settled, not by the receipt or delivery of such property, but by the payment only of differences in prices thereof; however, the issuance, purchase, sale, exercise, endorsement or guarantee, by or through a person registered with the Secretary of State pursuant to Section 8 of the Illinois Securities Law of 1953, or by or through a person exempt from such registration under said Section 8, of a put, call, or other option to buy or sell securities which have been registered with the Secretary of State or which are exempt from such registration under Section 3 of the Illinois Securities Law of 1953 is not gambling within the meaning of this paragraph (4);

(5) knowingly owns or possesses any book, instrument or apparatus by means of which bets or wagers have been, or are, recorded or registered, or knowingly possesses any money which he has received in the course of a bet or wager;

(6) knowingly sells pools upon the result of any game or contest of skill or chance, political nomination, appointment or election;

(7) knowingly sets up or promotes any lottery or sells, offers to sell or transfers any ticket or share for any lottery;

(8) knowingly sets up or promotes any policy game or sells, offers to sell or knowingly possesses or transfers any policy ticket, slip, record, document or other similar device;

(9) knowingly drafts, prints or publishes any lottery ticket or share, or any policy ticket, slip, record, document or similar device, except for such activity related to lotteries, bingo games and raffles authorized by and conducted in accordance with the laws of Illinois or any other state or foreign government;

(10) knowingly advertises any lottery or policy game, except for such activity related to lotteries, bingo games and raffles authorized by and conducted in accordance with the laws of Illinois or any other state;

(11) knowingly transmits information as to wagers, betting odds, or changes in betting odds by telephone, telegraph, radio, semaphore or similar means; or knowingly installs or maintains equipment for the transmission or receipt of such information; except that nothing in this subdivision

(11) prohibits transmission or receipt of such information for use in news reporting of sporting events or contests; or

(12) knowingly establishes, maintains, or operates an Internet site that permits a person to play a game of chance or skill for money or other thing of value by means of the Internet or to make a wager upon the result of any game, contest, political nomination, appointment, or election by means of the Internet. This item (12) does not apply to activities referenced in items (6) and (6.1) of subsection (b) of this Section. This item (12) does not apply to activities referenced in item (15) subsection (b) of this Section.

(b) Participants in any of the following activities shall not be convicted of gambling:

(1) Agreements to compensate for loss caused by the happening of chance including without limitation contracts of indemnity or guaranty and life or health or accident insurance.

(2) Offers of prizes, award or compensation to the actual contestants in any bona fide contest for the determination of skill, speed, strength or endurance or to the owners of animals or vehicles entered in such contest.

(3) Pari-mutuel betting as authorized by the law of this State.

(4) Manufacture of gambling devices, including the acquisition of essential parts therefor and the assembly thereof, for transportation in interstate or foreign commerce to any place outside this State when such transportation is not prohibited by any applicable Federal law; or the manufacture, distribution, or possession of video gaming terminals, as defined in the Video Gaming Act, by manufacturers, distributors, and terminal operators licensed to do so under the Video Gaming Act.

(5) The game commonly known as "bingo", when conducted in accordance with the Bingo License and Tax Act.

(6) Lotteries when conducted by the State of Illinois in accordance with the Illinois Lottery Law. This exemption includes any activity conducted by the Department of Revenue to sell lottery tickets pursuant to the provisions of the Illinois Lottery Law and its rules.

(6.1) The purchase of lottery tickets through the Internet for a lottery conducted by the State of Illinois under the program established in Section 7.12 of the Illinois Lottery Law.

(7) Possession of an antique slot machine that is neither used nor intended to be used in the operation or promotion of any unlawful gambling activity or enterprise. For the purpose of this subparagraph (b)(7), an antique slot machine is one manufactured 25 years ago or earlier.

(8) Raffles and poker runs when conducted in accordance with the Raffles and Poker Runs Act.

(9) Charitable games when conducted in accordance with the Charitable Games Act.

