

STATE OF ILLINOIS
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Speaker Manley: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Wayne Padget, the Assistant Doorkeeper. Members and guests are asked to refrain from starting their laptops, turn off all cell phones, and rise for the invocation and Pledge of Allegiance. Wayne Padget."

Wayne Padget: "Let us pray. Dear heavenly father, we give you all that we are on this day. Please brush away our worriedness so that we may be inspired in our work. Please help us to discover new ways to reveal your love to all that we meet. Keep our minds clear and focused on all that we need to achieve. Lord, give us the wisdom to overcome difficulties and find solutions. I look to you and trust you are with us on this day. Amen."

Speaker Manley: "We shall be led in the Pledge today by Representative Haas."

Haas - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Manley: "Roll Call for Attendance. Leader Harris is recognized to report any excused absences on the Democratic side of the aisle."

Harris: "Thank you, Madam Speaker. We have Representatives Connor and Andrade who are excused today."

Speaker Manley: "Leader Spain is recognized to report any excused absences on the Republican side of the... I'm sorry. Oh, hi, Leader Demmer. How about you? Will you give us the report? Thank you."

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Demmer: "Thank you, Madam Speaker. Please let the record reflect that Representative Wehrli is excused for the day."

Speaker Manley: "Thank you. Have all recorded themselves who wish? Mr. Clerk, please take the record. There being 115 Members answering the roll call, a quorum is present. Mr. Clerk, Committee Reports."

Clerk Hollman: "Committee Reports. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on January 12, 2021: recommends be adopted, referred to the floor is Floor Amendment(s) 6 to Senate Bill 3066. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on January 12, 2021: recommends be adopted, referred to the floor is Floor Amendment(s) 7 to Senate Bill 3066. Representative Evans, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on January 12, 2021: recommends be adopted is the Motion to Concur with Senate Amendment(s) 2 to House Bill 1559. Representative Welch, Chairperson from the Committee on the Executive reports the following committee action taken on January 12, 2021: do pass as amended Short Debate is Senate Bill 3096; recommends be adopted is the Motion to Concur with Senate Amendment(s) 1 and 3 to House Bill 2461, Motion to Concur with Senate Amendment(s) 3 to House Bill 2488, Motion to Concur with Senate Amendment(s) 1 to House Bill 3360; recommends be adopted is House Resolution 961, Floor Amendment(s) 2 to Senate Bill 145, and Floor Amendment(s) 5 to Senate Bill 3066. Introduction to Resolutions. House

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Resolution 963, offered by Representative Chesney, is referred to the Rules Committee."

Speaker Manley: "Chair recognizes Leader Durkin."

Durkin: "Thank you, Madam Speaker. Last night, myself and Representative Mazzochi made a series of requests regarding parliamentary procedure for tomorrow's swearing in ceremony. I made that request because this is a unique situation that we have that we'll be dealing with tomorrow. I believe that the requests that myself and Representative Mazzochi made are important for the whole Body, not just for this side of the aisle. I asked that the parliamentarian turn around those requests within a reasonable amount of time. And I hope that... I'd like to, one, just make sure that our requests are fair. They're reasonable, but they're not dilatory. We just want to be able to know what exactly we're walking into tomorrow. So, I would ask, what is the status of the request that has been made by myself and also Representative Mazzochi?"

Speaker Manley: "Leader Durkin, thank you. I'm being told that your questions have been noted, and they are still under review, and we'll get back to you soon."

Durkin: "Before we... I step away, I've heard that type of response in the past. And I know that you don't have exact knowledge, but I would ask that if the parliamentarian could give me an indication when he will be able to provide an answer to those requests. He can step over to the mic. He can speak."

Speaker Manley: "Thank you for your patience, Leader Durkin. I'm being told they will get back to you as soon as possible."

Durkin: "All right. I operate under a reasonable theory of life. So, I will be patient, and I will be... wait for a reasonable

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amount of time. And, hopefully, we won't have another repeat of last night. But I would appreciate it if we would be able to get those responses back within a reasonable amount of time."

Speaker Manley: "Leader Durkin, I appreciate your patience."

Durkin: "Thank you."

Speaker Manley: "Chair recognizes Representative Bryant."

Bryant: "Thank you, Madam Speaker. Point of personal privilege, please."

Speaker Manley: "Please proceed."

Bryant: "Thank you. I rise today to honor a gentleman from Murphysboro who passed last week. Many of you here in the Body will know of Mike Mills. Mike Mills was the long-time owner of 17th Street Bar and Grill in Murphysboro. But I wanted to share with you... we have offered a Resolution. I think it will be passed a little bit later today, House Resolution 959, honoring Mike Mills. And I want to tell you just a few small things about him. In addition to the fact that Mike is a very important reason why in my... as my very first piece of legislation through this Body, I ran a Resolution making Murphysboro the barbeque capital of Illinois. And here are just some of the reasons why Mike... Mike was a graduate of Murphysboro High School. So, he, like my own children, bleed Red Devil's red... bleed Red Devil red. And... but some of the things that people don't know about Mike is that he was in the first class of the dental technology program at SIU. He later founded the dental lab in Murphysboro in 1963. He was acknowledged as the most revered restaurateur in America. Restaurants in New York City and in Memphis earned

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him the moniker of 'The Legend'. He was the coauthor of two books that a couple of folks in here own. And I think actually Representative Butler had a signed version of *Peace, Love & Barbeque*. And my favorite, *Praise the Lard*. One of only two people in Illinois to be named to the Pit Master Hall of Fame. And just so you all know, Mike is just really a truly loved individual from Murphysboro, and he's going to be greatly missed. This is a guy that... a great influence in our community, never forgot where he came from, gave back in every way. And I would just ask for a moment of silence in honor of his friendship and his devotion to his community, and really, the great contribution that he made to, not just barbeque, but to an industry that's under serious attack right now."

Speaker Manley: "Let us take a moment of silence. Thank you, Representative."

Bryant: "Thank you."

Speaker Manley: "Chair recognizes Representative Bailey. Welcome back."

Bailey: "Thank you. Thank you, Madam Chair. Point of personal privilege, please."

Speaker Manley: "Please proceed."

Bailey: "You know, these last two years have been amazing. As I head over to the Senate, I'm going to honestly say I... I'm going to miss each and every one of you. It's been life changing for me, and such was... on Sunday. You know, many times we take things for granted, and I just... my prayer and hope for all of us here that we don't take each other for granted. We don't take the process for granted. And we don't take the EMT drivers for granted. We walk in every day and we tell

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everybody good morning and hi. And the men and women standing around this building, taking care and protecting us. And especially as I lay on the floor, and when I opened my eyes and I saw men and women staring at me from all over this room. I want to thank you. Thank you for your prayers. Thank you for your thoughts. Thank you for your concerns. And Abraham Lincoln quoted the Bible once and he said, a nation divided against itself cannot stand. And, friends, that's... we face some challenging times here in Illinois. But I truly believe that as the heartland state, if we can get our act together some time soon, we can bring this nation together because we've got the ingredients right here in this room to do that. And I felt that on Sunday. And I thank you very, very much. God bless you all, and thank you."

Speaker Manley: "Good luck to you, Representative. The Chair recognizes Representative Morgan."

Morgan: "Thank you, Madam Speaker. A point of personal privilege, please."

Speaker Manley: "Please proceed."

Morgan: "Thank you, Madam Speaker. Ladies and Gentlemen, I rise today on behalf of the Jewish Caucus. We're an informal group here in the General Assembly, in the House. But it's important that I rise today and address an issue and the events that recently happened because country... the country has been through a lot in the last week. The entire country. We mourn... we mourn the tragic life... loss of life of 2 U.S. Capitol Police Officers. We take a deep breath and thank God that the attempted coup was unsuccessful on January 6, but we will never be the same as a nation. We must ensure that this attack

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on the heart of our democracy is met with clear repudiation, an unambiguous message that those responsible and those that directly incited that mob are held accountable. We must make sure that this never happens again. Never again. Those are sacred words to the Jewish community, obviously, because of the 11 million who were killed during the Holocaust. Those are sacred words to me because my great-grandparents were killed in the Holocaust at the Treblinka concentration camp. They're sacred. So, I am furious that a Member of the Illinois Congressional Delegation thought it was appropriate to quote Adolf Hitler at a political rally. I'm furious that anyone would ever think that would be okay. I'm also livid that there is a Member of this chamber who was on Facebook rallying against 'dangerous democratic terrorist' and remarking that we are in a great cultural war to see which world view will survive. Just minutes before rally goes crushed a police officer to death and the countless other law enforcement officers. We talk a lot in this chamber about blue lives matter, hear that a little bit more from our friends on the other side of aisle. Where's your outrage now? Where is the humanity? Where's the shame? I haven't heard anything. These events, to me, underscore the importance of what we are literally, literally here to do today. Making sure, like we just said in the Pledge of Allegiance, that we have justice for all. Justice for all. Justice for all requires police reform and accountability. Justice for all requires equity in our government's services. It requires education that is color blind. It requires health care that eliminates the death gap from one zip code of white constituents to a nearby zip

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code with black residents. Our actions here today, right now, right now, are the best way to honor those who defended all of our freedom in Washington, D.C. less than a week ago. The phrase never forget is meaningless unless we take action to defend it and to show that it means something, and it means something to this Body, and it means something to the country. So with that, I ask for a moment of silence in honor of those lives lost and a moment of reflection about what we can do here for the rest of the 101st General Assembly to honor that and to honor justice for all. Thank you."

Speaker Manley: "The Body will take a moment of silence. Thank you, Representative. The Chair recognizes Leader Butler."

Butler: "Thank you... thank you, Madam Chair. I don't know if a single person in this chamber has more experience working for the United States Congress than I do. And, Representative Morgan, you and I have had some very good conversations this week about this very issue. I've spent 20 years working for the United States Congress. I've worked on the floor of the United States House. Literally worked on the floor... could I please have everybody's attention? You gave it to Representative Morgan, I would appreciate it now. I have literally worked on the floor of the United States House of Representatives. Some of my best friends in the world were on the floor of the United States House of Representatives on January 6. I am... just as I love this building down the street here that we're not in anymore, I probably love the United States Capitol even more. And to see our seat of government under siege, under siege from our own citizens, I don't care if you're Republican or Democrat or Libertarian or

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Independent or... something's wrong, man. Something's really wrong. I would encourage all of you... there's so much media out there on this. I would really encourage all of you to watch some of these videos of people invading our United States Capitol. And very honestly, to my Republican colleagues, we had a lot of Republicans out there that day going to a so-called rally that ended up in an insurrection in our United States Capitol. And now, one of the saddest things I've seen of the many sad images, is that building that I love in Washington, truly the house of the people of the United States, is surrounded by an 8 foot tall fence. I've lived blocks from that... literally, blocks from that building. I would walk to work every day across the east front of the U.S. Capitol. It's wrong. Words... words really matter, folks. Words really matter. And if you're not stepping up and denouncing this no matter where you fall in the political spectrum, I don't have a place for you 'cause you need to denounce this. The favorite son of this city was murdered because of a civil war as he was President. I'm not going to see a civil war on my watch, I can tell you that. Bob, you know I've been vocal. So, not everybody stands silent. And I... I don't know if you saw it, but Minority Leader McCarthy took the President to tax today. Republicans aren't silent, we just some more of us to speak up. And my Democrat friends, you've got to join with us, too. This is a dangerous time in our country. All of us read these reports yesterday of supposed armed gatherings at the 50 capitols around our country. What is wrong? What is wrong? We need to evaluate who we are as elected officials. We can have arguments. We

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spent a long day yesterday arguing things that we really disagree upon for legitimate reasons. But you know what? You guys are all here. We all get along for the most part. We disagree on the floor and then we can get along. We have to project that to our constituents and the citizens in the United States as well. January 6 is, other than 9/11, is the darkest day that I've ever lived in my 53 years. And again, to see my friends in a place that I love so much but a place that means so much, not to just country but to this world, that is the... that's the beating heart of democracy. The floor of the United States House of Representatives, the floor of the United States Senate is the beating heart of democracy for our world. We have to defend that vigorously. We can't allow these people to do what they've done. We need to hold them accountable. We need to prosecute them. And we need to move forward in a positive manner so it never, ever happens again. Thank you, Madam Chair."

Speaker Manley: "Thank you, Representative. Chair recognizes Representative Jones."

Jones: "I rise for a point of personal privilege."

Speaker Manley: "Please proceed."

Jones: "I stand before you embarrassed and kind of like I let my colleagues down and I let a family down. You know, two years ago, many of you supported me in passing House Bill 331, which we call the Tamara Clayton Act, where a postal worker was shot in the head and killed on I-57. We passed that Bill to allow the State Police to put up cameras and use it as a tool to catch people who are shooting on our expressways and using our expressways for their criminal activity and killing

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families and taking lives. And I told each and every one of you then that in 2018 that there were a hundred twenty-eight shootings on the expressways. A hundred twenty-eight shootings on the expressways. That was 2018. 2019, there was a hundred sixty-eight shootings on the expressways. It went up. In 2020, during a pandemic, there were a hundred twenty-eight shootings again on our expressways, and twenty of them resulted in people dying on our expressways. And yet, IDOT is doing nothing about it. I had a conversation with the Governor a month ago and asked him to take action because our expressways are being used and people are dying on our expressways. And the Governor... the Governor committed that he was going to do something about it. He was going to push IDOT to do more. He was going to push the State Police to do more. The State Police, they have done more. And the Governor promised me that it was going to get resolved. Well, here we are, January 12, 2021, and nothing has been done. In 2021, there have been three shootings on our expressways again this year, and we're just twelve days into a new year. So, how much are we going to take and how long are we going ask the Governor to keep on letting this go on and using our expressways for criminals to shoot and kill families? So, today, I am going to ask the Governor to either have IDOT do something about it or have the director of IDOT resign. Enough is enough. All the State Police ask for is money and put the cameras on the expressways as a tool to catch these people. And you'd be amazed that out of all of those shootings on the expressways, the State Police, they've only caught maybe ten percent of those who have shot and killed families that we

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know. Now, many of you saw, when I brought Tamara Clayton down and her family, you saw the hurt of her sister when she sat in our chambers. That murder is still unsolved. And yet, we still have murder and shooting after shooting on our expressways, and we can't allow anymore to go on. So, I ask you today that you join me in calling the Governor and urging IDOT to do something today to finish this. We gave them the money to fix this and put the cameras. We're not asking them to reveal the locations, but we're asking them to do something about it today. This has gone on for too long. I've stayed silent for too long. I tried to be patient, but many of you, a hundred and eighteen of us, voted 'yes' for this Bill, for this family. And it's time that the Governor tells IDOT to get off of their butts and do this today. This has gone on long enough, and I plan on standing on this House Floor until they do it and get the job done. It's not about saving the money in the road fund because that money was there that we appropriated. So, I ask my colleagues for their indulgence. Please take your time today and call the Governor's Office, call IDOT and tell them we want to make sure that they do everything that they can to make sure that the Bill we passed, House Bill 331, gets done and the cameras get on these expressways. I hate to stand up here at the end the year and say that we had another a hundred and twenty-eight more shootings on our expressways. So, thank you, Madam Speaker. Thank you for your indulgence. And I appreciate the Body's time."

Speaker Manley: "Thank you, Representative. Chair recognizes Representative Mason."

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Mason: "Thank you. This morning, many of us heard that my Congressman, Congressman Brad Schneider of Illinois' 10th District, has tested positive for COVID. I've been in touch with him, and he's feeling well. But I would like to ask this Body to keep him in his thoughts and his family as well as the other Congressmen and women who have also tested positive recently."

Speaker Manley: "Thank you, Representative. Chair recognizes Representative Ammons."

Ammons: "Thank you, Madam Speaker. Point of personal privilege, please."

Speaker Manley: "Please proceed."

Ammons: "Thank you. Each September 11, we're all reminded of the terrible experience that this country witnessed at the attack on the Twin Towers. And each September 11, we commemorate those lives that were lost in that terrorist act. And the accountability measures that our government took to address the attack our democracy in 9/11 was not a minimal response. In this case, as we stand in solidarity with my Jewish colleagues, we also want to remind others that the T-shirts of swastikas come along with nooses hanging from our Capitol that sends African Americans into a experience of great pain, discomfort, and harm. And yet, the response that we've heard from that attack on the Capitol has been minimal, justifications, inciting language from this Body, from Members on this floor who called us Democratic terrorists. And that the accountability measures that they are receiving, those who've been arrested, some of them are being charged with things like trespassing. They didn't show up for a

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friendly rally. They showed up with the intent to do the harm that they read about in *The Turner Diaries* that many of you probably have copies of. *The Turner Diaries* are literally lain bare right before us and the exercises that we witnessed are written in *The Turner Diaries* of 1973. And so, we don't want to pretend that the attacks were innocent rallies and that people are just upset 'cause they lost an election. This has been written. The extreme actions that were taken by many of those who showed up for that rally with pipe bombs, restraints, weapons, armed, some unarmed. As we watched them bang on the windows to break into the Capitol with everything from a hat that they had in their hands, and sticks, and bottles. That is not a rally. That's an attack. So, we who have been the victim of that kind of terrorism for hundreds of years recognize these actions. And we do call on our Republican colleagues to not just say how bad that was but to actually take action because there's a threat that is on this Capitol, in this state, that is allegedly supposed to happen within the next few days. So, that's not a small task or a small measure. So, I ask all of us to reach out to our Congressional Delegation and ask them to hold accountable the Republican Members who fed this attack and who encouraged this rally and this vicious attack on the U.S. Capitol and the democracy. It's alarming. It also took the lives of several people in our country. So, as we, African Americans, are fighting for the humanity of regular black people driving, walking, biking, eating, talking, whose lives have been taken at the hands of the police, many of whom are members of these national organizations, many of whom that we have documented

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are right-wing conspirators and who take it out on the black community across this state and other states, which is why we have seen the number of deaths. Last year, 1,619 African American men, primarily, were killed at the hands of the police. This is why we're asking for qualified immunity because we have watched our generations snuffed out for the most insignificant of reasons. So, today, we are not just standing up with our Jewish colleagues. We're standing up for the humanity of all American citizens. And it is our obligation and duty. It is our obligation and duty sometimes to push back on those who don't want that type of accountability. The reason why we are still here a hundred and something years after the civil war is because we've not dealt with the underlying issue. W.B. Du Bois wrote *In Souls of Black Folks* that the problem of the 21st century is the problem of the color line. And we are still trying to address that problem. So, to my colleagues on the right and the left, don't pretend that you don't know what qualified immunity really is for. It is to shield the conduct of those who have been shielded for hundreds of years for lynching, murdering, raping, robbing black people in this country. And we cannot, at this moment, be dissuade from dealing with this issue. And so, when it comes your turn to think about what your vote will be on this matter, you think about the lynch ropes they hung from the Capitol. They don't intend to have a conversation with us. They came there to inflict harm and pain on this country and on those that they find in *The Turner Diaries* to be exceptionally outside of American citizenship.

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And so, it is time for us to act, and I call on this Body to do so. Thank you very much, Madam Speaker."

Speaker Manley: "Appreciate you, Representative. We're proceeding to the Order of House Bills on Second Reading. House Bill... excuse me, Senate Bill 1480. Mr. Clerk."

Clerk Bolin: "Senate Bill 1480, a Bill for an Act concerning employment. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Harper."

Speaker Manley: "Representative Harper to explain the Amendment."

Harper: "Thank you, Madam Speaker. I would like to adopt House Amendment 2 and House Amendment 3 and discuss it on Third Reading."

Speaker Manley: "Representative Harper moves for the adoption of Floor Amendment 2 and 3. All those in favor say 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Any further Amendments, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Harper, has been approved for consideration."

Speaker Manley: "Representative Harper, you wish to move... we need to do Amendment 3 now. Want to explain it on Third? Wish to adopt the Amendment?"

Harper: "Yes."

Speaker Manley: "Representative Harper moves for the adoption of Floor Amendment 3. All those in favor say 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Any further Amendment, Mr. Clerk?"

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Clerk Bolin: "No further Amendments, but note requests are outstanding for a state's mandate note, a Home Rule note, housing affordability impact note, and a pension impact note."

Harper: "I move that the notes be ruled inapplicable."

Speaker Manley: "Hold on one second, Representative. Representative Harper moves that the notes be held inapplicable. All those in favor say 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the notes are ruled inapplicable. My apologies. This is going to be a recorded vote. Representative Harper moves that the notes be help inapplicable. All those in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. With 70 voting 'yes', 43 voting 'no', the Motion carries. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Manley: "Third Reading. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1480, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Manley: "Representative Harper."

Harper: "Thank you, Madam Speaker. Senate Bill 1480 is package number two of four of the Illinois Legislative Black Caucus' Economic Access, Opportunity, and Equity Pillar as part of the Black Caucus' agenda to stop systemic racism. I'd like to thank my colleagues for their support last night and going forward as we seek to pass the remainder of this pillar today. This particular section of the... or Bill is ensuring fair wages by ending wage disparities for black women, men, as well as

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people with records. It includes, specifically, conviction records protections. It includes a measure around an equal pay registration certificate. And it also has the business corporation annual EEOC reporting measure. I encourage an 'aye' vote."

Speaker Manley: "Just to let everybody know, we're going to be using a four minute timer on debate. Chair recognizes Representative Batinick. For what reason do you seek recognition?"

Batinick: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Manley: "She indicates that she will yield."

Batinick: "Representative, this is a very big, important Bill. You gave a very brief description of what it does. Can you get into specifically what it does in terms of making it a civil rights violation if somebody doesn't hire somebody because of their criminal record?"

Harper: "Sure. So, our measure relating to the Illinois Human Rights Act, Conviction Record Protection, it's an Amendment to the Illinois Human Rights Act that makes it a civil rights violation to take adverse action against an employee on the basis of a conviction record unless there is substantial relationship between the criminal offenses and the position or granting of employment would involve an unreasonable risk to property or safety of individual of the general public."

Batinick: "Okay. Can you give me a definition of substantial relationship? Because you're really putting an employer that wants to hire somebody in a box here where... how do they define substantial relationship? My concern is that an employer is going to be stuck between choosing not to do business in this

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state because they don't want to accidentally be charged with a civil rights violation because they don't hire somebody because somebody's definition of a substantial relationship can be completely different from somebody else's definition of a substantial relationship when it comes to... when it comes to a job. There's a... that's a broad, broad term."

Harper: "I'm glad you asked. The definition is in the Bill. It's not going to drive employers out of Illinois. It's simply asking that they go through a process when they're considering a person's criminal record or convictions during employment."

Batinick: "Okay. Well, can you give me the definition? 'Cause I don't see the definition. What I see is, is if you choose not to hire somebody because of their criminal record, you now have to wait five days, let them know, then they respond to you in writing about their criminal record, which is a whole other issue. I see an action phrase... an action period, but I don't see the definition of substantial relationship."

Harper: "So, there's a definition for substantial relationship on page 7, starting on line 9. And it says, 'Substantial relationship means a consideration of whether the employment position offers the opportunity for the same or a similar offense to occur and whether the circumstances leading to the conduct for which the person was convicted will recur in the employment position.'"

Batinick: "Okay. Recur in general or recur while doing their job?"

Harper: "What was the question?"

Batinick: "Recur again, meaning the applicant. It happens again during their job or just happens in general?"

Harper: "Recur in the employment position."

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Batinick: "Okay. So..."

Harper: "This language was negotiated. We negotiated this language."

Batinick: "With... with who?"

Harper: "From direct relationship to substantial relationship."

Batinick: "Okay. What... what job creators are supportive of this language... of this Bill? Look, I'm going to... I'm going to let some of my other colleagues kind of... I'll finish up and save the Representative some... we are really stressing out somebody who may want to come to the State of Illinois and hire somebody but isn't sure whether they're going to be accused of a civil rights violation because they don't hire somebody because of a criminal record that has to be somehow directly attached to what the job might be that they're doing in a very specific way. This is not... this is beyond not specific enough. Beyond that, if they want to hire somebody and they have a lot of work that they want to do and grow the economy and do the things that we really need happening in this state, you have a situation where you have to have a five-day waiting period and somebody gets to write back as to why they're conviction record doesn't really affect what their job is. There's a cost to this. I know job creators are extremely fearful of this. I don't think this is going to bring more jobs to the State of Illinois. I know you on the other side of the aisle happen to think that. I just don't... this is going to stare... scare the bejesus out of a whole bunch of employers, and I strongly urge a 'no' vote. Thank you."

Harper: "This Bill is not about pleasing employers. It's not about driving jobs out of the state. It's about... it's about

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preventing discrimination based on whether or not you have a criminal record. Fifty-five percent of people in Illinois have a criminal record. And people with criminal legal system involvement are half as likely to receive offers of employment or interviews than individuals who don't have a record. And the reason why this is such a very important part of the Black Caucus' agenda, the reason why Representative West has been carrying this Bill and I've carried this Bill in the past, is because this hiring disparity is twice the size for black applicants as it is for white applicants. And so, while maybe in your district people with a record don't have a problem getting a job, well that's because in our district, in our black communities, the hiring disparity is twice the size for black people. So, black people with records can't get a job, whereas, white people with records can get jobs at higher rates than black people who don't have records at all. And we have plenty of numbers that say this. So, again, this Bill is not based on helping the employers. I can't tell you which one of them supports it. I can tell you that Cabrini Green Legal Aid supports this Bill 'cause they've been working to pass it for so long. I can tell you that Community Renewal Society supports this Bill. I can tell you that the Illinois Department of Human Rights supports this Bill. And that's enough support that Members of the Black Caucus need to be part of this agenda."

Speaker Manley: "Chair recognizes Leader Wheeler."

Wheeler: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Manley: "She will yield."

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Wheeler: "Representative, I want to ask you about a kind of a real world example, one that I'm thinking back to in my years as an employer. And I think I want to try and connect the dots on one part. You had mentioned earlier... I believe I'm using the wrong words. So, correct me if you would. The... there's not a violation of the Human Rights Act if the job that they would be hired for has a connect... has some other restriction or limitation on it. I bring that up because in my experience in the information technology world we're often given times access to data that can be very, highly protected, secured, and we have restrictions on the people we can bring to those projects. Often times there's have a background check that the contract requires us to go through. And I can't do that same check necessarily ahead of time. So, in a situation... what I'm trying to paint the picture of, is there a liability for an employer who hires a person with a record in good faith and then they find out this contract's going to prohibit them from actually working? Is that one of those cases where the employer would be protected?"

Harper: "This Bill does not take away any employer protections that are under current law."

Wheeler: "Okay, but we're changing so much of current law. That's what I'm trying to find out."

Harper: "And they're protected if they follow the process."

Wheeler: "Okay. Can you outline the process of if... in that situation I just gave you, how would an employer protect themselves? Because there... they can demonstrate that the contract under which that person with a record who'd be working would be restricted because of the fact that the

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contract itself defines that they would be ineligible to work under the subcontractor's contract itself."

Harper: "I'm sorry, can you clarify that for me?"

Wheeler: "I'll do my best. This gets complicated, I understand. So, my company is hired by an organization who's to manage and protect their data. I have access to that data then. The people that I hire underneath my company have to pass a background check according to the contract that I have with the organization. If I hire someone who has... and I don't... I just hire them because I want to hire them. And it turns out later on that they have a criminal background that I wasn't aware of. And then the person that I have the contract with says, hey, you can't have this person working here. Their background prohibits that. Am I, the employer, going to be in any kind of violation if I have to let that person go because they have a criminal background check?"

Harper: "Will you be in violation of what, so to speak?"

Wheeler: "The new... what you're changing here."

Harper: "No, you would not."

Wheeler: "That's why... I want to make it on the record I understand how in my real world experience that the employer is still protected. They still have level of protection 'cause they're doing their best but the actual... the contract itself would prohibit that worker from being part of that project."

Harper: "Yes, correct."

Wheeler: "Thank you for answering my question."

Harper: "Thank you."

Speaker Manley: "The Chair recognizes Leader Durkin."

Durkin: "Will the Sponsor yield?"

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Speaker Manley: "She will."

Durkin: "Representative, the previous... one of the questioners over here on this side of the aisle asked who this Bill was negotiated with. Could you clarify for the Body who you negotiated this Bill with?"

Harper: "I talked with the Department of Labor, Department of Human Rights, Cabrini Green Legal Aid, and the Rocky Coalition, Illinois Chamber of Commerce..."

Durkin: "Okay. Has the Illinois Chamber..."

Harper: "...and all the input from my colleagues over the past four or five days."

Durkin: "All right. The Illinois... I'd like to focus on the Illinois Chamber of Commerce. Have they stated that they support this Bill?"

Harper: "No."

Durkin: "It's not quite negotiation then. So, you should take them off the list of somebody you negotiated with, 'cause it appears that when you say that those groups that were negotiating have signed off on this product. So, is it fair to say that the... that the chamber didn't negotiate with you?"

Harper: "I think it's fair to say that we've had multiple discussions with the chamber about this Bill."

Durkin: "Okay, but they don't support the Bill. Is there any other business entity that has signed off on this? Or, how about this. Any members of organized labor who have signed off on this?"

Harper: "No."

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Durkin: "No. All right. You made a comment earlier that this is not about helping the employers, correct? I believe your words were..."

Harper: "That... I would like to clarify... I will say that's not the primary focus of the Bill as the Representative insinuated."

Durkin: "Oh, words mean something. We've heard that time and time again. And your words to the previous Member of my caucus was this Bill was not about helping employers."

Harper: "This Bill actually does help employers by providing standards for them to consider conviction records in an individual's background. Right. So, it's clear for them."

Durkin: "Well, I want to just go back. They're your words. So, is it supportive or is it not supportive? You've made inconsistent statements about your intentions..."

Harper: "I clarify... Representative..."

Durkin: "...on the application..."

Harper: "...I clarified my statement, and I just clarified it here."

Durkin: "Let me use..."

Harper: "And we can leave it at that and keep it moving."

Durkin: "Well, I'll take my time. I mean, this is an important policy decision we're making with less than a day left in this General Assembly, which will have a significant impact upon the State of Illinois and how this is supposed to be applied. And let me just get into the scenario... when we talked about the conviction record, you stated that there must be a substantial relationship with the previous criminal offenses and the employment sought or held, correct? That's how I'm reading it."

Harper: "Correct."

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Durkin: "So, let me just say that... I'll wait for a second. Okay. So, when an individual has convictions... it doesn't say criminal offenses. Does it mean... can it mean an arrest? That's an offense. Or a conviction? You don't say a conviction. So, it's wide open. And that doesn't exactly help your cause."

Harper: "The law already addressed arrest records and hiring."

Durkin: "I don't think... understand, but what I'm looking at is at (A)(1). It just states a substantial relationship, one or more of the previous criminal offenses. It doesn't state that there has to be a conviction. So, it could be arrest. It could be someone who was arrested but they were released or they were found not guilty. So, you do have a definitional problem in this Bill. But let me get back to the situation. This is... there is a posting for a job in a business in the accounts payable department or within payroll. And an individual who has a previous criminal offense, meaning they could've been charged, let go, or convicted of theft or embezzlement. That's the type of person that the employer would not want to put in that position and would not be in violation of the Civil Rights Act of Illinois, correct?"

Harper: "Correct."

Durkin: "But that same individual who applies for that job who has arrest or convictions for assault, violent crimes, and rape, if they're denied employment, then they would be able to avail themselves under the Civil Rights Act based on your Bill because there is no substantial relationship between that violent crime and that employment position that they are seeking in the... either the, as I said, payroll or accounts payable. Accounts payable. Accounts receivable or accounts

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payable. There's no relationship between that violent crime and also the employment that is being sought because it is not a financial crime."

Harper: "Okay, I understand what you're saying. But in that situation, a employer could still determine that granting or the continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of the specific individuals or the general public."

Durkin: "Well, you inhibit inconsistency then. Then you're saying that between the two sections... I'm not sure what section you're reading from, but you're stating that there has to be a substantial relationship. And what you're doing is that you have a conflict between two provisions in this statute. We're saying on one end it has to be substantial relationship between the position and the offense, but then on the other end the employer can take into consideration and denying that employment based on the safety or health of the individuals in that workplace. So, you have a direct conflict which will create headaches and so much uncertainty for the employer when it comes to the application of this law. And... agree or disagree?"

Harper: "I disagree."

Durkin: "Could you explain why, how you disagree that there's a conflict?"

Harper: "I feel like I've already explained myself."

Durkin: "No, you haven't. Words mean something, Ma'am. And I'm asking you to look at what has been drafted and give some guidance for purposes of legislative intent because we have two sections under this Amendment that are in direct conflict

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when it comes to whether or not an employer can or cannot hire someone based on background. All right. Well, you're not going to answer the question. Let me just say this... and, again, I will say this for the third time, words do mean something. And what we say on the floor and how we explain our Bills are very important. And that is what we are... been doing over here. 'Cause you have to be able to understand how this is going to play out in a court since we are opening up the Illinois Civil Rights Act for a person who has been seeking employment but has been denied employment. This is a civil action. That means that we are triggering the Illinois civil justice system. That means lawyers will be retained on both sides. That means cases will take years, and years, and years. Depositions will take place. Please don't dismiss this. I practice law like many others here do. So, what you have here is a Bill that is not properly drafted, and it is a clear conflict and inconsistent statements that are placed upon the employer in situations when they do find that a applicant does have a criminal background. So, I don't think I'm getting any further with this, but let me just say this. The words earlier that came from your mouth that this is not about pleasing the employer. Well, you know what? Our employers have had a very, very, very, very difficult year, too. They've been kicked to the curb. There have been decisions made at the highest office in this state through Executive Orders, where the Governor has summarily... summarily shut down businesses because of COVID without giving them a fair chance to keep their doors open. Let's talk about the big boxes that were allowed to operate back when COVID's

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Executive Order/stay at home order was allowed. But also the small mom and pops who were forced to shut their doors who now have empty spaces in our communities in Chicago, and the suburbs, and elsewhere in the State of Illinois. So, please be very careful when you say that this is not about pleasing the employer. But, Ladies and Gentlemen, to the Bill. I'm not trying to trip up the Representative, but I think it's in my responsibility to point out a glaring problem with the implementation of this Bill. That is what we do and that is our responsibility to make these types of questions upon a Sponsor because, ultimately, somebody else is going to have to pay the price for this. I encourage a 'no' vote."

Speaker Manley: "Chair recognizes Representative Mazzochi."

Mazzochi: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Manley: "She indicates that she will."

Mazzochi: "All right. Yet again, Representative Harper, this is a Bill where the intent is noble but the statutory language on implementation, as it is written, will actually frustrate your stated purpose and create a whole host of new problems that, I think, simply haven't been appreciated. And, I think, one of the reasons why there's a lack of appreciation is because of the people who were not involved in vetting the language of this Bill. Now, when it comes to who was involved in negotiating the Bill, I noticed you, again, did not say that the Governor's Office was involved in negotiating the Bill. Is that true?"

Harper: "We did not work with the Governor's Office per se, but we worked with the Department of Human Rights."

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Mazzochi: "Right. But the Department of Human Rights, you're basically expanding their jurisdiction and giving them a lot more work and things to do. So, it's not surprising.."

Harper: "And they were happy to work with us to do so."

Mazzochi: "Right. But it's not surprising to me that one particular arm of the bureaucracy is happy to expand its jurisdiction. Did you reach... work with anyone... for example, did the Department of Commerce and Economic Opportunity weigh in on this Bill?"

Harper: "No."

Mazzochi: "Okay. Don't you think that since that's the organization that's dedicated to trying to drive economic growth and opportunity in Illinois to give them an opportunity to have the say on this language?"

Harper: "I think with all of the feedback that I've been getting from everybody about the Bill, and DCEO has contacted me about several other Bills, they have not contacted me about this one, which leads me to believe that they don't have an issue with it."

Mazzochi: "Well, that's a little bit different. When so many Bills get filed and there's limited resources, there's only so much time that these agencies can say. But, you know... but at the very least, you can't say today that the Department of Commerce and Economic Opportunity approves of this Bill, right?"

Harper: "Well, Sonya Harper, the Chairman of the House Economic Opportunity & Equity, approves of this Bill."

Mazzochi: "Sure. But the people who are responsible with administering and growth creation and job creation in

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Illinois, they have not signed on and approved of this Bill, right?"

Harper: "Representative, I just got word, I'd like to clarify for you that we in fact did work with the Governor's Office on this Bill."

Mazzochi: "Has the Governor indicated he's going to sign the Bill in its current form?"

Harper: "No. I haven't... I haven't asked him that."

Mazzochi: "All right. Have you talked to anyone like Choose Chicago, Choose DuPage, Intersect Illinois? Have any of those organizations that are dedicated to trying to bring job growth to the area weighed in on the impact of this Bill?"

Harper: "Are you referring to tourism type organizations?"

Mazzochi: "No. I'm talking about some of the economic growth organizations."

Harper: "I got you. It just sounded like, Choose Chicago, that's a tourism focused organization. So, that's why I asked."

Mazzochi: "They all have economic growth components as well. Have you spoken with any of the regional county economic development offices?"

Harper: "None of them have reached out to me, Representative."

Mazzochi: "Right. But we should be trying to reach out and get input from people on Bills when you're doing such a major policy change. Because, again, if you don't get good statutes that work, you're going to put people out of work. Now, let's try to get to some clarification on some of the language. When you have the conviction record definition that you've included, you say... you've got conviction record means information indicating that a person has been convicted of a

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felony, misdemeanor, or other criminal offense. What's the other criminal offense that you're contemplating there?"

Harper: "It could be anything from any statute in the Criminal Code."

Mazzochi: "Right. But... well, beyond a felony and a misdemeanor, what types of other criminal offenses are out there?"

Speaker Manley: "Representative Mazzochi, can you bring your questioning to... is that... Representative Reick will give you his time. Please proceed."

Harper: "Representative, can you repeat your question?"

Mazzochi: "Sure. You've got felony, misdemeanor, or other criminal offense. I'm just trying to get an understanding as to what else is out there as a criminal offense besides felonies and misdemeanors."

Harper: "Juvenile records."

Mazzochi: "Okay. That's what you're including in that? Anything else that you're trying to include in that besides juvenile records?"

Harper: "DCFS investigations."

Mazzochi: "But that... a DCFS investigation, is that considered to be a conviction?"