(10) Pull tabs and jar games when conducted under the Illinois Pull Tabs and Jar Games Act.

(11) Gambling games conducted on riverboats when authorized by the Riverboat Gambling Act.

(12) Video gaming terminal games at a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment when conducted in accordance with the Video Gaming Act.

(13) Games of skill or chance where money or other things of value can be won but no payment or purchase is required to participate.

(14) Savings promotion raffles authorized under Section 5g of the Illinois Banking Act, Section 7008 of the Savings Bank Act, Section 42.7 of the Illinois Credit Union Act, Section 5136B of the National Bank Act (12 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C. 1463).

(15) Fantasy sports contests and participation in fantasy sports contests as defined and offered under the Fantasy Sports Contest Act.

(c) Sentence.

Gambling is a Class A misdemeanor. A second or subsequent conviction under subsections (a)(3) through (a)(12), is a Class 4 felony.

(d) Circumstantial evidence.

In prosecutions under this Section circumstantial evidence shall have the same validity and weight as in any criminal prosecution.

(Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

Section 999. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

[May 19, 2016]

And the amendment was adopted and ordered printed.
There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Raoul, **House Bill No. 3655** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 32; NAYS 22; Present 1.

The following voted in the affirmative:

Althoff	Cunningham	Link	Stadelman
Anderson	Haine	Manar	Sullivan
Barickman	Harmon	McConaughay	Syverson
Bennett	Harris	McGuire	Trotter
Bertino-Tarrant	Hastings	Muñoz	Mr. President
Biss	Holmes	Murphy, M.	
Bush	Hunter	Oberweis	
Clayborne	Koehler	Raoul	
Cullerton, T.	Lightford	Righter	

The following voted in the negative:

Bivins	Luechtefeld	Mulroe	Sandoval
Brady	Martinez	Murphy, L.	Steans
Collins	McCann	Nybo	Van Pelt
Connelly	McCarter	Radogno	Weaver
Jones, E.	McConchie	Rezin	
Landek	Morrison	Rose	

The following voted present:

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 in the Senate Amendments adopted thereto.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Sandoval, **House Bill No. 6093** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **House Bill No. 6226** was taken up, read by title a second time and ordered to a third reading.

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Hutchinson, **Senate Bill No. 2920** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 2920

AMENDMENT NO. 2. Amend Senate Bill 2920 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Justice Act is amended by changing Section 1 as follows:
(415 ILCS 155/1)

Sec. 1. Short title. This Act may be cited as the ~~the~~ Environmental Justice Act.
(Source: P.A. 97-391, eff. 8-16-11.)".

Senator Hutchinson offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2920

AMENDMENT NO. 3. Amend Senate Bill 2920, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Justice Act is amended by changing Section 10 as follows:
(415 ILCS 155/10)

Sec. 10. Commission on Environmental Justice.

(a) The Commission on Environmental Justice is established and consists of the following 24 ~~20~~ voting members:

(1) 2 members of the Senate, one appointed by the President of the Senate and the other by the Minority Leader of the Senate, each to serve at the pleasure of the appointing officer;

(2) 2 members of the House of Representatives, one appointed by the Speaker of the House of Representatives and the other by the Minority Leader of the House of Representatives, each to serve at the pleasure of the appointing officer;

(3) the following ex officio members: ~~the Director of Aging or his or her designee, the Director of Commerce and Economic Opportunity or his or her designee, the Director of the Environmental Protection Agency or his or her designee, the Director of Natural Resources or his or her designee, the Director of Public Health or his or her designee, and the Secretary Director of Transportation or his or her designee, and a representative of the housing office of the Department of Human Services appointed by the Secretary of Human Services;~~ and

(4) 14 ~~10~~ members appointed by the Governor who represent the following interests:

(i) at least 4 members of affected communities concerned with environmental justice;

(ii) at least 2 members of business organizations including one member representing a statewide organization representing manufacturers and one member representing an organization representing the energy sector;

(iii) environmental organizations;

(iv) experts on environmental health and environmental justice;

(v) units of local government; ~~and~~

(vi) members of the general public who have an interest or expertise in environmental justice; ~~and~~ -

(vii) at least 2 members of labor organizations including one member from a statewide labor federation representing more than one international union and one member from an organization representing workers in the energy sector.