Harper: "We're going to look into that."

Mazzochi: "All right. Because, again, I think it's very important because the definition of what you're identifying as information relating to a conviction record is extraordinarily broad. And if it's not clear, your suggestion that an employer is somehow getting clear standards, they're actually not getting clear standards. They're getting impossibly vague standards. Now, one of the other issues that

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comes up, if I'm looking at the definition of person in item 5... on page 5, subsection L... Now, in the last General Assembly, this used to be... and we used to apply the Illinois Human Rights Act to larger employers. Now you've got it being applied to single proprietorships, right? You don't even have to be in a corporate form. You could just be one person who says, you know what? I'm going to hire the neighbor kid tomorrow. And you effectively become a person who is an employer subject to this rule, right?"

Harper: "I'm sorry, Representative. Can you repeat that?"

Mazzochi: "Yeah. Your definition of person, you've defined it as, includes one or more individuals, partnerships, associations, or organizations, et cetera, et cetera, et cetera. So, under this, if a mom decides she wants to hire a babysitter, she has become a person who is subject to this law, right?"

Harper: "If she discriminates."

Mazzochi: "And if you hire somebody to mow your lawn, you've become a person who is an employer under this law, right?"

Harper: "Yes."

Mazzochi: "Right, and you've become subject to this Act. So, anybody who wants to hire anybody for any purpose, no matter how limited in time and scope, you're putting them under a huge liability burden and risk."

Harper: "No."

Mazzochi: "Yeah."

Harper: "I'm only making it so that they can't discriminate."

Mazzochi: "Well, how... but the thing is, the way in which you created this, is the neighbor kid going to be able to say, well, you hired this person who you knew down the street and

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I'm being discriminated against on the next block? Again, this is where you start getting into... you've drafted this language so broad, it starts covering things to the point of absurdity. Now, if you take a look at page 6 of your Bill, under conviction record, you have subpart (A). You said, 'Unless otherwise authorized by law, it is a civil rights violation for any employer, employment agency, or labor organization...' not to discriminate but to '...use a conviction record...', which as we know is very broadly defined, '...as a basis to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment...', et cetera. Now, I would submit that the way in which you have drafted this language, if you are someone who wants to say, I want to help people who have criminal convictions and give them a second chance, and I would like to hire people..."

Speaker Manley: "Representative Mazzochi."

Mazzochi: "I would like to hire people who have criminal histories so that they can get that stuff off you're looking for, that would be unlawful discrimination because you're using a conviction record as a..."

Speaker Manley: "Representative Haas will give you his time."

Mazzochi: "...as a basis to refuse to hire, segregate, or act with respect to recruitment because now you're excluding people who don't have criminal records. So, you're creating, again, a situation where you're actually going to make it harder to hire based on the loose language you've used in this statutory language. Now, let's also get to this question of... I mean, unless you've got a different understanding of what it means to ask..."

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Harper: "I just... I disagree with you, Representative."

Mazzochi: "Well, you can disagree, but I'd like to know why because, again, you've got very broad language in here."

Harper: "IDHR has rulemaking authority."

Mazzochi: "Yeah, but they can only makes rules in connection with what we've authorized here. And what's been authorized here is not only... not just refuse to hire but to act with respect to recruitment, hiring, promotion, renewal, or employment. That is both positive action and negative action that you're talking about. And because of that, if you now try to say I want to try to hire people because... you know, with criminal histories to give them a chance or a leg up, you're still going to create a human rights violation. And I really don't think it's right to say, well, if there's ambiguities or errors in our statute, we'll rely on rulemaking authority to fix it 'cause that's really not how the rulemaking is supposed to work. Rulemaking is supposed to implement what we've put forth and you're making it worse. So, I mean, maybe you can ask staff. What does it mean to act with respect to recruitment, hiring, promotion, renewal, selection for training, et cetera?"

Harper: "To act is to make decisions about recruitment... about recruitment. And as I said, IDHR has rulemaking authority to make any other clarifications that are needed as it relates to this provision."

Mazzochi: "Yeah, but they can't clarify blatant ambiguity. Let me put it to you this way. If you... if an employer wants to think about qualification for jobs, is that acting with respect to recruitment?"

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Harper: "Please repeat the question."

Mazzochi: "Yes. If an employer wants to think about qualifications for a job description, is that acting with respect to recruitment?"

Harper: "No, that sounds like thinking. Or would be thinking."

Mazzochi: "Okay. If an employer posts qualifications for a job description, is that acting with respect to recruitment?"

Harper: "Those are determinations that IDHR can make."

Mazzochi: "No, that's... that's just wrong. That's not how courts work, and that's not how rulemaking works. Somebody's going to go into the Human Rights Commission, they're going to go to a circuit court, and they're going to say, you posted a job and you put this qualification, one way or the other, in the job posting. That was acting with respect to recruitment. That's how a court's going to interpret that. And it doesn't matter what an administrative agency says once you get into the circuit court. Again, you're really..."

Harper: "Representative, we don't know how a court would interpret. You are speculating."

Mazzochi: "Well, I've got a... I'm an attorney. I deal with this kind of stuff all the time in terms of loose language and legislative statutes. And I will tell you that it can lead to very unjust results. And..."

Harper: "Well, that's not our legislative intent."

Mazzochi: "But courts..."

Harper: "I believe I made that very clear. Thank you."

Mazzochi: "But court... but, Representative Harper, courts can't overrule..."

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Manley: "Representative Mazzochi... Representative Daugherty, will you like to give your time to Representative Mazzochi? Please continue, Representative."

Mazzochi: "Courts... thank you. Courts can't overrule, with legislative intent, the expressed words of a statute. So, the fact that you say here today, this was my intent, that can't override expressed words in the statute. So, that's why, again, you're creating a whole host of liability that's not backed... that's going to make it harder for people. And it'll actually disincentivize people from doing job postings. So, for example, one of the ways in which you can actually expand the scope of job applicants is through things like online job posting services, through resume solicitations. If I'm an employer, and I'm a small employer, I'm a single... a sole proprietor, maybe I've only got one or two employees, why would I ever want to use one of those services and run the risk that I am going to get dinged under this statute? It's going to be far more advantageous to me... and, certainly, if I were an employment lawyer, I would encourage them to do this. It's going to be far more advantageous to try to hire through people you know or word of mouth so that you're not even soliciting the resumes or the job applicants who then in turn would wind up getting screened or excluded and then subjecting them to massive liability and litigation. Another thing that you have in here is, and Leader Durkin touched on it, on... in your page 7. When you're talking about a substantial relationship between one or more of the previous criminal offenses and the employment sought or held. So, if someone has a felony conviction for white-collar fraud,

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embezzlement, would that be enough of a substantial relationship for a bank or a law firm that has fiduciary duties to reject that applicant without running afoul of this law?"

Harper: "Potentially, yes."

Mazzochi: "All right. Who is going to decide whether that relationship is substantial and whether it's reasonable to do that or not?"

Harper: "The employers will follow the process that is laid out in the statute and then they will apply their reasoning."

Mazzochi: "And then when someone disagrees with that employer's reasoning, where do they go?"

Harper: "Then they have a cause of action."

Mazzochi: "Right. So... so, anytime... so, the thing is, every employer is... these are really gray words. And when you've just got things like 'substantial relationship', there's going to be a fight over what qualifies as substantial or not and what's reasonable or not because those are not going to be clear standards. Let me give you another example. So, what if a person in general has a theft conviction on their record? And say it's even theft from a prior employer. Can any future employer say, I don't want to hire that person without running afoul of this law?"

Harper: "You know, there's a... there's a case by case analysis for each situation that could arise."

Mazzochi: "Okay. And when... and I can tell you that when the standard becomes case by case analysis, from a lawyer's prospective, that is a nightmare and huge legal liability

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risk because it means there is no predictability. And the less predictable the law is and the less..."

Speaker Manley: "Representative Mazzochi. Representative Halbrook, would you like to extend your time?"

Mazzochi: "All right."

Speaker Manley: "Please continue, Representative Mazzochi."

Mazzochi: "What if you have... what if you have someone with a sexual assault conviction on their record, and I run a domestic violence shelter. Am I allowed to exclude them without running afoul of this law?"

Harper: "Yes."

Mazzochi: "What if it's a pregnancy crisis center?"

Harper: "Yes."

Mazzochi: "What if it's mental health counseling for teenage women?"

Harper: "If it would require an unreasonable risk to property or to the safety or welfare of specific individuals or the general public, yes."

Mazzochi: "Okay. So, what if, as an employer, I believe hiring someone with a criminal record is going to create a hostile work environment under Federal Law? Does that excuse not hiring someone?"

Harper: "Can you elaborate on that, please?"

Mazzochi: "Sure. Let's assume that if I were to hire... let's assume I have a predominately female workforce, and I'm convinced, based on the criminal history of this person, that if I were to hire them I am creating the risk that I'll have a hostile work environment... that I'm introducing a potential hostile

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work environment. Is that allowed to be a good faith reason to not hire someone?"

Harper: "Could you define hostile work environment for me?"

Mazzochi: "We've all done our training. We know what hostile work environment is. There can be all kinds of different ways in which you can reach a hostile work environment."

Harper: "And an example of that would be to..."

Mazzochi: "Sure. I mean, let's say that someone has a history... it could someone has a history of battery. It could be someone who has a history of workforce violence. It could be someone has a conviction for incitement to violence. I can think of whole host of different things."

Harper: "And if there's a substantial relationship between that conviction and the job sought..."

Mazzochi: "Right. But you see, the sheer fact that you had difficulties even understanding what a hostile work environment is and all the different possibilities that could go into all of that, you're creating..."

Harper: "No. No."

Mazzochi: "...too many different variables."

Harper: "You're making an insinuation about what I understand."

Mazzochi: "Well, I ask... I asked the questions. You seemed to have trouble answering. What if a... what if an individual just has a history of recidivism? They... they just are a repeat criminal offender. Is that going to be good enough for an employer to decide I don't want to hire this person?"

Harper: "It depends on the circumstances, Representative."

Mazzochi: "What circumstances?"

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Harper: "It depends on if the granting of the employment would involve an unreasonable risk to the property or to the safety or welfare of specific individuals or the general public."

Mazzochi: "But if someone's a repeat offender, how can you say that there's not going to be a risk to property, for example, if you're an employer?"

Harper: "Well, it depends on what they're a repeat offender of."

Mazzochi: "Well, what if a person has a history of theft, of carjacking, of domestic battery. Is that going to be enough to ensure that an employer doesn't have to hire them?"

Harper: "It depends because the granting or continuation of the employment would have to involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public."

Mazzochi: "Right. Don't you think that if you're a sole... and even if you're an individual employer and you've got... and you get a resume of someone with that criminal history that you might actually be worried you or your property at your business is going to be at risk? Is that reasonable?"

Harper: "It would depend, and that's why you would follow the process."

Mazzochi: "Right. But you see, if I'm an individual... again, if I'm an individual, I don't have an HR department built in. I don't have the money to go spend \$50 thousand every time I want to hire somebody to..."

Speaker Manley: "Representative Mazzochi, I'm going to ask you to bring your comments to a close."

Mazzochi: "All right."

Speaker Manley: "Thank you."

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Mazzochi: "You know, I am someone who is engaged in minority hiring and where we are very proud of taking affirmative steps to engage in minority hiring. And I will tell you that with language like this and liability like this, I would never want to do an open job posting for any of my businesses. And that means the very people you want to have hired, the people where you would want someone to take a chance, you have now made it incredibly expensive for their resume to even cross an employer's door. So, when you do that, that means you're going to get cut out. It means you're not going to get those opportunities that people desperately need. You don't make it more expensive and more risky for an employer to even find out that this person is out there if you want to get them hired. You're raising barriers to employment for the people who need those jobs the most. And, again, I believe that this is well-intentioned. But as someone who has been both a business owner and a lawyer and who has had to deal with kinds of employment litigation issues, not only as an employer but as a member of a public body where these kinds of due process and hiring issues can often come up, even if you are the most well-intentioned and you have a whole HR department crafting your search to be as honest and fair as possible, people won't get hired. You think people..."

Speaker Manley: "Representative."

Mazzochi: "...you know, get cut out in housing."

Speaker Manley: "Representative."

Mazzochi: "Now, you're going to cut them out in jobs."

Speaker Manley: "Representative."

Mazzochi: "And you're going to make their lives worse."

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Speaker Manley: "Thank you. Chair recognizes Representative Tarver."

Tarver: "Thank you, Madam Chair. Will the Sponsor yield? You got to love when people..."

Speaker Manley: "She indicates that she will."

Tarver: "Yeah. You got to love when people preface things with minority hiring. We just hire individuals where I'm from. It's benefitted if the minorities are diverse, but people are clarifying they hire minorities, that tells you where the conversation's going to start. Sonya, I just want to make sure I understand a few things. There was some conversation about this whole substantial relationship thing. That's not something that's new in Illinois law, is it?"

Harper: "No."

Tarver: "Okay. Because right now, if you are a convicted pedophile, let's say, right? You don't get to get a job in a school. Is that right?"

Harper: "Correct."

Tarver: "So this, while it's landmark and important legislation, it's not necessarily earth shattering in a sense that we've never had substantial relationship in statute. Is that right?"

Harper: "Correct."

Tarver: "Okay. I just wanted to make sure. And then, there was a lot of conversation about the Bill being negotiated. Does negotiated mean that whoever you talk to agree with absolutely everything that you put into statute?"

Harper: "Nope."

Tarver: "It means you had a conversation with them, right?"

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Harper: "That's right."

Tarver: "Okay. I just wanted to make sure my definition of negotiation was still okay. Is it a prerequisite that the Illinois Chamber of Commerce agree with the Bill for us to file it?"

Harper: "No, Representative."

Tarver: "For us to move it?"

Harper: "No."

Tarver: "Okay. And has it been your experience that the Illinois Chamber of Commerce has been this bastion of being supportive of important issues in the black community?"

Harper: "No."

Tarver: "Okay. Just wanted to make sure I wasn't missing anything. You know what, to the Bill. Again, when we have individuals who are telling black people how to advocate for black people and patting themselves on the back because they do minority hiring, we have an issue. I think Representative Mazzochi's entire line of question demonstrates the need for a Bill like this. I really do. And it's offensive and... you talk about having training. There needs to be some more diversity training because it's incredibly offensive to tell somebody what's best for them. That's what people have been doing for a long period of time. So, now we have a Bill that we think is best for our community but not only our community. The reason why there's a highlight for us is because we get arrested at disproportionate rates. We get convicted at disproportionate rates. We end up right back in the same neighborhood with less opportunities when we get out of jail and/or prison. So, we need a Bill like this. I want to commend

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you, Sonya, for all of your hard work, including putting up with ridiculous lines question and patronizing language in order to get this thing across the finish line. I will be looking forward to voting 'yes'. And I just want to let you know, because people love to say, 'I'm a lawyer. I'm a business owner.' So, am I, and I support it. And the last quick thing, it's very interesting when people talk about job creators, job creators, job creators. Do you have a definition of job creator? I didn't hear a definition of that, right? So, I just want to say thank you again. If you need any help from me on this or any other Bills, I'd be happy to do it. And people want to pat themselves on the back for being a lawyer or a business owner or helping the minorities, have a seat. I don't care how many times somebody yields you your time, you're going to still sound like an idiot. Thank you."

Speaker Manley: "Couple of housekeeping items. If you're not eating or drinking, will you please put your masks on? If you're not eating or drinking, please... over your mouth and nose. Thank you. Also, once you've spoken, please turn your speak light off. We don't have that ability up here and we've got lots and lots of people waiting to speak. With that, the Chair recognizes Representative Ugaste."

Ugaste: "Thank you. Will the Sponsor yield?"

Speaker Manley: "She indicates that she will."

Ugaste: "Thank you. Representative Harper, how are you today?"

Harper: "I'm good."

Ugaste: "Good. Good. Couple questions 'cause I'd like to clear up something that caught my attention regarding legislative intent. The civil rights violation concerning the conviction

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record, if the conviction records used in any type of discipline, discharge, or anything like that, it's a civil rights violation. What about if someone lies about whether they have a conviction record? Can that person then discharge or whatever without it being a civil rights violation? Or does it still become a civil rights violation? Because that's not clear from what... at least to me from what I'm seeing."

Harper: "So, you're saying if the job applicant lies about their criminal records?"

Ugaste: "Lies about whether they have a conviction record, yes."

Harper: "Let me clarify that for you."

Ugaste: "Okay."

Harper: "I think that we would rely on the Department of Human Rights to interpret that because, at that point, it's not so much about the conviction as it is about the lie."

Ugaste: "Right. So, I guess what I'm asking is, I'm just asking your legislative intent so that people will know. Because it's not ambiguous, it's just not covered. So, are you intending if people were to lie that they would not face a civil rights violation if they acted upon it?"

Harper: "So, our intent is that if someone lies about their conviction the employer would not be in violation of this law."

Ugaste: "Okay. Thank you. Great. Thank you. Concerning the certificate of equal pay, there are currently laws governing that equal pay must occur. Is that correct? In Illinois statute?"

Harper: "That's correct."

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Ugaste: "Okay. Why then do we need the certificate of equal pay as well?"

Harper: "Well, the current laws are not enough. The Census Bureau data tells us that women are still paid 82 cents on the dollar for what men make on average, and it's even worse among women of color. Latino women make 54 cents on the dollar, Native American women make 57 cents, and black women make 62. So, those gaps have major implications for women's economic issues and their success and their long-term earning potential. So, we need to flip the way that those disparities are being addressed. Companies, they need to be proactive if the wage gap is ever going to be fixed. And that's what we're trying to do in this measure."

Ugaste: "Okay. So, as a father of three daughters, I appreciate that. I don't think my daughters should be paid a penny less than any male for the same job they're doing. And I believe Representative Moeller passed a Bill with significant penalties to it if an employer is caught doing that. So, I'm just wondering why we need it but some... just something for you to think about. The EEO-1 form that's going to be created in a... kept in a database with the Secretary of State, that's going to be kept, if the Secretary of State has it, as a matter of public record. Is that correct?"

Harper: "No, this one's private."

Ugaste: "This would be private? Okay."

Harper: "Yes, Sir."

Ugaste: "Okay. Then it would not be made... okay. That's fine."

Speaker Manley: "Representative."

Ugaste: "Yes?"

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Speaker Manley: "Representative Butler would like to give you his time."

Ugaste: "Thank you."

Speaker Manley: "Please continue."

Ugaste: "I'll be quick. I don't have much more. The last part I want to call your attention to is on page 30 of the Bill. It deals with the penalties. The Department of Labor imposing penalties on anyone that does not obtain an equal pay registration certificate. Could you take a look at that for me? It's page 30, line 17 through 22."

Harper: "Okay. All right, what's your question, Rep?"

Ugaste: "Okay. It says, '...a civil penalty in an amount equal to one percent of the business's gross profits.' For what period of time? Because it's not stated."

Harper: "It doesn't say here, but it's for the last calendar year."

Ugaste: "It's for the prior calendar year. Shouldn't we include that so there's no question as to it being for the prior calendar year?"

Harper: "Well, that is my legislative intent. And, if that needs to be, I'm happy to add it."

Ugaste: "Okay. And my other question is... you've chosen one percent of the profits. Now, if a business distributes all of its income to its owners at the end of the year, they won't have any gross profits. Is that right? So, even if they're flagrant violators of the provision you're setting forth, they won't pay any fine because one percent of nothing is still nothing. But if a large corporation whose division makes a mistake and is in violation of this... ends up violating and they have a

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big profit year, they're going to pay a huge penalty. Won't they? I don't think that's your intent. I think you're looking to penalize those who are in willful violation, primarily, versus another type. So, wouldn't it be better, possibly, to alter how the penalty's determined? Or... yeah, how the penalty's determined."

Harper: "I see what you're saying, Representative, and I'm happy to discuss that further with you. It's based on gross profits, which I believe is before they make distributions to shareholders. The percentage versus net profits."

Ugaste: "Well, you know, a profit is only determined by what's left at the end of the year. It's whatever your expenses is. And if I expense out of my business every dime, there's nothing left at the end of the year. Whether it's to me as an owner of the business or whether it's elsewhere. I'm just trying to point out because I think there's a potential problem. We could have people who are willfully violating what you're trying to do and avoiding any penalties. And those who may make a mistake paying substantial sums and then maybe not wanting to do business. So, just... just wanted to point that out. Thank you."

Speaker Manley: "A reminder to everybody, turn your lights off once you've spoke... spoken. Thank you. We've got a lot of people waiting to speak. Chair recognizes Representative Cassidy."

Cassidy: "Thank you, Madam Speaker. Question of the Sponsor."

Speaker Manley: "She will answer your questions. Go ahead."

Cassidy: "All right. We've touched on this a little bit, but I want to be explicit. In the earlier exchange about the

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negotiation process for this Bill, you were essentially accused of lying about negotiating this Bill with some organizations. That's how I interpreted that line of questioning. So, I want to ask a really simple question, which is, in your interactions with the chamber, were there asks made by them?"

Harper: "Yes."

Cassidy: "And were some of those accepted? In other words, there are two things in the Bill that..."

Harper: "Yes. We took some of their..."

Cassidy: "...reflect to their desires."

Harper: "We took some of their recommendations."

Cassidy: "Yeah, we took some of their recommendations, and we didn't take some others. Were there organizations from our side of the aisle, if you will, or from our usual allies that asked for things that didn't get into this Bill?"

Harper: "Definitely."

Cassidy: "That's what I figured because negotiation isn't capitulation, right? You would agree those are different things?"

Harper: "That's right. We... we negotiated a substantial amount from this Bill. It had a lot more in it and, over the years, it just wasn't negotiated for this Black Caucus agenda. We have been negotiating this Bill over several General Assemblies. So, there has been lots of talks around this legislation. It is not new."

Cassidy: "So, just like the other pillars, it frequently includes things that have been in process for many, many years. I know that in Representative Slaughter's criminal Bill, it actually

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includes some legislation that I've carried over the years, that you have carried over the years. We've married these up."

Harper: "Exactly, Representative."

Cassidy: "So, this is not the first time we're talking about pretty much any of this."

Harper: "You're correct."

Cassidy: "Thank you. To the Bill. I feel like I have fallen into an episode of hypotheticals gone wild with all of these various nightmare scenarios looking for a way to make this Bill the bogeyman. Again, we are at a critical point in our history. We have generations of errors and injustices to correct for, and we're just getting started. It is time to pass this Bill now. Thank you."

Speaker Manley: "Thank you, Representative. The Chair recognizes Representative Murphy. Representative Murphy. Don't run. You're good."

Murphy: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Manley: "She indicates that she will."

Murphy: "Thank you very much. In my previous career, I had opportunities to hire people with convictions many, many times. And so, my question... I only have one question, by the way. My question is... this is a real life scenario. I have a position open. I have multiple applicants, several of them with convictions. I hire one who has convictions. What is my liability with the others with convictions come back with me, file a civil suit due to the fact that they had a conviction and was not hired? Is there any liability for that employer? I'd just like to get that on the record."

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Harper: "No."

Murphy: "So, that employer would be safe in regards to that particular hire. Thank you very much. I just wanted to get that on the record."

Speaker Manley: "Thank you, Representative. Chair recognizes Representative Morrison."

Morrison: "Thank you. Thank you, Madam Speaker. I'm just going to look straight to the Bill. I do agree with a lot of the points that have been made on this side, but I want to provide another concrete example from the perspective of a small business person in Illinois. We know that in your districts all across the state, there are individuals, families that have signed onto... signed national franchise agreements. They're independently owned and operated small businesses working with a national or state franchise, but there are agreements that they have to abide by if they're going to work with that franchise. In our specific case, we are a cleaning and restoration franchise, and a huge percentage of our business came from national leads, or leads negotiated at the national level by which we were able to put our people to work. One of those agreements that we had to sign prohibited anyone on our staff from having a violent criminal conviction or breach of trust. Before that specific agreement was signed, we did have someone... we did hire someone who we knew had a breach of trust conviction. She revealed that to us in the interview. We thought she was a good candidate, a good fit. We hired her anyway. But when this new agreement came down, we had to make a choice. We either forgo 75 to 80 percent of our business to keep this one person on. That was the

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decision. And it broke our hearts but we could not... we could not keep this person on staff. And, again, there are, I think, good intentions here. I have supported some of the other second-chance legislation that has been brought to this floor. I cosponsored some of those Bills. But this one is going to have real harmful, unintended consequences to our state, to the employers, to those who are potential job creators for our state's residents. And so, that's why I would urge a 'no' vote."

Speaker Manley: "Chair... Chair recognizes Representative McCombie."

McCombie: "Thank you, Speaker. Will the Sponsor yield for a couple questions?"

Speaker Manley: "She indicates that she will."

McCombie: "Thank you. Representative, are you familiar with the federal program, the Work Opportunity Tax Credit?"

Harper: "Can you explain it to me, Representative?"

McCombie: "Yeah. It's an employment and training program. It's on the federal side to help targeted groups, especially ex-felons and businesses. I'm familiar with this. I've got a very ambitious accountant in my hometown of Savanna and a business that uses this tax credit quite often to give opportunities to ex-felons in our community. And it is a financial benefit for the business and also... then also helps give a second chance to somebody coming out to try to get their life back in order. It's a 5 percent credit of the wage their paying, up to \$1500 a year. So, during the years that you've been discussing this legislation, have you ever considered something other than regulatory avenues that hurt

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growth? Have you considered incentive avenues like this, expanding something? Rather than recreating a wheel, expanding something to help growth and give second chances."

Harper: "Yes, Representative. I actually had a couple of Bills in the past General Assemblies giving tax credits to people who hire people with records. So... and we've had... many caucus Members have worked on this issue in the past. So, this... that is an area that we have explored. We found that it's an option that is not very popular, especially in our districts. But, yes, we are open to exploring all options as it relates to expanding benefits, expanding employment opportunities for all people, but especially people who have been caught up in this system of mass incarceration that's leading a detrimental economic impact on generations in our black communities. And so, that's the real cause of..."

McCombie: "Do you mind... do you mind me asking..."

Harper: "...of what we're trying to get to in this Bill today."

McCombie: "Do you mind me asking why that would... this to help... why would that be not good for your districts? I guess I'm confused."

Harper: "I'm sorry. Can you clarify? What did I say wasn't good for my district?"

McCombie: "No, why... why this... this wouldn't be good for your districts, this... I mean, in place of this? Because this would be... I would see business communities and like helping you and standing behind this rather than saying..."

Harper: "Oh, you're... you're saying in place of. You're saying I should do the tax credit idea instead of this Bill? That that would..."

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McCombie: "No, no, no. Just if you explored this during your years of talking about this."

Harper: "I'm telling you, yes, Representative. I have filed Bills that have done just that."

McCombie: "Okay."

Harper: "Yes."

McCombie: "And this never came to the floor or..."

Harper: "Yeah. They have... it passed. To be honest, we have laws on the books that already give tax credits to companies who hire ex... we, in the State of Illinois, we do. What we need to do is do a study to see how many people are actually taking advantage, how many companies have actually taken on those tax credits, and how many people have gotten jobs as a result of that to see if that program is being effective, see if that program is being effective."

McCombie: "That would be great to know."

Harper: "Yeah."

McCombie: "If you could give me that information, 'cause I don't know of any Illinois programs that give credits like that, just federal. So, if you could get that to me, that would be great."

Harper: "So, here's the other thing, too. We pass so many laws on all of these subjects all the time. And it could be maybe that it's in statute, but it's just not being implemented. You're right. So, I can't point to the particular program. I can ask staff about it for you."

McCombie: "That'd be great."

Harper: "Yes, Ma'am."

McCombie: "Thank you."

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Speaker Manley: "Chair recognizes Representative Windhorst.
Where'd he go? There you go."

Windhorst: "Thank you, Madam Speaker. I was trying to navigate the speak button. I'm sorry. Representative Harper, thank you for your patience on this. I just have a question regarding the use of conviction record as it relates to positions that require certification or licensure. Is there any exemption in this Bill that would exempt positions that require certification or licensure from falling under the purview of that Act?"

Harper: "No."

Windhorst: "Now, there... we may and probably will consider a Bill that deals with certification of police officers, potentially later today or tomorrow. That Bill will say if a police officer has a certain conviction that they can't be a police officer. Can't be hired, would have to be terminated. Do you see where that could create a conflict with this law?"

Harper: "That's not current law. So, I can't speak to that. I'm not the expert on that..."

Windhorst: "No, I understand. But I guess what I'm getting at is I think it would be easy in this Bill to put an exemption for positions where a person cannot work in the position if it requires a certificate or licensure that they cannot obtain because of a conviction. That would eliminate any conflict of laws or confusion."

Harper: "Okay, thank you. We'll definitely take a look at that."

Windhorst: "Well, I'm assuming that here shortly this Bill's going to come for a vote. So, is that something you're going to talk about after the Bill is heard or..."

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Harper: "We can continue."

Windhorst: "...are we going to pull it from the record? What is the plan? I'm sorry."

Harper: "No, I'm not pulling the Bill from the record."

Windhorst: "Okay."

Harper: "But I can continue to take a look at clarifying those things further in the 102nd General Assembly. And if that's something you would like to help me, I'd love to talk about it and continue the conversation."

Windhorst: "We need to take a look at it. I don't... I think one of the things we need to make sure we're doing when we're looking at large piece of legislation, we don't create conflicts among them. So..."

Harper: "I agree, definitely. Yes."

Windhorst: "Thank you."

Harper: "Thank you, Representative."

Speaker Manley: "Chair recognizes Representative West."

West: "Thank you, Madam Speaker. To the Bill. I'm excited to be one of the co... the chief Sponsors to this Bill. I'm not a lawyer. I'm not a business owner. But I an expert in workforce development and career development. And in all my time of working people to find jobs and working with people to prepare themselves to get jobs, the biggest issue I've seen... and the majority of those people are not just students, like 20, 23, 24. These are people in our age brackets, 30s, 40s, 50s, who find themselves still not able to get a job based on something that happened when they were 17, 18, 19. We call that what? Being young and dumb. I don't know if Abraham Lincoln said that... said this but one of my favorite movies is *Lincoln*. And

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it says in that movie if you can look through the seeds of time, and tell me which grain will grow and which one will not, speak then to me. All these hypotheticals that has no specifics to it. All these hypotheticals of what if, what if, without really appreciating that it could be case by case. We have to come to the... we're here to help you understand where the Black Caucus is coming from. Where black people... not just black people, not just brown people, but a lot of people, even white people, where they find themselves because of something that even small, even if it's an arrest, something that they did that is keeping them from doing even the most... even the most acceptable of jobs working at one of my favorite fast food joints, Beefaroo in Rockford. And so, what this Bill... this Bill is not a slap on the wrist to our employers. This Bill is not trying to take away protections from our employers. It's trying to make... give it a fair shake, empower even those who went through the penal system where they were supposed to do the most foundational thing. The most foundational principal behind our criminal justice is rehabilitation. And then they come out, and they're still being penalized for something that they did years, decades ago. And so, I can... a lot of us, we understand your questions, though hypothetical, but please understand that this helps our state putting more people to work. If the job specifically affects... if the background of the individual specifically affects the job itself, the property, or the protection of those in your workforce, you have the right to not hire them. Going based on hypotheticals is not... it's what kept people down. What if this is why people are still... still have their

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face to the ground. What about this, is still keeping people with... that has no bootstrap... boots. How can we lift ourselves from the bootstrap when we only operate on hypotheticals? So, please understand... and you... my Republican colleagues, you know I don't really do this. You know I really don't look at y'all and talk to y'all. I've gained that rapport with a lot of you. But please understand that this Bill is to help everyone. And like it was said earlier, rising tides lift all boats. This Bill is to help everyone and anyone. And if the crime... if the crime fits, then you don't have to hire them. If the criminal background fits, then you don't have to hire them. And so, I want to thank Representative Harper for all the work you've done. I want to thank the entire Black Caucus for the work you've done. To the stakeholders that helped us with this Bill, I want to thank you as well, because this Bill is to help our communities, every single one of our communities. And the... so that we can ensure that we have more taxpayers who are working..."

Speaker Manley: "Representative, Representative Carroll will give you his time."

West: "Thank you. Thank you, Sir. So that we have more taxpayers who are working and who are too busy making money and understanding their worth to be... to do things that are criminal. I think we can all agree that a lot of crimes that people commit are not of ill intent. A lot of it is out of desperation. A lot of it is out of support for their families, doing what they can because they can't find that job or that... can't get hired because of this one little thing that they did that has nothing to do with driving a bus, that has

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nothing to do with flipping burgers even. Now, those are the smaller jobs I'm talking about. So, you still... there's still protections in place for our employers, and Representative Harper has been explaining that. And Representative Harper has been explained that. So, Madam Speaker, I move to call the question... the previous question."

Speaker Manley: "Representative, your Motion's out of order. We are now moving to the last speaker. Chair recognizes Representative Davidsmeyer."

Davidsmeyer: "Thank you. I do appreciate the opportunity to talk. And one of the things I want to bring up is, when we talk about hypotheticals, the one thing that we're trying to do is get rid of any gray area. And when... the less gray area that's in a law, the less we have to rely on the judicial system to figure out what we actually meant when we created the law. So, I think a lot of the questions and the answers are... are trying to get to a point where we make this law as concise as possible so it will work the way we intended. Throughout the nation, Illinois is known as a judicial hellhole. Litigation in the State of Illinois is out of control, and the more we can make this concise, the better off we are. And that is why we are asking hypotheticals. We are trying to close gaps. We are trying to make this law work better. And this is what I was talking about last night. If we were able to be at the table during discussions, we can help make these laws work better. I mean, these are goals that we should all be... you know what? If somebody comes out of prison and they're living off the government, that doesn't help anybody. That's why we have stepped up on this side of the aisle. Many of us have

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voted to provide opportunities for people who have made a horrible decision, like you said, as a young man or young woman, right? Bad decisions have consequences. But you know, you do your time, right? And hopefully DOC will provide some type of reform, which they don't do very well but they should. So, earlier, one of the Representatives asked about negotiating with local economic development organizations, and you said they had not reached out to you. I kind of take notice of that because Amendment 2 and Amendment 3 were both filed yesterday. So, I don't think that those groups had time to come forward. And I think we're rushing a lot of things. I think... I don't see a difference between passing this now and passing this in March. But, that said, does this Bill have an immediate effective date?"

Harper: "Yes."

Daidsmeyer: "Okay. A question of the parliamentarian. If this has an immediate effective date, how many votes are required?"

Speaker Manley: "The answer to your question is 60."

Daidsmeyer: "Why? After January 1? Okay. I just... that was a question that I had. I was going to request a verification. I'm not going to request a verification 'cause I think you're going to have the votes to pass this. I just... we want to provide more opportunity for individuals to get jobs. We don't want to be forcing employers into situations where they have to accept an individual purely because the State of Illinois says they have to. At some point, these businesses should be able to come back on the State of Illinois and say, I wasn't going to hire this guy, but you guys made me, and he stole all my tools or he did this. I mean, at some point, we should

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be liable for some of these things. I understand the direction that you're trying to go. Once again, please let us be part of it. We can help. As I said, we can help. I feel like we're shoving all these things through because it has to be done by tomorrow at noon, when we could make it better. We can make it work. We can hire... provide more opportunity for more people. And we're just... we're doing it because of the perception, not because we want to get it right and actually help people. So, I'm going to vote 'no' because I don't think this is the right direction to go, and I think there are many other things that we can do to make this better."

Speaker Manley: "Representative Harper to close."

Harper: "I encourage an 'aye' vote."

Speaker Manley: "The question is, 'Shall Senate Bill 1480 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 70 voting in 'favor', 43 voting 'against'. This Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Davis: "Davis in the Chair. On the Order of Second Reading, there is Senate Bill 1980, Representative Harper. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1980, a Bill for an Act concerning local government. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Harper."

Speaker Davis: "Representative Harper on Floor Amendment #2."

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Harper: "Thank you, Mr. Speaker, Members of the General Assembly. I would like to adopt House Amendment 2 and discuss it on Third Reading."

Speaker Davis: "Representative Harper moves for the adoption of Floor Amendment #2. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Any additional Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments, but the following note requests remain outstanding. The balanced budget note, a Home Rule note, a housing affordability impact note, and a judicial note."

Speaker Davis: "Representative Harper on the notes."

Harper: "I move that the notes be ruled inapplicable."

Speaker Davis: "Representative Harper moves that the notes be made inapplicable. Representative Batinick."

Batinick: "Yeah, voice vote's fine."

Speaker Davis: "So, Representative Harper moves that the notes be made inapplicable. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the notes are ruled inapplicable. Anything else, Mr. Clerk?"

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1980, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Davis: "Representative Harper."

Harper: "Thank you, Mr. Speaker and Members of the General Assembly. I'm pleased to present before you Senate Bill 1980

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as package number three of four of the Legislative Black Caucus' Economic Access, Opportunity, and Equity Pillar as part of the Black Caucus' agenda to stop systemic racism. This section here deals with several different measures. We're talking about property tax redemption in this measure. We are improving housing access for those with criminal records. And I encourage an 'aye' vote."

Speaker Davis: "Thank you very much, Representative Harper. Representative Thapedi, for what reason do you rise?"

Thapedi: "Mr. Speaker, I move that this matter be put on Short Debate. And I think there's at least seven other Members that would agree with me on that."

Speaker Davis: "It's already on Short Debate."

Thapedi: "Thank you, Mr. Speaker. I see it says Floor Amendments, and it should be a two, for Short Debate if I... if I'm reading the rules correctly."

Speaker Davis: "Okay, Representative. It... Calendar indicates that it will be on Short Debate. So, we will... it is on Short Debate."

Thapedi: "All right, and that'll be a two-minute presentation by the principal Sponsor and then two by a Member in response. One minute by the principal to close, or yield to other Members, provided at the request of seven Members before the close of debate, the debate status shall be open to Standard Debate. And I think that there's... I hope my Motion is in order. Thank you, Mr. Speaker."

Speaker Davis: "Okay. Thank you. Thank you very much. It will be on Short Debate, as indicated. Representative Batinick, for what reason do you rise?"

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Batinick: "Quick inquiry to the Chair."

Speaker Davis: "The Chair..."