(b) Of the initial members of the Commission appointed by the Governor, 5 shall serve for a 2-year term and 5 shall serve for a 1-year term, as designated by the Governor at the time of appointment. Thereafter, the members appointed by the Governor shall serve 2-year terms. Vacancies shall be filled in the same manner as appointments. Members of the Commission appointed by the Governor may not receive compensation for their service on the Commission and are not entitled to reimbursement for expenses.

(c) The Governor shall designate a Chairperson from among the Commission's members. The Commission shall meet at the call of the Chairperson, but no later than 90 days after the effective date of this Act and at least quarterly thereafter.

(d) The Commission shall:

(1) advise State entities on environmental justice and related community issues;

(2) review and analyze the impact of current State laws and policies on the issue of environmental justice and sustainable communities;

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(3) assess the adequacy of State and local laws to address the issue of environmental justice and sustainable communities;

(4) develop criteria to assess whether communities in the State may be experiencing environmental justice issues; and

(5) recommend options to the Governor for addressing issues, concerns, or problems related to environmental justice that surface after reviewing State laws and policies, including prioritizing areas of the State that need immediate attention.

(e) On or before October 1, 2011 and each October 1 thereafter, the Commission shall report its findings and recommendations to the Governor and General Assembly.

(f) The Environmental Protection Agency shall provide administrative and other support to the Commission.

(Source: P.A. 97-391, eff. 8-16-11.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL NO. 750

A bill for AN ACT concerning local government.

HOUSE BILL NO. 3554

A bill for AN ACT concerning employment.

HOUSE BILL NO. 5764

A bill for AN ACT concerning State government.

Passed the House, May 19, 2016.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 750, 3554 and 5764** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2532

A bill for AN ACT concerning State government.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2532

House Amendment No. 2 to SENATE BILL NO. 2532

Passed the House, as amended, May 19, 2016.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2532

AMENDMENT NO. 1. Amend Senate Bill 2532 by replacing everything after the enacting clause with the following:

"Section 5. The Military Veterans Assistance Act is amended by changing Section 9 as follows: (330 ILCS 45/9) (from Ch. 23, par. 3089)

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Sec. 9. Veterans Assistance Commission.

(a) In counties having 2 or more posts, camps, chapters or detachments of military veterans organizations as may be recognized by law, a central assistance committee may be organized to be known as the Veterans Assistance Commission of such county, composed of ~~delegates one delegate~~ and ~~alternates one alternate~~ from a majority each of such posts, camps, units, and chapters or ship selected annually as determined by each post, ship, camp, or chapter. When so organized a commission shall be clothed with all the powers and charged with all the duties theretofore devolving upon the different posts and chapters as provided in Section 2.

(1) Beginning on January 1, 2017, and every January 1 thereafter, all Veterans Assistance Commissions shall publish a notice to each post, camp, unit, chapter, ship, or detachment of a military veterans organization within their respective county calling on them to select delegates and alternates for that county's Veterans Assistance Commission by the methods provided in this subsection. The Veterans Assistance Commissions shall allow each post, camp, unit, chapter, ship, or detachment of a military veterans organization 60 days to respond.

(2) Except as provided in paragraphs (3) and (4), posts, camps, units, chapters, ships, or detachments of a military veterans organization shall be permitted to select one delegate and one alternate.

(3) In counties with 5 or more posts, camps, units, chapters, ships, or detachments of the same military veterans organization, all the constituent posts, camps, units, chapters, ships, or detachments of such military organizations shall be permitted to select a single delegate and single alternate to represent that military veterans organization instead of each constituent post, camp, unit, chapter, ship, or detachment selecting one delegate and one alternate. For the purposes of meeting the majority requirement of this subsection, when the constituent groups of a military veterans organization choose to select a single delegate and single alternate, the single delegate and single alternate shall represent the aggregate percentage of the constituent groups.