Batinick: "We haven't been... we haven't been here for eight months. We don't expect to debate this Bill to death, but it is an important Bill and we got almost no explanation of what the Bill really does from the Sponsor. I just want to have enough time to clarify it for my caucus exactly what the Bill is doing. But this will not be a super long debate. I'm fine with it being a shorter debate. But two, two, two, I don't think that's the rules of Short Debate."

Speaker Davis: "Representative Thapedi."

Batinick: "I think I need seven people to raise their hand or something to take it off of Short Debate. Seven Members on our side if we can..."

Speaker Davis: "Okay. So..."

Batinick: "And it's going to be... Representative Thapedi, it is going to be extremely quick. I can assure you that."

Thapedi: "But what does... what does that mean in English? I don't..."

Batinick: "We want to take... it's going to be as clear as some of the legislation that we're passing today. We're probably looking at a 5, 10 minute debate."

Thapedi: "Five or ten minute..."

Batinick: "Yeah."

Thapedi: "...for the entire time for the debate on..."

Batinick: "From our side, yeah. As long as it's not... we're probably spending more time debating this than we're going to spend debating this."

Thapedi: "Okay. Well, I'll take you at your word, Mr. Batinick."

Batinick: "Thank you."

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Thapedi: "You're a scholar and a gentleman. So, if you're telling me that this debate is going to last no longer than 5 to 10 minutes on the entire legislative measure, I'll withdraw my Motion. How does that work for you?"

Batinick: "Thank you, Sir. Thank you. Excellent. Fantastic. Appreciate it."

Speaker Davis: "Okay. So, Representative Thapedi withdraws his Motion. The Calendar indicates that the Bill will be on Short Debate. So, we will go back to the four minute timer, Representative Batinick?"

Batinick: "I thought we had the seven hands. Okay, we'll do our best."

Speaker Davis: "Oh, for unlimited debate. Oh, I'm sorry."

Batinick: "Standard Debate."

Speaker Davis: "I'm sorry. Standard Debate."

Batinick: "I got to get my..."

Speaker Davis: "I apologize."

Batinick: "...gang going here, too."

Speaker Davis: "All right. So, the Bill will be placed on Standard Debate. But as you've indicated, it won't be a very long debate."

Batinick: "Correct."

Speaker Davis: "So, with that reason, for what reason do you rise then, Representative Batinick?"

Batinick: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she'll yield."

Batinick: "Thank you, Representative. It looks like this covers, in many ways, what the last Bill did regarding criminal history but it's regarding housing. But it looks like things

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that are organized under housing authorities. Is that correct?"

Harper: "That is correct."

Batinick: "Okay. That's fantastic information. And then, what is the exact \$80 charge in Cook County? Can you explain that a little bit?"

Harper: "The \$80 is referring to the indemnity fee paid by tax purchasers for a certificate of purchase."

Batinick: "Okay. I have no further questions. Thank you."

Speaker Davis: "Thank you, Representative Batinick. Representative Evans, for what reason do you rise? Representative Evans, your light is flashing. Okay. We'll come back. Oh, it's off now. Representative Wheeler, for what reason do you rise?"

Wheeler: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she'll yield."

Wheeler: "Thank you very much. Representative, I have just one very quick question I wanted to understand. This is referring to housing authorities. Is that correct?"

Harper: "Yes, Sir."

Wheeler: "Does... that applies to public housing rather than housing in general. Is that a simple reflection of your intention?"

Harper: "Correct."

Wheeler: "So, in other words, a standard landlord is going to track the same things that the housing authorities are going to have to track for this Bill?"

Harper: "Can you please repeat that?"

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Wheeler: "A landlord with just a few units is not going to have to track the same reporting requirements as what a housing authority would for public housing?"

Harper: "No. It's public housing."

Wheeler: "Thank you. Just wanted to clarify that. Thank you very much."

Harper: "Thank you."

Speaker Davis: "Thank you very much, Representative. Representative Ford, for what reason do you rise?"

Ford: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Davis: "State your inquiry."

Ford: "Mr. Speaker, will you promise to give this Bill it's just due and give it a 'ding' when you call for the vote?"

Speaker Davis: "Absolutely."

Ford: "Thank you."

Speaker Davis: "Representative Evans, are you not wanting to speak? He is the last speaker if that what he's... okay. Representative Evans does not wish to speak. That being said, Representative Harper to close."

Harper: "I encourage an 'aye' vote."

Speaker Davis: "The question is, 'Shall Senate Bill 1980 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. The voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? As they are scurrying back to their tablets. Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', and no one voting 'present', this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Williams, for what... Ann Williams, for what reason do you rise?"

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Williams, A.: "Thank you, Mr. Speaker. Just a quick comment."

Speaker Davis: "Please state your comment."

Williams, A.: "One of our new Members, Representative-Elect Wang Stoneback, pointed out to me the following information that's a bit sobering. The average number of new cases of COVID in Illinois was 690... 6,999 cases yesterday. About the same as it was the day before. Since January of last year, at least 1 in 12 people who live in Illinois have been infected, and that's higher than the national average. In addition, 1 in 654 have died. These statistics are shocking and a reminder that with everything going on here we still have to remember what's happening out in the world at large, and it's very scary, and it's very dangerous. And on that note, COVID testing is available in the basement. And the people administering the tests are pointing out, they've only been visited by 10, 15, 20 people a day. They have much more capacity than that. So, please join me for a daily COVID test. It's a lot fun. It's easy, not too painful, and just stay safe."

Speaker Davis: "Mr. Clerk, on the Order of Second Reading is Senate Bill 1792. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "Senate Bill 1792, a Bill for an Act concerning regulation. The Bill was read for a second time, previously. Amendment #2 was adopted in committee. Floor Amendments 3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Representative Harper."

Speaker Davis: "Representative Harper on Floor Amendment #3."

Harper: "Thank you, Mr. Speaker. I would like to adopt Floor Amendment 3 and discuss it on Third Reading."

Speaker Davis: "Representative, do you want to adopt both?"

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Harper: "Oh, sorry. Sure, yes. I'd like to adopt both."

Speaker Davis: "Oh, I'm sorry. I'm told they have to be done separately. So, on Floor Amendment #3... Floor Amendment #3 is offered by Representative Harper, have been approved for... oh, that's the Clerk's line. Sorry. Representative Harper moves for the adoption of Floor Amendment #3. All those in favor vote 'yes'; all those opposed vote... excuse me, say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yeses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Harper."

Speaker Davis: "Representative Harper on Floor Amendment #4."

Harper: "Thank you, Mr. Speaker. I would like to adopt Floor Amendment #2... 4 to Senate Bill 1792."

Speaker Davis: "Thank you very much, Representative. Representative Harper moves for the adoption of Floor Amendment #4. All those in favor say 'yes'; all those opposed say 'nay'. In the opinion of the Chair, the 'yeses' have it. And the Amendment is adopted. Any further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments, but note requests are still outstanding for a state mandates note, a Home Rule note, and that is all."

Speaker Davis: "Representative Harper."

Harper: "I'd like to move that the notes be ruled inapplicable."

Speaker Davis: "Representative Harper moves that the notes be ruled inapplicable. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yeses'

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have it. And the notes have been ruled inapplicable. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1792, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Davis: "Representative Harper, Senate Bill 1792."

Harper: "Thank you, Mr. Speaker and Members of the General Assembly. Senate Bill 1792 is package number four of four of the Legislative Black Caucus' Economic Access, Opportunity, and Equity Pillar as part of the Black Caucus' agenda to stop systemic racism. I'd like to thank my colleagues for their support thus far, and going forward, as we seek to pass the remainder of our pillar today. This section/Bill is ensuring industry specific equity, including a Cannabis Equity Commission, a disparity study for black farmers and the beauty supply industry, as well as the capping of predatory payday loans. I encourage an 'aye' vote."

Speaker Davis: "Representative Thapedi, for what reason do you rise?"

Thapedi: "Mr. Speaker, again, I move pursuant to Rule 52 for Short Debate. In the event that I can have a similar agreement as to the last one, I'm willing to withdraw my Motion. I do have the agreement to truncate the debate to... how much time, Mr. Batinick? Five to ten minutes. And I'll withdraw my Motion on that agreement, Mr. Speaker."

Speaker Davis: "Thank you very much, Representative. That being said, Representative Davidsmeyer, for what reason do you rise?"

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Davidsmeyer: "Question of the Sponsor."

Speaker Davis: "She indicates she'll yield."

Davidsmeyer: "So, do we know what type of costs this will have to the State of Illinois overall?"

Harper: "No, we don't have that information."

Davidsmeyer: "We're creating a new, I believe, a new grant or something through DCEO. Is that correct?"

Harper: "Which measure are you referring to?"

Davidsmeyer: "The Water Innovation Grant Program."

Harper: "The Water Innovation Grant Program?"

Davidsmeyer: "Is that correct?"

Harper: "I believe you may be reading a previous version of the Bill, Representative. We have adopted Amendments that has taken out any references to water programs."

Davidsmeyer: "I'm looking at our analysis, and it says Floor Amendment 3. Oh, Floor Amendment 4 took that out. So, can you go through really quick and explain the pieces of this Bill, just very briefly?"

Harper: "Sure. So, we have a disparity study for black farmers, which requires the Department of Agriculture to conduct a study to determine the economic and other disparities associated with farm ownership and farm operations in the State of Illinois between black farmers and other socially disadvantaged farmers. We have a provision for the Cannabis Equity Commission, which creates a commission to ensure the equity goals in the CRTA are met. We also have a disparity study relating to the beauty supply industry, requiring DCEO to conduct a study to determine whether discrimination exists in the beauty supply industry and to provide recommendations

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for eliminating whatever barriers do exist there. And then, we also have the anti-predatory lending measure, which cuts the allowable annual percentage rates for loans, including payday loans, small consumer loans, and title secured loans at 36 percent."

Davidsmeyer: "I appreciate that. Quickly, on the Ag, the farmer study. It'd be interesting to see how many of the small farmers have gone out of business over the... since the 80s. I know there that were some hard times in the 80s. It'd be interesting to see the trends that have happened to current farmers as well, without relation to a race. If you want to include race, would be... would be fine. I have concerns on the payday loan lending, which... I filed a Bill last year to get rid of payday lenders. Since then, I've had a lot of conversations with those individuals. And my concern is that we may be taking away the last line of defense for somebody who needs to borrow money. Did you have any conversations along those lines with those individuals?"

Harper: "I've had many conversations along those lines with individuals."

Davidsmeyer: "So, if... if this 36 percent, which still sounds fairly high... if this 36 percent is not enough to maintain those businesses and they are still not there, where does a person go who does not have the credit to go to a normal bank or another lending institution? I think... I think studies show that they go to their family first before they go to these. So, I think they've already, probably, gone through a bank that's denied them. They've gone, probably, to their mom or dad, or grandma or grandpa, or somebody that has said, 'Look,

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I really can't lend you the money.' Where do they go from there?"

Harper: "Yeah, they can... they can go to a number of other resources such as CDFIs, online lenders, banks, installment lenders. And like you said, family and friends."

Davidsmeyer: "Yeah. So, I just... and I'm not standing up for... I filed a Bill that looked to decrease the percentage rate. I think going down to 36 on some of these really short-term, risky loans is difficult. Even though it sounds high, there's such a quick turnover. I have concerns that this is going to take away the ability for a lot of low-income and poverty level individuals who do not have credit to even find any type of dollars to help them out in their... in their time of greatest need. I certainly would look forward to working with you in the future to try to figure out a way to make it work for everybody so that it's not predatory. I think that's the goal is to make sure that you're... you know, everybody knows what's happening and all that. But we don't want to take away these last ditch opportunities when it may be the only opportunity for somebody. So, thank you very much."

Harper: "Thank you, Representative."

Speaker Davis: "Representative Ugaste, for what reason do you rise?"

Ugaste: "Thank you. Will the Sponsor yield?"

Speaker Davis: "She indicates she'll yield. If you spoke already, can you please do us a favor of turning your light off? Your speak light off. Representative Harper, she'll yield."

Ugaste: "Thank you. Representative Harper, just quickly so everyone on my side is aware. You went through what is in the

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Bill. Originally, in a prior Amendment, there was the Lead Service Line Replacement and Notification Act. That's been completely removed. Is that correct?"

Harper: "That is correct."

Ugaste: "Okay, thank you. Concerning the predatory lending, and on page... I'm referring to the Amendment 3. I don't have the latest. It's in Section 1 though. It talks about an annual percentage rate of 9 percent. Now, I know you're capping it at 36. I'm just wondering what the 9 percent refers to."

Harper: "It has to do with licensing and the Consumer Installment Loan Act to require certain lenders making loans where the annual interest rate is 9 percent or more to be licensed by IDFPR."

Ugaste: "Okay. Okay, thank you. To the Bill."

Speaker Davis: "To the Bill."

Ugaste: "My friends and colleagues on the other side, C.D., Representative Davidsmeyer, covered it earlier a lot. Please know that just because we're here on this side doesn't mean we don't want to work with you. And I said back in May when we were discussing the budget, I didn't come here to vote 'no'. I really just came to try and help the state as all of you are. And sometimes we have different ideas as to how that works. And I look forward in the 102nd General Assembly, which will start soon, because I fortunately will be part of it, to working with all of you a lot more, I hope, so that maybe we can avoid these long Sessions and these questions and we discuss them in advance so that the debate would be shorter or possibly nonexistent. So with that, I will be voting 'yes' for this Bill. Thank you."

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Harper: "Thank you, Representative. I look forward to working with you as well in the 102nd."

Speaker Davis: "Thank you, Representative. Representative Hammond, for what reason do you rise?"

Hammond: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Hammond: "Thank you. Representative Harper, I want to give you kudos for having to stand a lot the last couple of days. You're doing great. I have a real quick question, if I may, when it comes to the farmer equity aspect of this. And you may not have the information now and that's okay, you can... we can talk about it later, how you are going to define farmer. Is it... are we talking someone that raises livestock? Someone has corn and beans, specialty crops? Are we looking at something like Gotham Greens? Are we thinking of that as a farming operation? So, just how you are going to define the scope of farmer."

Harper: "So, yeah, we're defining the scope of farmer the same way that we defined the scope of farmer in the Farmer Equity Act that is now law. And so... well, I can't say it verbatim. It does include... it's not just urban agriculture, right?"

Hammond: "Right."

Harper: "It includes all farms..."

Hammond: "Okay."

Harper: "...and all crops. So, yeah. That is the definition."

Hammond: "So, urban and rural across the state?"

Harper: "Urban and rural, it includes all farmers. It does not discriminate. Yeah."

Hammond: "Okay. Thank you, Representative."

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Harper: "You're welcome. Thank you."

Speaker Davis: "Seeing no others, Representative... I'm sorry. Representative Chesney, for what reason do you rise? I'm sorry."

Chesney: "Will... will the Sponsor yield?"

Speaker Davis: "She indicates she'll yield."

Chesney: "Representative, I think this is a good Bill. I certainly appreciate your efforts on this. My understanding is the Farm Bureau has moved to neutral on this Bill?"

Harper: "Yes."

Chesney: "Wonderful. I was working with Representative Guzzardi and Mary Edly-Allen on this... on the caps for these predatory lenders, and I share your sentiments on this particular piece of legislation. I don't know how, in Illinois, we allowed people to charge over a thousand percent interest rate for decades that, I think, unfairly do target people in the minority community. So, I'll be supporting this Bill. I hope every one of my Republican colleagues puts a lot of 'yes' votes on this Bill. These payday loan lenders need to be under strict, strict regulation. They prey on our communities. I would argue they're a detriment to our communities, and I'm hopeful that this legislation moves us in the right direction. So, thank you for your efforts on this."

Harper: "Thank you, Representative. That means a lot."

Speaker Davis: "Seeing no further debate, Representative Harper to close."

Harper: "I would like to thank every single person, every colleague who is in support of these pillars. They mean so much to Members of the Illinois Legislative Black Caucus,

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but, more importantly, they mean so much to the State of Illinois. I encourage an 'aye' vote."

Speaker Davis: "The question is, 'Shall Senate Bill 1792 pass?' All in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a vote of 110 voting 'yes', 0 voting 'no', and 2 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. Rules Report."

Clerk Bolin: "Committee Reports. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on January 12, 2021: recommends be adopted, referred to the floor is Floor Amendment(s) 4 to Senate Bill 558, and Floor Amendment(s) 3 for Senate Bill 3096."

Speaker Davis: "Representative Spain, for what reason do you rise?"

Spain: "Thank you, Mr. Speaker. The House Republicans would like the opportunity to caucus now up in the mezzanine area."

Speaker Davis: "Okay. Have any timeline, Representative?"

Spain: "At least an hour, Mr. Speaker."

Speaker Davis: "At least an hour? Okay. Thank you very much. The Republicans will caucus in the upstairs mezzanine. Democrats will not caucus at this moment, but that may change. So, please stay close. House stands at ease."

Speaker Harris: "Good afternoon, House Democrats. We will now go caucus in the basement. Democrats, go to caucus."

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Clerk Hollman: "(Audio Malfunction) Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on January 12, 2021: recommends be adopted, referred to the floor is Floor Amendment(s) 8 to Senate Bill 3066."

Speaker Davis: "Davis back in the Chair. Senate Bills on Second Reading is Senate Bill 54. Mr. Zalewski. Mr. Clerk."

Clerk Bolin: "Senate Bill 54, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Davis: "It's already on Third Reading. Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 54 modernizes liquor delivery to home via platforms, online platforms. This is an agreement among WSDI, ABDI, Meier, along with the online platforms, and I'd ask for an 'aye' vote."

Speaker Davis: "Mr. Batinick, I misspoke. That Bill was already on Third Reading. It was not on Second Reading."

Batinick: "Thank you. So, we're debating the Bill, correct?"

Speaker Davis: "Yes, we are debating the Bill."

Batinick: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "All right. He indicates he'll yield."

Batinick: "Hi, Representative. I think we're mostly fine with this Bill. I just wanted to give my time... side a little time to wake up. But the craft brewers were either neutral or against this Bill. Can you give me a little bit of..."

Zalewski: "They're neutral on the substance of the Bill. What Miss D'Alessandro said was we've now done two Bills where craft brewers and craft distillers haven't been offered any relief. And we're cognizant of that. I think the Senate's going to send us, by the time this week is over, another Bill

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on hospitality. I don't know if that... I don't the status of that Bill, but within the four corners of this Bill the stakeholders asks that we leave the agreement as is and not add any additional language."

Batinick: "Yeah, that... that's fine. By this week, do you mean we're going to try and get something done in the 101st? Or are we looking at the..."

Zalewski: "Say that again. Say that again, Mark."

Batinick: "You said there's going to be a trailer Bill by the end of this week."

Zalewski: "No. What I'm told is the Senate is going to send over an additional Bill on liquor delivery... on liquor delivery, cocktails-to-go. We haven't... we're not in receipt of that Bill yet but..."

Batinick: "Yeah, just the timing of that Bill. You said it's going to be... the Senate's going to send it to us."

Zalewski: "As I understand it, the goal is to send it to us for the 101st."

Batinick: "Okay. Thank you."

Zalewski: "You're welcome."

Speaker Davis: "Representative Hoffman, for what reason do you rise?"

Hoffman: "Thank you, Mr. Speaker. For the purposes of legislative intent, will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Hoffman: "Representative Zalewski, is it your legislative intent, as Sponsor of the Bill, that nothing in the Amendatory Act of the 101st General Assembly authorizes any holder of a local liquor... retail liquor license, which simultaneously holds any

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license or privilege to manufacture alcohol, liquors within or outside the State of Illinois to ship alcoholic liquors to a consumer via common carrier or deliver alcoholic liquors to a consumer."

Zalewski: "Yes. That is my intent as the Bill Sponsor and as of my colleagues sponsoring the legislation in the other chamber. The goal of the legislation is to allow delivery of alcoholic liquors within the State of Illinois to provide economic support to holders of local retailer licenses but not local retailer licenses which simultaneously hold any license or privilege to manufacture alcoholic liquors."

Hoffman: "And is this legislation also intended to preserve the three-tiered system in Illinois in order to protect the public health, safety, and welfare of the citizens in the State of Illinois..."

Hoffman: "Yes. Ninth..."

Batinick: "...and to..."

Zalewski: "Oh, I'm sorry."

Hoffman: "...and to promote temperance?"

Zalewski: "Well, you know... I don't know about the temperance part. I'm kidding. Yes, it's to promote temperance. Yes, that's my intent as the Bill Sponsor and of my colleague sponsoring the legislation in the other chamber. The additional goal of the legislation is to preserve the three-tiered system in Illinois in order to protect the public safety, welfare of the citizens of the State of Illinois and to promote temperance."

Speaker Davis: "Is that it, Representative Hoffman?"

Hoffman: "Yes."

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Speaker Davis: "Great. No one else seeking recognition, Representative Zalewski to close."

Zalewski: "I ask for an 'aye' vote."

Speaker Davis: "The question is, 'Shall Senate Bill 54 pass?' All in favor vote 'yes'; all opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 105 voting 'yes', 7 voting 'no', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bills on Third Reading. We have Senate Bill 1805, Representative Evans. Mr. Clerk, read the Bill. Just a moment, Representative. Mr. Clerk, please put this Bill back on the Order of Second Reading for the purpose of Amendments. Mr. Clerk."

Clerk Bolin: "Senate Bill 1805, a Bill for an Act concerning finance. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 5 have been approved for consideration. Floor Amendment #2 is offered by Representative Harris."

Speaker Davis: "Representative Harris, are you going to present Floor Amendment #2?"

Harris: "Yes. Let me just pull the Bill up, Mr. Speaker."

Speaker Davis: "Representative Evans, do you wish to address Floor Amendment #2?"

Evans: "Hello. Yeah, I'm sorry. Here. I'm adopting Floor Amendment #5."

Speaker Davis: "So, Mr. Clerk, please withdraw Floor Amendment #2. Floor Amendment #5, Representative Evans."

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Evans: "Thank you. Sorry for the confusion. This Bill amends the Metropolitan Water Reclamation District Act. The legislation and the substance allows the district to transfer, lawfully, available revenue to its pension fund. Their plan is to transfer, roughly, \$10 million of surplus funds into the district pension fund. Legislation was necessary after the approval of the board to make this possible. I ask for your support."

Speaker Davis: "Representative Batinick, for what reason do you rise?"

Batinick: "To try and speak. There we go. Thank you, Mr. Speaker."

Speaker Davis: "Would you like to... you want us to adopt it and ask questions on Third? Or..."

Batinick: "Oh, we're on two. I'll wait for three. Thank you."

Speaker Davis: "Okay. Representative Evans, anything else?"

Evans: "No further statements."

Speaker Davis: "Mr. Clerk. Representative Evans, excuse me, moves for the adoption of Floor Amendment #5. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. And Floor Amendment #5 is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1805, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Davis: "Representative Evans."

Evans: "Again, I spoke on two. I would request your support. I'm available for questions."

Speaker Davis: "The Amendment becomes the Bill?"

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Evans: "Yes."

Speaker Davis: "Thank you very much. Mr. Batinick, for what reason do you rise?"

Batinick: "Thank you, Mr. Speaker. Will the Sponsor yield on Third Reading of this Bill?"

Speaker Davis: "He indicates he will."

Batinick: "Representative, so what we're doing here is Chicago is somehow using some of their TIF funds for shoring up the Water Reclamation District."

Evans: "Not Chicago. The Water Reclamation District is its own entity. So, it's not Chicago."

Batinick: "Right, but the TIF. Where's the TIF funds coming from?"

Evans: "Oh, the Water Reclamation's district funds. It's not Chicago. This is their own TIF funds."

Batinick: "Okay. Let me go... let me go straight to the Bill. I think I heard a very, very eloquent speech..."

Speaker Davis: "To the Bill."

Batinick: "To the Bill. I heard a... thank you. I heard a very eloquent speech about the evils of TIF funds, and we do need to address it in... it's not going to be this General Assembly but the... hopefully, the next General Assembly. There's way too much of parts of the state where there's opaqueness to this TIF funds. I'm glad that it's being used to do something like shore up the pension funds. But we just want to use this to highlight the fact that... probably not the original purpose of the TIF funds and that there's an abuse of the system there. And we're getting that out of our system. So, thank you, Mr. Speaker."

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Speaker Davis: "Thank you very much. Representative Ford, for what reason do you rise?"

Ford: "Will the Sponsor yield, Mr. Speaker?"

Speaker Davis: "He indicates he will."

Ford: "Representative, I just have a quick question because I can't read the Bill. I don't have the Bill analysis. What unit of government does this impact?"

Evans: "Oh, the Water Reclamation District. Cook County's Water Reclamation District."

Ford: "Okay. Does the president Kari Steele support this?"

Evans: "Yes."

Ford: "Okay. Thank you..."

Evans: "It's initiative of the Water Reclamation District in Cook County."

Ford: "Oh, thank you so very much. I urge an 'aye' vote."

Evans: "Thank you."

Speaker Davis: "No one else seeking recognition, Representative Evans to close."

Evans: "I humbly request your support. Thank you."

Speaker Davis: "Thank you. Representative Ford, turn your speak light... speak button off. And the question is, 'Shall Senate Bill 1805 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? You need assistance, Representative Pappas? Okay. Representative Pappas is having trouble with her... her button. Okay, Representative Pappas, we'll handle that. Mr. Clerk, please take the record. On this question, 90 voting 'yes', 22 voting 'no', 1 voting 'present'. And this Bill, having

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received the Constitutional Majority, is hereby declared passed. Representative Pappas, if your button had been working, you would've wished to been recorded as a 'yes'? Oh, we got it. Okay, we got it working. Thank you. Mr. Clerk, Senate Bills on Second Readings. Senate Bill 2270... excuse me, 2779. Senate Bills-Third Reading, 2279. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2779, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Davis: "Representative Barbara Hernandez."

Hernandez, B.: "Thank you, Mr. Speaker. SB2779 will clean the confusion of the language from the original legislation. The original legislation used the word 'district' to refer to both the Fox Valley Park District as a whole and the subdistricts. So, we're clarifying that petitions will come from the subdistricts. Also, it includes an increase of signatures for the petitions from 25 to 50. I ask for an 'aye' vote."

Speaker Davis: "Representative Wheeler, for what reason do you rise?"

Wheeler: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Wheeler: "Thank you. Representative, we talked about this Bill both in committee and offline. Just want to make sure everybody's aware this is an agreed Bill. This is something the district has asked for and is something that no one is opposed to, correct?"

Hernandez, B.: "That is correct."

Wheeler: "Thank you. I urge an 'aye' vote. Thank you."

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Speaker Davis: "No one else seeking recognition, Representative Barbara Hernandez to close."

Hernandez, B.: "Once again, I ask for an 'aye' vote."

Speaker Davis: "Thank you. And the question is, 'Shall Senate Bill 2779 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. And on this question, 112 voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bills on Third Reading is Senate Bill 2527, Representative Collins."

Collins: "Oh, they turned it on. Okay, I'm sorry. Thank you, Mr. Chair."

Clerk Bolin: "Senate Bill 2527, a Bill for an Act concerning property. Third Reading of this Senate Bill."

Speaker Davis: "Sorry, Representative. It's your first Bill. I forgot to ask the Clerk to read it the third time. So, Representative Collins, please."

Collins: "Senate Bill 2527 would transfers property currently owned by DCFS to the Carole Robertson Center for Learning in exchange for a dollar. This particular property is unusual since DCFS generally does not own or manage property and instead uses property that is owned and managed by Central Management Services. This is an Agreed Bill, and there's no opposition. I ask the Body for an 'aye' vote."

Speaker Davis: "Representative Wheeler, for what reason do you rise?"

Wheeler: "Thank you, Mr. Speaker. Will the Sponsor yield?"

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Speaker Davis: "She indicates she will."

Wheeler: "Thank you very much, Representative. I just want to turn back to our discussion we had in the Executive Committee. And actually, I want to skip the questions and just inform the entire Body that you did a fantastic job presenting your first Bill. I'm proud of you. Good work."

Collins: "Thank you. Thank you."

Speaker Davis: "Representative Mayfield, for what reason do you rise?"

Mayfield: "Sponsor yield?"

Speaker Davis: "She indicates she will."

Mayfield: "Just had an inquiry. Are there any animals on this land? Lions, tigers, bears?"

Collins: "No, Representative."

Mayfield: "Thank you. Congratulations."

Collins: "Thank you."

Speaker Davis: "Representative Flowers, for what reason do you rise?"

Flowers: "Thank you. Well, since there's no animals, are there any trees?"

Collins: "You know, it's the West Side of Chicago. So, there's trees everywhere. But no, not on the property."

Flowers: "Congratulations on your first Bill."

Collins: "Thank you, Representative Flowers."

Speaker Davis: "Representative Willis, for what reason do you rise?"

Willis: "Will the Sponsor yield, please?"

Speaker Davis: "She indicates she will."

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Willis: "Representative, how many words are in this Bill? I know. I'm serious. Have you done a word count? You do know there is a minimum?"

Collins: "No. No, Ma'am."

Willis: "You better talk to your staff about this."

Collins: "Where's my staff?"

Willis: "Congratulations on your first Bill."

Collins: "Thank you."

Speaker Davis: "Representative Severin, for what reason do you rise?"

Severin: "Hello. Will the Representative yield? Hello."

Speaker Davis: "She... she'll yield."

Collins: "Yes. Yes."

Severin: "Are you nervous?"

Collins: "Oh, yes."

Severin: "That's good. Welcome. I am, too. Welcome to the nervous caucus. You'll get over it someday."

Collins: "Thank you."

Speaker Davis: "Representative Ford, for what reason do you rise?"

Ford: "Thank you, Mr. Speaker. Will the west side Representative please yield?"

Speaker Davis: "She indicates she will."

Ford: "Representative, I heard you say that this Bill is agreed. Who told you that?"

Collins: "So, yes. There's... there's no opponents. It's agreed by DCFS and CMS."

Ford: "But it's not agreed until this Body says it's agreed. So, it's not agreed."

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Collins: "You're correct. You're correct, and I'm asking for this Body's support."

Ford: "Okay. Let's think about it, Body."

Speaker Davis: "Representative Thapedi, for what reason do you rise?"

Thapedi: "Mr. Speaker, will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Thapedi: "All right, I'm going to be a little harder on you now. I'm not going to let you just off the hook like that. All right. So, this property is being sold, or transferred, to this entity for one dollar?"

Collins: "Yes, Sir."

Thapedi: "What's the fair cash market value of that property? Yeah, looking at staff."

Collins: "There's a reverter clause in it. So, it would revert back to the state."

Thapedi: "That's not what I asked."

Collins: "So, we don't have... we don't have the appraisal."

Thapedi: "No, that's... that's not what... you don't have an appraisal?"

Collins: "No, Representative."

Thapedi: "Wait, wait. We're gifting a property to somebody for one dollar and we don't even have an appraisal? You better get some more staff for sale."

Collins: "So, when... so, when you have a reverter clause you don't need to have an appraisal for the property."

Thapedi: "I understand that, but is this property worth 10 million, and we're giving it to these people for a dollar? Or

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is the property worth \$50 and we're giving it to them for a dollar? I mean, I want to know what kind of..."

Collins: "So... yes."

Thapedi: "'Cause we're all about transparency in the State of Illinois."

Collins: "So, the state has spent \$754 thousand and \$21 on the maintenance on this building since fiscal 2017. So, we'll actually be saving money to our state."

Thapedi: "I'm sorry. Say that one more time. I'm sorry. I apologize. I'm not going to belabor it."

Collins: "So... so the state..."

Thapedi: "I just want to know, what is the value of the property? That's all I want to know."

Collins: "I will look into that and get back to you, Representative."

Thapedi: "Oh, that's a good answer. That's... is it vacant land, or is it a building, or what's on it?"

Collins: "It's a building."

Thapedi: "How big is the building?"

Collins: "It's a school type sized building."

Thapedi: "I'm going to think on what I'm going to do."

Speaker Davis: "All right, no one else seeking recognition, Representative Collins to close."

Collins: "So, again, I ask the Body for an 'aye' vote."

Speaker Davis: "Thank you very much on your first Bill, Representative Collins. And so, the question is, 'Shall Senate Bill 2527 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. The voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Mr. Clerk, please take the record. And on this question, 113 voting 'yes', 0 voting 'no', 0 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Congratulations. Mr. Clerk, Rules Report."

Clerk Bolin: "Committee Reports. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on January 12, 2021: recommends be adopted, referred to the floor is Senate Amendment(s) 3 for House Bill 156, Senate Amendment(s) 1 and 3 for House Bill 356, Senate Amendment(s) 1 for House Bill 2263, and Senate Amendment(s) 1 for House Bill 3994."

Speaker Davis: "Senate Bills-Second Reading is Senate Bill 3066. Mr. Clerk."

Clerk Bolin: "Senate Bill 3066, a Bill for an Act concerning civil law. The Bill was read for a second time, previously. No Committee Amendments. Floor Amendments 2, 5, 6, 7, and 8 have been approved for consideration. Floor Amendment #2 is offered by Representative Ramirez."

Speaker Davis: "Representative Ramirez on Floor Amendment #2."

Ramirez: "Thank you, Speaker. I rise to request your support for a comprehensive COVID-19 housing relief Bill. As discussed in Executive Committee this morning on House Floor Amendment 5, which the committee voted 'recommends be adopted'. I am first requesting that the House adopt House Floor Amendment 7... one moment. Speaker, my apologies. Staff are telling me there's a technical change. So, I'd like to request that we remove Floor Amendment 2."

Speaker Davis: "The Representative request we withdraw Floor Amendment #2?"

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Ramirez: "Withdraw, that is correct."

Speaker Davis: "Mr. Clerk."

Clerk Bolin: "Floor Amendment #5, offered by Representative Ramirez."

Speaker Davis: "Representative Ramirez on Floor Amendment #5."

Ramirez: "My apologies. I'm so anxious to pass a housing Bill, I just got a little ahead of myself. All right. I'd like to also withdraw this Amendment."

Speaker Davis: "Representative asked to withdraw Floor Amendment #5. Mr. Clerk."

Clerk Bolin: "Floor Amendment #6, offered by Representative Ramirez."

Speaker Davis: "Representative Ramirez, Floor Amendment #6."

Ramirez: "It's been a long few days. I also would like to ask that we withdraw Amendment 6."

Speaker Davis: "Representative asked that we withdraw Floor Amendment #6. Mr. Clerk."

Clerk Bolin: "Floor Amendment #7, offered by Representative Ramirez."

Speaker Davis: "Representative Ramirez, Floor Amendment #7."

Ramirez: "All righty. So, I rise to request your support for a comprehensive COVID-19 housing relief Bill. As discussed in the Executive Committee this morning on House Floor Amendment 5, which the committee voted 'recommends to be adopted'. I am first requesting that the House adopt House Floor Amendment 7 on Second Reading. House Floor Amendment 7 contains the same substantive language contained in House Floor Amendment 5. After that vote, I will request that the House adopt House Floor Amendment 8, which is a technical page and line

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Amendments to House Floor Amendment 7, correcting references to subsections on page 10, and line 16, which are 2 exceptions to when a sealed court file may be disseminated. Under the new Section 9-121.5, in subsection (f), there's a technical error. House Floor Amendment 8 corrects the reference to subsections (d) and (e). And subsections (d) and (e) provide the exceptions to when a sealed court file may be disseminated. That's a lot."

Speaker Davis: "Representative Ramirez ask that we adopt House Floor Amendment #7. All those in favor say 'yes'; all the opposed say 'nay'. In the opinion of the Chair, the 'yeses' have it. House Floor Amendment #7 is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #8 is offered by Representative Ramirez."

Speaker Davis: "Representative Ramirez has offered an explanation for House Floor Amendment #8. She ask for the adoption of House Floor Amendment #8. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yeses' have it. And Floor Amendment #8 is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3066, a Bill for an Act concerning civil law. Third Reading of the Senate Bill."

Speaker Davis: "Representative Ramirez."