(b) The Commission superintendent and the president or chairman of the county board, or some other county officer appointed by him, shall have general oversight of the distribution of all moneys and supplies appropriated by the county for the benefit of military veterans and their families, subject to such rules, regulations, administrative procedures or audit reviews as are necessary as approved by the county board to carry out the spirit and intent of this Act. No warrant authorized under this Act may be issued for the payment of money without the presentation of an itemized statement or claim, approved by the superintendent of the Commission.

If general assistance funds are allocated to a county for assistance to military veterans and their families as provided in the Illinois Public Aid Code, the administration of such funds and of county tax funds levied for such purpose as provided in Section 5-2006 of the Counties Code shall be subject to the supervision of the Department of Human Services in accordance with the provisions of the Illinois Public Aid Code. The superintendent of the Veterans Assistance Commission must comply with the procedures and regulations adopted by the Veterans Assistance Commission and the regulations of the Department of Human Services. To further the intent of this Act of assisting military veterans, this Act is to be construed so that the Veterans Assistance Commission shall provide needed services to eligible veterans.
(Source: P.A. 89-507, eff. 7-1-97.)

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

AMENDMENT NO. 2 TO SENATE BILL 2532

AMENDMENT NO. 2. Amend Senate Bill 2532 by replacing everything after the enacting clause with the following:

"Section 5. The Military Veterans Assistance Act is amended by changing Section 9 as follows:
(330 ILCS 45/9) (from Ch. 23, par. 3089)

Sec. 9. Veterans Assistance Commission.

(a) In counties having 2 or more posts, camps, chapters or detachments of military veterans organizations as may be recognized by law, a central assistance committee may be organized to be known as the Veterans Assistance Commission of such county, composed of ~~delegates one delegate~~ and ~~alternates one alternate~~ from a majority each of such posts, camps, units, and chapters or ship selected annually as determined by each post, ship, camp, or chapter. When so organized a commission shall be clothed with all the powers and charged with all the duties theretofore devolving upon the different posts and chapters as provided in Section 2.

(1) Beginning on January 1, 2017, and every January 1 thereafter, all Veterans Assistance Commissions shall publish a notice to each post, camp, unit, chapter, ship, or detachment of a military

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veterans organization within their respective county calling on them to select delegates and alternates for that county's Veterans Assistance Commission by the methods provided in this subsection. The Veterans Assistance Commissions shall allow each post, camp, unit, chapter, ship, or detachment of a military veterans organization 60 days to respond.

(2) Except as provided in paragraph (3), posts, camps, units, chapters, ships, or detachments of a military veterans organization shall be permitted to select one delegate and one alternate.

(3) In counties with 5 or more posts, camps, units, chapters, ships, or detachments of the same military veterans organization, all the constituent posts, camps, units, chapters, ships, or detachments of such military organizations shall be permitted to select a single delegate and single alternate to represent that military veterans organization instead of each constituent post, camp, unit, chapter, ship, or detachment selecting one delegate and one alternate. For the purposes of meeting the majority requirement of this subsection, when the constituent groups of a military veterans organization choose to select a single delegate and single alternate, the single delegate and single alternate shall represent the aggregate percentage of the constituent groups.

(b) The Commission superintendent and the president or chairman of the county board, or some other county officer appointed by him, shall have general oversight of the distribution of all moneys and supplies appropriated by the county for the benefit of military veterans and their families, subject to such rules, regulations, administrative procedures or audit reviews as are necessary as approved by the county board to carry out the spirit and intent of this Act. No warrant authorized under this Act may be issued for the payment of money without the presentation of an itemized statement or claim, approved by the superintendent of the Commission.