Ramirez: "Speaker, I come before the House Floor requesting your support for an emergency housing Bill that I have been working on since the start of this pandemic. I am asking for your support for House Floor Amendment 7, which is a substantive

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Bill that has been negotiated with stakeholders, and House Floor Amendment 8, which is a technical cleanup with some language of House Floor Amendment 7. This Bill offers a comprehensive approach to addressing the crisis of housing instability that has been caused by the COVID-19 pandemic. At the start of this pandemic, I knew from my work as a human social services practitioner that there were many people who would not be able to shelter in place as they were either experiencing homelessness or at risk of homelessness. I knew that there were thousands of families across the entire state that were housing unstable and that as the pandemic raged on economic crisis just worsened, these families who were on the brink of survival would be pushed to the edge. This is why a number of my colleagues in the House and Senate and I immediately got to work on comprehensive legislation to address the needs of those most at risk of eviction and foreclosure. I sponsored an emergency housing legislation that we discussed at great length during the spring emergency legislative Session. Unfortunately, we received staunch opposition and we recessed not having taken action on that proposal. So, here's the thing, 1 in 3 Illinois households is at risk of eviction. Nationally it is expected that approximately 25 percent of households that rent are in need of help to pay the rent. A kid's count report published by the Casey Foundation presented significant racial disparities with COVID-19, stating that 32 percent of African Americans in the State of Illinois, 25 percent of Latinos, Latinx, and 10 percent of whites across the state were unable to pay their rent. A study from the University of Pennsylvania found that

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states that have never had an eviction moratorium or that allowed their eviction moratorium to lapse can attribute 1 death, 1 death, to every 60 evictions. The study found that even a 1 percent eviction rate could lead to 5 to 10 percent increase in COVID-19 cases. The federal relief that has been provided has been insufficient. In the spring, the ILGA appropriated \$396 million to the Illinois Housing Development Authority to provide emergency rental and mortgage assistance. This aid was distributed over the fall through a lottery. I mean, know that the agency was only able to fund approximately 40 thousand applications of the 80 thousand that they received, that they received that the landlord and tenants had completed. There was a higher number. Fortunately, the latest federal stimulus package includes \$25 billion for an emergency rental assistance. The State of Illinois and local municipalities are expected to receive approximately 834 million in rental assistance through this program, 560 million of those dollars will be administered through state agencies. Most of the money must be spent by September 2021. It is, therefore, critical that we create measures that will protect homeowners and tenants for as long as possible. So... here I'm getting to the moment that you want me to. My Bill responds to the impending crisis with a comprehensive approach to address the eviction crisis, the foreclosure crisis, and administering of emergency rental assistance. The Bill provides critical relief for tenants who will face eviction as a result of COVID-19 pandemic or the economic fallout by expanding the ability for tenants to seal eviction cases. This Bill will require the sealings of all

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eviction records between March 2020 and March 2022 upon filing. It allows for cases unrelated to nonpayment of rent to be unsealed if a judgement is entered against them. It prohibits tenant screening companies from disseminating sealed eviction records by allowing enforcements by the tenants or Attorney General's Office. This also sunsets July of 2022. The sunset provisions are compromises with the realty and landlord industries. The Bill will also create guidance that any state agency or department that will be administering the Federal Emergency Rental Assistance Program. This guidance will ensure that the program is consistent with Federal Law, while ensuring that those most in need are assisted as soon as possible. Specifically, the legislation clarifies that the program recipients can receive funding based on need, not a capped amount. A written lease is not a requirement for the program eligibility but other forms of documentation can be accepted. Immigration status will not be considered for eligibility. Priority must be given to residents of COVID DIAs, people who have documented history of housing instability, and those with significant rental arrears. The agency should also have a process for applicants to rectify applications and communicate denials. Finally, for closure protections, we understand going into this that not only do tenants need protections but so do landlords and homeowners that have been impacted by the economic crisis. We all know too well from our very recent history how dangerous a wave of foreclosures can be on homeowners and for tenants. We cannot repeat the fallout from the great recession where small landlords, especially black and Latino communities,

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lost their homes, rental units into foreclosure. It is vital that we also protect tenants who lives in smaller properties for foreclosure because we know all too well how negatively impacted tenants are when their landlords are in foreclosure. And so, this Bill will provide protections from foreclosure by providing a moratorium on foreclosures through May 1, 2021, judicial sales and orders of possession through July 31, 2021. The moratorium applies to both homeowners and landlords of properties with 6 or less units regardless of whether the landlord occupies one of those units. The moratorium's protection, however, do not apply to vacant or abandoned properties. So, I'm going to close this out and just wrap up the piece. Listen, folks, you've heard me say for every single person that ends up homeless as a result of this pandemic or prior, it cost us 4 times more to help them find permanent housing. The eviction crisis is going to be here. When the eviction moratorium is lifted, thousands of people will, unfortunately, see themselves in eviction court. Those filings can haunt them for 7 years. This Bill will seal those evictions for the next... through... we've done so many dates, March 2022... through March 2022 and July 2022 that's... you can see it in the Bill. We will also make sure that the rent assistance that we will receive from the Federal Government gets out as soon as possible and we remove barriers to getting that assistance so that the tenants, hopefully, won't be in eviction court and the landlords get their payment. And finally, we provide a moratorium on foreclosures in order to ensure that the landlords and homeowners who are still going to wait for this money, that it's not here yet, can keep their

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home and we stabilize our communities. It's a good Bill. It is not the Bill that I was thinking I'd bring to you, it's a lot of Amendments. And I will continue to fight for more housing opportunities, but in this moment, folks, we've had 17 thousand people or more die from COVID. Over a million of them, right, have contracted COVID. It is our responsibility to walk out of here with a Bill that addresses the housing crisis, and you can make that happen. I urge an 'aye' vote."

Speaker Davis: "Thank you, Representative. For the purposes of this debate, the Chair will use a timer, four minute timer. Obviously, more Members can ask for more time if they need it, but we're going to go to a four minute timer. And with that, Representative Batinick, for what reason do you rise?"

Batinick: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Batinick: "Representative, thank you for the brief introduction of the Bill. I do have a couple of..."

Ramirez: "Very brief."

Batinick: "...questions... a couple of questions you didn't squeeze in there. I just wanted to go over, maybe rehash for my side of the aisle what occurred in committee. You said the committee said, 'do recommend'. It was a partisan roll call, if I remember correctly, in committee."

Ramirez: "That is correct. The Republicans voted 'no' and the Democrats voted 'yes'."

Batinick: "Okay. And... and the... but you... I do commend you for working hard on the Bill. I believe the realtors are now neutral on this Bill. Is that correct?"

Ramirez: "That is correct."

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Batinick: "Okay. And the bankers had some... had opposition, which was, particularly, of great concern of mine, where some of the relief dollars, their fear is actually going to, not the mom and pop landlord that we were intending, but some of the much larger, more commercial style landlords. Is that correct? Am I explaining their concerns correctly?"

Ramirez: "I don't think you're explaining it correctly. I think that the bankers don't have a problem with the rent assistance. The Federal Government has indicated how those dollars could be spent. I think they had a problem with us providing relief to someone if they owned a home and they owned a second home. And because of COVID-19, the tenant couldn't pay the rent on the second home, they wanted to say that the landlord of that second home should not be covered for foreclosure. I believe that we need to provide that foreclosure protection. We got about 90 percent of their language in the current Bill."

Batinick: "Okay. That's... I mean, that's not what they told me. You worked hard to get it, but I'm feeling something a little bit different. The last question I have is about the money flow. Does the relief fund money go to the landlord or to the renter to flow to the landlord? How does the money flow work on the relief funds?"

Ramirez: "The money from the federal relief that is coming will go directly to the landlord on behalf of the tenant."

Batinick: "Okay. Thank you. Yeah, I don't want to belabor the point. Thank you very much. I think we still have concerns with the Bill, but I did want to acknowledge your hard work

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and give you some sincere appreciation. So, thank you. No further questions."

Ramirez: "Thank you, Representative."

Speaker Davis: "Thank you. Representative Guzzardi, for what reason do you rise?"

Guzzardi: "Thank you, Mr. Speaker. Will the Sponsor yield for a couple of questions?"

Speaker Davis: "She indicates she will."

Guzzardi: "Thank you. Representative Ramirez, a couple of questions for legislative intent. I'm trying to be like conversational about this. So, your Bill does three major things, right? It works on sealing of eviction files, it works on implementing the emergency rental assistance from the Federal Government, and it works on foreclosure protections. It seems relatively comprehensive, but one that I noticed in the Bill is an eviction moratorium for residential tenants. Can you explain what the reasoning is behind not including that in the Bill?"

Ramirez: "Thank you for your question, Representative. Well, it was considered at length by staff and stakeholders to be able to include an eviction moratorium, however, it was determined that the Governor's Executive Orders issuing and reissuing a statewide eviction moratorium during the COVID-19 pandemic was and still remains the best approach for providing this critical tenant protection during the ongoing emergency."

Guzzardi: "Okay, but why leave that authority to the Governor?"

Ramirez: "Well, the Governor's eviction moratorium has been a clear an extremely effective. It establishes a consistent approach statewide at a time when preserving housing for

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countless vulnerable Illinoisans is most needed throughout this unprecedented public health disaster and resulting economic crisis when staying sheltered and at a home is the first offense against this deadly virus. The Governor has been able to respond swiftly and meaningfully."

Guzzardi: "So, explain why not to include these provisions in this legislative measure."

Ramirez: "That's another very good question. The Governor's executive powers under the Constitution and State Law are designed for these crisis, which accompany a disaster. Also, the future is unpredictable. And although we have a vaccine, rollout is really uncertain. And so, it's how many individuals who will get to those vaccines is something we don't know right now. So, the Governor's authority that the General Assembly has granted him, places him in the best position to assess the ongoing emergency and reissue a revised moratorium as appropriate."

Guzzardi: "Okay. So, in drafting this legislation on emergency housing relief, it was concluded that the Governor has the authority and is best situated to issue and reissue the statewide eviction moratorium?"

Ramirez: "Yeah, so... specially because... yes. So, specially because of sufficient number of Illinois residents receiving the vaccine is not expected until late into the fall of this year."

Guzzardi: "Okay. And if there ever does come a time in which a legislative moratorium becomes necessary during this emergency to protect the health of children, families, and our most vulnerable residents across the state, would you

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consider bringing that legislation forward or support a legislative eviction moratorium?"

Ramirez: "If it does, a hundred percent. Yes."

Guzzardi: "Thank you. Mr. Speaker, to the Bill."

Speaker Davis: "To the Bill."

Guzzardi: "I'll be brief. I think we saw in May, when we all convened here, Representative Ramirez, your passion for this issue. You brought down a legislative package then that we weren't able to pull together. I think what we've seen from you this time down is your savvy as a negotiator, that you've worked with all the stakeholders on this Bill. I've been involved in a few of these conversations. I know you and your staff have been in many, many more of them. You've worked really hard to bring the largest stakeholder in this Bill, it was the most vociferously opposed to this measure back in May, you brought them to neutral. You made a lot of compromises and you found a piece of legislation that's going to protect thousands, if not millions, of Illinoisans. It's an admirable piece of work. I admire you. I admire this Bill. And I urge the Body to support it. Thank you."

Speaker Davis: "Thank you. Representative Mazzochi, for what reason do you rise?"

Mazzochi: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Mazzochi: "All right. Representative Ramirez, I do want to commend you on the court file sealing related provisions in this Bill. I appreciate those, and I would.. other.. I would normally.. if those were in a standalone Bill, I would probably vote for those. But one of the things that I do have some questions on

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relate to the items in Amendment #7, relating to Section 5-1513 and Section 15-1514. So, just out of curiosity, for those two sections, have you received any opinions from the Illinois Attorney General's Office whether those provisions are going to qualify as either an ex post facto law or a law impairing the obligations of contracts under Illinois Constitution Bill of Rights, Article 1, Section 16?"

Ramirez: "The Attorney... so, thank you for your question, Representative. The Attorney General's Office has, in fact, reviewed the Bill, and they have not expressed any concerns."

Mazzochi: "Yeah, that... but was that specific question put to them, whether this is going to qualify as a potential impairment of contracts or ex post facto law under the Illinois Constitution Article 1, Section 16?"

Ramirez: "Representative, I didn't ask that question. I wish you and I would've talked, and I would've asked it."

Mazzochi: "You know, if I would've seen this legislation in its current form anytime less than within the last 30 minutes, I would've loved to have had that happen, too. But I understand that things are moving quickly. For some things in connection with... you know, I'm just worried because that can put the state at risk of having to pay damages. Couple of questions for legislative intent purposes. Is it your understanding that this law is being enacted for a public purpose, specifically, to deal with the public impact of the effects of COVID-19?"

Ramirez: "So, first... let me... let me say something in terms of the language that you're concerned about because I know that there's been questions about where some of this language came.

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What would've been perfect for me would've been a clear moratorium on all foreclosures, but I really wanted to work with the bankers and the financial industries. So, that language that you're referring to, I got from the bankers. So, I'm going to assume and trust that the Attorney General's Office has looked at it, the bankers have looked at it, and they have not seen a concern on that particular section."

Mazzochi: "Sure. And what I'm just asking is, in general, that these particular sections that we're looking at, Section... so, it'll be 735 ILCS 5/15-1513 and 5/15-1514. Is it your understanding that those provisions are being enacted into law for a public purpose, specifically, to deal with the effects of COVID-19, on the public?"

Ramirez: "It's for financial effects."

Mazzochi: "Right, but that financial impact relates to a public purpose. Is that true?"

Ramirez: "Yeah. Yeah. We're trying to make sure that people don't die during a COVID, Representative."

Mazzochi: "Yes."

Ramirez: "I had an uncle, my husband's uncle died four weeks ago from COVID-19. He lived in a garage. So, let me tell you that I am tired. I am tired of negotiating with lenders..."

Mazzochi: "Sure. Yeah."

Ramirez: "...and bankers and everyone. And I believe it is time for us to be done with this piece so we can get to the Black Caucus pillars. So, I'm going to tell you that my intent is to move a Bill on emergency housing. That's my intent."

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Mazzochi: "Sure. I'm trying to establish certain predicate facts in the record which may become important later on in the event..."

Speaker Davis: "Representative Reick yields his time."

Mazzochi: "...in the event of any legal issues associated with this. So, are you willing to agree that this... the purpose of the legislation is for a public purpose? I'm hoping you're going to say yes."

Ramirez: "Yes. The public purpose is to keep people housed."

Mazzochi: "Okay. And have you gotten any opinions from the Attorney General as to whether these two sections that I've been referring to are going to qualify as a taking of private property rights for that public purpose?"

Ramirez: "As I mentioned prior, we talked to the Attorney General's Office. They went through all of our language. They did not find any concerns, and they know that this is critical and won't have that impact. I also want to reiterate, for the purpose of those that need to hear this, that much of this language came from the bankers."

Mazzochi: "Sure, I understand. And I'm just trying to make sure that we've got a clear record for legislative intent purposes going forward. So, can we... and the thing is... and the reason why it's important is because certain legal rights depend on whether this is being done for a public purpose versus not. So, I want people to be able to get compensated. So, if it's for a public purpose, they can get compensated. So, is there any dispute on your end for legislative intent purposes that these will qualify as either a taking of private property rights or damage to private property rights? But it is for a

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public purpose, which is allowed under the Illinois Constitution."

Ramirez: "Representative Mazzochi, the intent, and I'm going to say it again... and I know you hear the frustration. I know you've worked on Bills for a long time. I'm sure they are also about keeping people housed and sheltered, and a lot of things that I know we both work on. But I'm going to tell you this again, this Bill is about keeping people housed. For anyone that's never had to worry about paying rent or their mortgage, especially during a pandemic, this is a Bill that you won't have to worry, hopefully, that you're going to have to be opening up more shelters or that you and your family's going to go feed people on Thanksgiving or Christmas, which is when most people go. It's a good Bill. You know the intent. Let's please pass emergency housing legislation."

Mazzochi: "Right. And what I'm... what I'm trying to do is make sure that the intent you're offering is falling within the appropriate scope of our Bill of Rights that allows private property to be taken for a public purpose. So, that's why I'm asking, do you agree that these rights are being taken or damaged for a public purpose?"

Ramirez: "Yes, I've answered the question. I just feel like, yes, I've answered the question."

Mazzochi: "Well, can you... can you just say, yes, Representative Mazzochi, you're right, 'cause then I can move on?"

Ramirez: "Representative Mazzochi..."

Mazzochi: "I think your own side is telling to say yes."

Ramirez: "...I don't know if I'll ever say you're... I don't know. But I'm going to say, yes, I've answered the question."

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Mazzochi: "Okay. All right, well, I'll note for the record that other Members of the floor on the Democrat side of the aisle were calling out 'yes'. So, I'll take it that that's also the sentiment of the Body, and if they disagree, they can say otherwise. Do you also agree that any court, in considering this present Bill before the Legislature where we note that the Governor has issued various Executive Orders, should not use this or any other legislation for the purposes of statutory construction to justify the premise that this General Assembly has accepted, as a lawful and valid exercise of this Governor's authority, the issuance of successive disaster proclamations that would have the force of law? For legislative intent purposes."

Speaker Davis: "Representative, are you... do you want to bring your remarks to a close or you have more?"

Mazzochi: "Yeah, if she can... if we can agreement on that, then I'm happy to... to sit down."

Speaker Davis: "Okay. Representative."

Ramirez: "Representative, will you repeat your question?"

Mazzochi: "Sure. Can we agree, for purposes of legislative intent, that a court, in considering this present Bill before the Legislature, where we note that the Governor has issued various Executive Orders or implied that the Governor has issued various Executive Orders, must not use this or any other legislation for purposes of statutory construction to justify the premise that this General Assembly has accepted, as a lawful and valid exercise of the Governor's authority, the issuance of successive disaster proclamations that would have the force of law?"

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Ramirez: "No, and this is not a takings issue. This is a Bill to keep people housed."

Mazzochi: "Okay. Well, the courts may ultimately decide that issue. So, I just wanted to have clarity because, here again, we... we're in an area where there's a lot of unclear case law and new case law's being made all the time. And it's very important that the intent of the General Assembly be set forth. But for the record, I will note that that certainly seems to be the legislative intent of this Body. Thank you."

Speaker Davis: "Thank you, Representative. Representative Ammons, for what reason do you rise?"

Ammons: "I rise... oh, I'm sorry... to see if the Sponsor will yield, Mr. Speaker."

Speaker Davis: "She indicates she will."

Ammons: "Representative, you've spent quite some time working with your community and all the stakeholders on this Bill. Is that correct?"

Ramirez: "That is correct. Christmas Eve and New Year's Eve."

Ammons: "Thank you. And just part of the process of working on this Bill, have you included all of the other stakeholders, including the bankers, the realtors, private owners, advocacy groups and housing, and other interested parties in the crafting of this legislation?"

Ramirez: "Yes, that is correct."

Ammons: "Thank you. To the Bill. Part of the processing..."

Speaker Davis: "To the Bill."

Ammons: "Thank you, Sir. We've experienced, unfortunately, under the COVID pandemic, has not just cost us human lives but also jobs and the ability for individuals to pay their way with

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their housing, and food, and other utility services that would be standard for most families. Unfortunately, this pandemic has cost us a lot. I've spoken to my Cunningham Township accessor and asked him to review this Bill, and I wanted to just share what he shared with me. He said, this Bill is a big deal because evictions are stigmatizing and keeps people from finding housing. Of course, it impacts us more because, unfortunately, people of color have significantly less income. It also helps to prevent the cycle of poverty and putting people in the streets during a pandemic. So, rent assistance is necessary at this time for renters and for those who are mortgage holders. And we hope that this Body will support this Bill in a similar fashion to some of the other Bills that we've done to try to build affordable housing in other communities. This is a good Bill. I want to thank Representative Ramirez for her dedication and her commitment. And I also want to thank people in the Champaign-Urbana community who has been working with the statewide coalition for housing for people throughout the state and all of their efforts as well. So, with that, thank you, Mr. Speaker. And thank you, Representative Ramirez. I ask the Body for an 'aye' vote."

Speaker Davis: "Thank you. Representative Chesney, for what reason do you rise?"

Chesney: "Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Chesney: "Thank you. Representative, just a quick question about credit scores. Was there any discussion regarding the foreclosures and the impact that that would have if they're,

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for whatever reason, not able to make their mortgage payment?
Was that in there?"

Ramirez: "It's been discussed a lot. It's why we want to make sure that people don't even get the foreclosure filing, but it is not in the Bill. I'd be happy to work with you on something like that in the 102nd Session."

Chesney: "But if you're not allowing them to collect revenue and they have a mortgage on there, it's going to affect their credit score. And that credit score has a big financial impact on their ability to purchase additional houses but also has a great financial impact on them personally. Was there any discussion on protecting the credit score of the people that are being impacted because of moratoriums?"

Ramirez: "I guess... let me start with... I need a point of clarification. Where are you getting... where is the part that you see in the Bill that they're not collecting revenue? Are you referring to the landlords not collecting revenue?"

Chesney: "Yeah. I'm just saying in the event that they're not able to collect the dollars, the revenue, the question is, was there ever a discussion about the credit scores and the impact that that would have on the overall Bill?"

Ramirez: "We've discussed credit scores and the fear of what's going to happen to our homeowners."

Chesney: "Yeah."

Ramirez: "We did not put anything on the Bill, specifically, on that. But this is why we fought so hard to have a foreclosure moratorium."

Chesney: "Okay."