If general assistance funds are allocated to a county for assistance to military veterans and their families as provided in the Illinois Public Aid Code, the administration of such funds and of county tax funds levied for such purpose as provided in Section 5-2006 of the Counties Code shall be subject to the supervision of the Department of Human Services in accordance with the provisions of the Illinois Public Aid Code. The superintendent of the Veterans Assistance Commission must comply with the procedures and regulations adopted by the Veterans Assistance Commission and the regulations of the Department of Human Services. To further the intent of this Act of assisting military veterans, this Act is to be construed so that the Veterans Assistance Commission shall provide needed services to eligible veterans.

(Source: P.A. 89-507, eff. 7-1-97.)

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

Under the rules, the foregoing **Senate Bill No. 2532**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 2439

A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 2440

A bill for AN ACT concerning education.

SENATE BILL NO. 2505

A bill for AN ACT concerning education.

SENATE BILL NO. 2517

A bill for AN ACT concerning revenue.

SENATE BILL NO. 2593

A bill for AN ACT concerning revenue.

Passed the House, May 19, 2016.

TIMOTHY D. MAPES, Clerk of 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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 2657

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A bill for AN ACT concerning State government.
 SENATE BILL NO. 2767
 A bill for AN ACT concerning local government.
 SENATE BILL NO. 2777
 A bill for AN ACT concerning criminal law.
 SENATE BILL NO. 2782
 A bill for AN ACT concerning revenue.
 SENATE BILL NO. 2806
 A bill for AN ACT concerning transportation.
 SENATE BILL NO. 2817
 A bill for AN ACT concerning public employee benefits.
 Passed the House, May 19, 2016.

TIMOTHY D. MAPES, Clerk of the House

INTRODUCTION OF BILLS

SENATE BILL NO. 3431. Introduced by Senator Holmes, a bill for AN ACT concerning concerning animals.

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

SENATE BILL NO. 3432. Introduced by Senator L. Murphy, a bill for AN ACT concerning revenue.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 750, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3554, sponsored by Senator Brady, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5764, sponsored by Senator Raoul, was taken up, read by title a first time and referred to the Committee on Assignments.

COMMITTEE MEETING ANNOUNCEMENT

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

Energy and Public Utilities in Room 212

LEGISLATIVE MEASURES FILED

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

Floor Amendment No. 1 to Senate Resolution 1761

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 5472

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Committee Amendment No. 1 to House Bill 5945

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

Floor Amendment No. 3 to House Bill 5902

Floor Amendment No. 4 to House Bill 5948

RESOLUTIONS CONSENT CALENDAR**SENATE RESOLUTION NO. 1866**

Offered by Senator Althoff and all Senators:
Mourns the death of Dr. David Allen Frey of Woodstock.

SENATE RESOLUTION NO. 1867

Offered by Senator Althoff and all Senators:
Mourns the death of Thomas E. Low of McHenry.

SENATE RESOLUTION NO. 1868

Offered by Senator Althoff and all Senators:
Mourns the death of James J. Wasicak of McHenry.

SENATE RESOLUTION NO. 1869

Offered by Senator Althoff and all Senators:
Mourns the death of Brian A. Knight of Ringwood.

SENATE RESOLUTION NO. 1870

Offered by Senator Althoff and all Senators:
Mourns the death of Roger H. Sass, Sr., of Woodstock.

SENATE RESOLUTION NO. 1871

Offered by Senator Althoff and all Senators:
Mourns the death of Betty J. Hettermann of Johnsburg.

SENATE RESOLUTION NO. 1872

Offered by Senator Anderson and all Senators:
Mourns the death of Jay L. "Jack" Barnard of Moline.

SENATE RESOLUTION NO. 1873

Offered by Senator Anderson and all Senators:
Mourns the death of Roscoe "Dallas" Davenport of Silvis.

SENATE RESOLUTION NO. 1874

Offered by Senator Haine and all Senators:
Mourns the death of Dale C. King of South Roxana.

SENATE RESOLUTION NO. 1875

Offered by Senator Manar and all Senators:
Mourns the death of Carl H. Raymond of Bunker Hill.

SENATE RESOLUTION NO. 1876

Offered by Senator Manar and all Senators:
Mourns the death of Merle Emery of Bunker Hill.

SENATE RESOLUTION NO. 1877

Offered by Senator Syverson and all Senators:
Mourns the death of Daniel J. "Dan" Arnold.

SENATE RESOLUTION NO. 1878

Offered by Senator M. Murphy and all Senators:
Mourns the death of Michael Schroeder of Arlington Heights.

SENATE RESOLUTION NO. 1879

Offered by Senator Syverson and all Senators:
Mourns the death of John H. Mooncotch.

SENATE RESOLUTION NO. 1880

Offered by Senator Anderson and all Senators:
Mourns the death of Robert L. Bowman of Rock Island.

SENATE RESOLUTION NO. 1881

Offered by Senator Harmon and all Senators:
Mourns the death of Kenneth K. Harris.

SENATE RESOLUTION NO. 1882

Offered by Senators J. Cullerton – Stadelman and all Senators:
Mourns the death of Vivian Veach Hickey.

SENATE RESOLUTION NO. 1883

Offered by Senator McConaughay and all Senators:
Mourns the death of Timothy R. Butcher of Huntley.

SENATE RESOLUTION NO. 1884

Offered by Senator McConaughay and all Senators:
Mourns the death of Maxine V. Kempf of Crystal Lake.

SENATE RESOLUTION NO. 1885

Offered by Senator Link and all Senators:
Mourns the death of Billy J. Burks of North Chicago.

SENATE RESOLUTION NO. 1886

Offered by Senator Link and all Senators:
Mourns the death of Thomas W. Glogovsky of Waukegan.

SENATE RESOLUTION NO. 1887

Offered by Senator Link and all Senators:
Mourns the death of Jerry “Red” Hacker of Franksville, Wisconsin.

SENATE RESOLUTION NO. 1888

Offered by Senator Link and all Senators:
Mourns the death of George L. Harlow.

SENATE RESOLUTION NO. 1889

Offered by Senator Link and all Senators:
Mourns the death of Gregory DeWitt “Pops” Holley, Sr., of Milwaukee, Wisconsin.

SENATE RESOLUTION NO. 1890

Offered by Senator Link and all Senators:
Mourns the death of Veronica Kapter of Waukegan.

SENATE RESOLUTION NO. 1891

Offered by Senator Link and all Senators:
Mourns the death of Charles D. “Dinky” Moats II of Trevor, Wisconsin.

SENATE RESOLUTION NO. 1892

Offered by Senator Link and all Senators:
Mourns the death of Erika Gertrude Johanna Nieper of Waukegan.

SENATE RESOLUTION NO. 1893

Offered by Senator Link and all Senators:

Mourns the death of Georgia May Robinson of Fort Myers, Florida and Lincolnshire.

SENATE RESOLUTION NO. 1894

Offered by Senator Link and all Senators:

Mourns the death of Frank J. Savaglio of Waukegan.

SENATE RESOLUTION NO. 1895

Offered by Senator Link and all Senators:

Mourns the death of Frank L. Skradski, Sr., or Rock Island.

SENATE RESOLUTION NO. 1896

Offered by Senator Link and all Senators:

Mourns the death of Theresa A. Skilling of Waukegan.

SENATE RESOLUTION NO. 1897

Offered by Senator Link and all Senators:

Mourns the death of John Richard Steele.

SENATE RESOLUTION NO. 1898

Offered by Senator Harris and all Senators: :

Mourns the death of Verniece Lindsay.

SENATE RESOLUTION NO. 1899

Offered by Senator McGuire and all Senators:

Mourns the death of James E. Gast of New Lenox.

The Chair moved the adoption of the Resolutions Consent Calendar.

The motion prevailed, and the resolutions were adopted.

At the hour of 2:54 o'clock p.m., the Chair announced the Senate stand adjourned until Monday, May 23, 2016, at 3:00 o'clock p.m.