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Ramirez: "On the rent relief, let me just clarify 'cause I think it can get confusing. We've given, already, some rent relief from the first CARES funding. In the latest economic stimulus, we were... we secured \$25 billion, right? An entire country of which about 850 million are coming here. That money is for rent relief. It is to go directly to the landlords. And this Bill, which I think is such a critical thing for us to know... on this Bill we are saying that the state agencies should not cap how much they give in assistance. They should give based on need. So, if a landlord is owed \$9 thousand, the 5 thousand still leaves them with 4 thousand in debt. This Bill will allow them to be able to get all of it if they apply for it and they're awarded. It's a really good Bill to address this issue."

Chesney: "Okay. Thank you, Representative, and I'll listen to further discussion. But I do think at some point we need to have a discussion on credit scores and the impact that COVID's had on people's credit reports as well."

Ramirez: "Absolutely. I'd love to work on that with you."

Chesney: "Thank you."

Speaker Davis: "Thank you. Representative LaPointe, for what reason do you rise?"

LaPointe: "Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

LaPointe: "I have a... just one question about the Bill. Is the Cook County Sheriff's Office in support of this Bill?"

Ramirez: "They are in support of this Bill."

LaPointe: "Okay, that's great. I want to just speak to the Bill, briefly."

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Speaker Davis: "To the Bill."

LaPointe: "To the Bill. I submit that here in Illinois we have not done nearly enough during our multiple crises to protect the basic human rights of housing at a time when we're all supposed to be staying at home. I also submit that we haven't done enough to protect small landlords, which I know we all care about. This Bill is a very big step in the direction to support not only renters, homeowners, and landlords during this crisis. We are in a public health crisis and the last thing we should be doing is creating more housing instability. It's been a pleasure to work with you on this Bill, and I urge and 'aye' vote."

Speaker Davis: "Thank you. Representative Caulkins, for what reason do you rise?"

Caulkins: "Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Caulkins: "Representative, this is the second round of rental assistance."

Ramirez: "That is correct."

Caulkins: "How... how are people chosen for this program?"

Ramirez: "This is the... so, this is the money that's coming from the Federal Government. So, in terms of... so, the way that it works is that the money will come into the state and the state agencies that are administering the program, for the sake of what we know now, it will be IHDA, they will go ahead... and so... 530..."

Caulkins: "How..."

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Ramirez: "...one second. So, \$560 million will go to the state directly. The remaining will go to municipalities who will get their direct relief into their municipalities."

Caulkins: "And that money must be used for rental assistance and mortgage relief?"

Ramirez: "For this... for this round that the latest stimulus Bill passed, all of it is for rent relief. There's no mortgage assistance, which is why we have to do the foreclosure protections that I have on this Bill. It will all go to the landlords, but it's for rent relief. That's for the federal mandate."

Caulkins: "So, who chooses... you said that there were 80 thousand people that asked for this and 40 thousand got funded. Who chose or how do those people get chosen?"

Ramirez: "So, 80 thousand people applied..."

Caulkins: "Correct."

Ramirez: "...right? The need was that. And then 40 thousand were able to be awarded. It was based on the application, based on, I'm assuming... it was based on eligibility, right? So, if you have proven COVID impact, if you have obviously proven that you can't pay your rent, your landlord had to indicate that you couldn't pay the rent, and how much you owed, and signed. Your landlord had to provide a lease for this... for the latest one, for the first one. This one, we're saying no lease requirement because we know there are landlords who cannot or will not provide a lease if you haven't paid rent. So, the previous one was based on those requirements."

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Caulkins: "Then how were those people chosen? Was there a balance between major cities, downstate, other parts of the state? Was that money equitably distributed across Illinois?"

Ramirez: "So, that 396 million, Rep, if you remember, we legislated that in May. So, out of that \$396 million, IHDA administered... they certainly set aside a portion... again, this is the previous. This has nothing to do with this Bill. This is previously. They set aside a certain amount for administrative cost to be able to run the program, to be able to contract agencies across the entire state to help... help people fill out the application. This happened across the entire State of Illinois, mostly through the continuums of care. That's what we call in housing relocation and services. Of that, a portion went to municipalities and then some went directly, administered through IHDA. But IHDA is the one that paid the check, sent it to the landlord, the tenant never touched a dollar. It went straight to the landlord."

Caulkins: "I understand, but how was that money allocated? So much for Cook County, so much for Macon County, so much for a region, for Region 6 or Region 3? I mean, is this money equitably spread across the state?"

Ramirez: "So, Rep Caulkins, this was the previous... again, this is not this current program. But previously, IHDA broke it down across different sectors. We would have to ask IHDA because IHDA's the one that did the final. Let me be honest with you..."

Speaker Davis: "Representative, do you need more time or is this your last question?"

Caulkins: "If you don't mind."

Speaker Davis: "Is this your last question?"

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Caulkins: "I have a couple of other things that I'd like to ask, if you don't mind."

Speaker Davis: "Representative Keicher yields his time to you."

Caulkins: "Thank you. So, in this... in this new provision, this new money, is it going to be allocated equitably? Are we going to... are assured that everyone in the State of Illinois will benefit from this in an equitable way?"

Ramirez: "Absolutely, yes. It is going to go to the people that need it the most and we want to get them as much as possible so that they are not evicted. Yes."

Caulkins: "I understand the... I just want to make sure that this money is distributed to all of the State of Illinois, to everyone in an equitable way. Can you please explain why the landlords were not allowed to make the application? I've heard from many, many landlords that the application has to be filled out..."

Ramirez: "Rep Caulkins, that's a conversation with IHDA. They have the authority to create the program. I can't respond... I don't work for IHDA. So, I can't respond for them. But I think we should ask that question to IHDA. That is that previous program. So, what I tell you about the federal dollars coming that we should all be very thankful for, I would say to you that in terms of some of the distributions, for any municipality that has 200 thousand or more residents, they will get their own dollars directly to those municipalities. So, obviously, we know we have a couple of those municipality across the state. They will get that relief directly. It's about \$386 million. The rest will go through the IHDA

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administered program or any state agency that runs the program."

Caulkins: "I guess... what I've heard from the landlords is that the tenant has to apply. The landlord has to certify that the tenant is, in fact, behind on their rent. But I've heard from landlords who say that they can't get their tenant to make the application, therefore, they can't get into this program. Is there a reason that that... that this program is set up that way?"

Ramirez: "Well, Representative, I think that it's hard because there's two different programs. So, it's hard to know which program you're talking about. My Bill..."

Caulkins: "Yes."

Ramirez: "...is to clean up some of those issues. I'm with you. IHDA can tell you I called them all the time. I probably called them on Christmas Eve yelling about something. So, what I'm going to tell you for this program, we address some of those issues. If you look at the Bill language of this Bill, we're saying that landlords can assist with the application and that landlords can apply directly. That is very different from what you saw in the previous. And that, Rep Caulkins, is to address the landlord's issue on not being able to get, right, the agreement from the tenant. Or whatever the challenge was to get that application."

Caulkins: "Oh, great. So, you have changed the process?"

Ramirez: "Yeah."

Caulkins: "So, a landlord, under this new Bill, is going to be able to make that application and certify that the tenant is

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behind. And then they'll be put into the pool and selected or not selected to..."

Ramirez: "Yeah."

Caulkins: "...have rental assistance."

Ramirez: "The Federal Government changed that, and we're codifying to make... yeah, so the... it's been changed for this relief that we're getting."

Caulkins: "Correct."

Ramirez: "Absolutely."

Caulkins: "Thank you very much."

Ramirez: "Thank you, Representative."

Speaker Davis: "Thank you, Representative. Representative Thapedi, for what reason do you rise?"

Thapedi: "Will the Sponsor yield, Mr. Chairman?"

Speaker Davis: "She indicates she will."

Thapedi: "Thank you, Mr. Speaker. Representative, just to get a little bit of clarification. I know that the Lady from DuPage on this side of the aisle was asking you a lot of questions about legislative intent. And if I heard you correctly, I believe that you indicated that this is not a takings Bill, correct?"

Ramirez: "Correct, there is no takings."

Thapedi: "Right. So, there's not Fifth Amendment issues, there are no Fourteenth Amendment issues, there's no just compensation issues, none of that stuff, right?"

Ramirez: "That is correct, yes."

Thapedi: "All right. Now, with respect to the moratorium that you talked about, are lienholders available to file suit immediately under this Bill?"

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Ramirez: "Are you asking with regards to foreclosure?"

Thapedi: "Yes."

Ramirez: "One moment."

Thapedi: "So, said another way, while you're referring to counsel, if a homeowner or a property owner is behind, does the lienholder, or the bank, or the lender have the ability to initiate a foreclosure action?"

Ramirez: "No."

Thapedi: "Okay."

Ramirez: "All foreclosures and... there's a moratorium on foreclosures until May 31. And I apologize, we've changed the date so much. Until May 31, they cannot."

Thapedi: "No worries. So, if litigation is currently pending, a foreclosure action that is, must that foreclosure action stop or may they continue on with the litigation?"

Ramirez: "Pending actions should be stayed."

Thapedi: "Stayed until what period?"

Ramirez: "Until May... May 1."

Thapedi: "Okay. Now, with respect to the rent relief, I believe that you testified... or at least you... you indicated to the Gentleman from Decatur, when he was asking you questions, that the Bill has now... or at least your proposal is that landlords now have the ability to actually apply directly for assistance. Is that accurate?"

Ramirez: "That is correct."

Thapedi: "So, prior to this Bill, the only individuals who are really able to actually make the application for that rental relief or rental assistance was the actual tenants themselves, correct?"

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Ramirez: "That is correct. There are now federal requirements that allow for that."

Thapedi: "So, now you're giving more flexibility to not only the tenants to be able to obtain that rental relief that they need, but if for whatever reason the tenant is having challenges, the landlord, too, can be proactive and get that rental assist... that rental assistance in. Is that accurate?"

Ramirez: "Yes, that's correct."

Thapedi: "All right. So, now that we've got those two portions, the moratorium foreclosure and the relief portions, what are the other aspects of this Bill that are paramount that deal, specifically, with the emergency of COVID that we need to be aware of?"

Ramirez: "The last one is eviction filings and sealing of evictions through COVID period. We know that if you have an eviction filing on your record, an eviction judgement because for nine months you haven't worked 'cause IDES couldn't get it together so you can get your unemployment... whatever that reason was, that's to say that during this period that should not haunt you for seven years. So, we have an eviction sealing on it only for the COVID period indicated in the Bill."

Thapedi: "Okay. So, there... there are primarily only three components to the Bill. The moratorium on foreclosures, your rent relief, and then, finally, the sealing of evictions, correct?"

Ramirez: "That is correct."

Thapedi: "I urge an 'aye' vote, Mr. Speaker."

Speaker Davis: "Thank you very much. Representative Ramirez, no one else seeking recognition... I respectfully ask that

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Representatives Thapedi, Ammons, and Guzzardi please turn off their... their lights. Thank you very much. And Representative Ramirez to close."

Ramirez: "Speaker, I have waited 2 years to come before this House Floor. At the age of 17, I started working in my church's basement homeless shelter. I saw men come in and out, and I looked in their faces and I saw hopelessness. I saw people that did not believe that anyone would be with them and help them get out of homelessness into permanent stable housing. It is why I stuck around and, at 21, I became the executive director of this tiny, little organization. I will say to you that in those 13 years I met so many people who just needed a little assistance and people in the Legislature and city council to care more and believe that housing is a human right. Today, we are in an unprecedented times. January 6 was horrible. Losing thousands of people because of COVID, especially because they're poor, to me, in some ways, is even worse. Both are bad. So, today, I ask you to stand on the right side of justice. This Body has to make housing a priority. If you want a roof over your head, if you have it, if you have multiple homes, God bless you and your privilege. But unfortunately, too many people are living in a garage, doubled up and tripled up and spreading COVID left and right. So, today, I want to say, first, to every single Legislator that has stood with me, taken the calls, and has asked me what do I do to help, Delia, to Representative LaPointe who has been with me nonstop every single day and, yes, on Christmas Eve, on New Year's Eve, at 10:00 at night, 11:00 at night, thank you. This Bill is also your Bill. To Rep

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Guzzardi, to Rep Ammons, to Rep Harper, to Rep... Leader Harris, to Rep Morgan, to Robyn Gabel, who's also Representative and a mentor and a leader, to Rep Buckner, to the Latino Caucus, to the Black Caucus, and to all of us here, thank you for this moment. It is time. I urge an 'aye' vote."

Speaker Davis: "And the question is, 'Shall Senate Bill 3066 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. And on this question, 77 voting 'yes', 33 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, committee... committee announcements."

Clerk Hollman: "The committees will be meeting immediately. Executive Committee will be meeting on the floor here, and the Revenue & Finance Committee will meet... be meeting in the lower lever."

Speaker Davis: "Thank you, Mr. Clerk. Hope everybody got that. House will break for committees and be at recess to the call of the Chair. House will be in order. Mr. Clerk, Committee Reports."

Clerk Hollman: "Committee Reports. Representative Welch, Chairperson from the Committee on Executive reports the following committee action taken on January 12, 2021: recommends be adopted is Floor Amendment(s) 3 to Senate Bill 1510, Floor Amendment(s) 2 Senate Bill 1530, Floor Amendment(s) 4 to Senate Bill 1621, Floor Amendment(s) 2 to Senate Bill 3071. Representative Zalewski, Chairperson from the Committee on Revenue & Finance reports the following

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committee action taken on January 12, 2021: recommends be adopted is Floor Amendment(s) 2 Senate Bill 1199."

Speaker Davis: "Thank you, Mr. Clerk. Moving to the Order of Senate Bills-Second Reading, Senate Bill 1199, Representative Zalewski. Mr. Clerk."

Clerk Hollman: "Senate Bill 1199, a Bill for an Act concerning revenue. This Bill was read a second time on a previous day. Amendment 1 was adopted in committee. Floor Amendment #2, offered by Representative Zalewski, has been approved for consideration."

Speaker Davis: "Mr. Zalewski on Amendment #2."

Zalewski: "Thank you, Mr. Speaker. Amendment #2 becomes the Bill. It becomes the revenue proposal. I'd ask for its adoption and move it to Third Reading."

Speaker Davis: "Representative Zalewski... Mr... Representative Zalewski moves for the adoption of Amendment... Amendment #2. All those in favor say 'yes'; all those opposed say 'nay'. In the opinion of the Chair, the 'yesses' have it. Floor Amendment #2 is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

Clerk Hollman: "Senate Bill 1199, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Davis: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 1199, as amended, does a series of things related to the Illinois Revenue Code. Probably the most important and the thing I expect the most questions on is what we refer to as decoupling. In the Cares Act, the Congress offered to create a 5-year lookback for

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excess business loss and what's referred to as net operating loss. That is not compliant with Illinois' typical treatment of these 2 deductions. So, we are decoupling from that particular aspect of the Cares Act. That is a 1... potential \$1 billion cost savings to the State of Illinois. We're also doing a fix to the data center initiative by making the incentive more appealing by creating a certification that companies can actually apply for and achieve from... so going from 90 days to 2 years. We're adding a year to the South Suburban Brownfield project, which is a very successful program in the south suburbs dealing with redevelopment. We are fixing the sales tax on meals applied under the Assisted Living and Shared Housing Act. There's a confusion based on a ruling by the DOR. We're going to make the statute clearer. With respect to the Marketplace Fairness Act, which is an Act we did to capture more online tax revenue, the Department and IRMA has come to accord on a technical fix. So, that's included in the Bill. The auctioneers were being included in the treatment of a marketplace facilitator. This language clears that up. And then, there's an assessment issue dealing with how SLFs, which are supportive living facilities, are assessed. This statute... this change in the statute clarifies that. So, all that being said, this is an important proposal, and I ask for an 'aye' vote."

Speaker Davis: "Thank you very much, Representative. Representatives Stephens, it's showing that you wish to speak. Is that on this Bill or something else? No. Okay. It's showing up on the screen here, but the light isn't flashing. We just wanted to check. All right. Thank you very much,

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Representative. For a question, Representative Mazzochi, for what reason do you rise?"

Mazzochi: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "Before you start the questioning, we are going to use the four minute timer. Just to make everyone aware. He indicates that he'll yield. Please state your question."

Mazzochi: "All right. First, how does this Bill comply with the single subject rule given the nature and breath of all the different things that you, kind of, cobbled together into this one Bill?"

Zalewski: "All changes here, I would argue, are within the Illinois Revenue Code, and, therefore, I don't think we have a single subject problem."

Mazzochi: "So, just so I'm clear, your only rationale as to why these all satisfy a single subject matter is because they relate to changes in the Tax Code?"

Zalewski: "What's your rationale for suggesting they don't?"

Mazzochi: "Well, because what you have... a federal decoupling issue. You were talking about an auctioneer issue. You're talking about a data center issue. Those are a lot of potentially disparate subjects."

Zalewski: "You're aware that they all deal with taxation, right, Deanne?"

Mazzochi: "Yeah, but there's a lot of... I mean, you could argue that there's... that, basically, just about anything we debate in the State of Illinois in some way, shape, or form is tied to taxation. So, that's why I'm just trying to understand the basis for it."

Zalewski: "Yeah."

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Mazzochi: "Another question is, is when it comes to the decoupling provision, is it true that if we didn't do the decoupling you would have one level of taxes and if we do do the decoupling the State of Illinois is expecting to see an increase in tax revenue to the state?"

Zalewski: "No. I wouldn't characterize it that way. If we don't do this, the Federal Law on taxation will expose Illinois taxpayers to subsidizing of Federal Law that we don't have to adhere to. We decouple from tax treatments all the time. In this instance, it makes no sense to look back that many years when we simply can go to the spirit of the original statute, which is to carry it forward one year. So, it just makes no sense to allow congress to dictate to us how we should handle these types of issues."

Mazzochi: "Right, but you're not disputing that there's going to be some individuals or businesses, whether there is an S corp passed through a LLC or a LLP, or corporations where they would have, say a tax level of X if we do not decouple. And if we do decouple, their tax levy for the State of Illinois will be X plus some other amount?"

Zalewski: "What I'm told is DOR hasn't put out its January circular yet. So, companies aren't... been given any guidance on how they should treat net operating loss and excessive business loss. So, we're doing this now so that the department can go to taxpayers and say, here's how we're handling net business... net operating loss and excessive business loss. Prepare you taxes accordingly. So, I would not characterize it as a tax increase as compared to a clarification of this statute."

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Mazzochi: "Wait, as opposed to what?"

Zalewski: "A clarification of the statute."

Mazzochi: "Well, if the clarification of the statute means that you have this decoupling and you're going to have less revenue owed to the State of Illinois under the federal nondecoupled standard, and then it turns out you're going to have more money owed to the State of Illinois if there is decoupling, how can that be anything other than a tax increase?"

Zalewski: "It... it's us keeping our state taxpayers... our state budget held harmless from the actions of the Congress. That's what it is."

Mazzochi: "Well, but the actions of the Congress would have the practical effect of lowering the taxes that a business would otherwise owe if you... versus what would happen if we decoupled, right?"

Zalewski: "You could choose to see it that way. I don't."

Mazzochi: "Well, I do choose to see it that way."

Zalewski: "I know you do."

Mazzochi: "Usually when we have things that way, we call them tax increases. So, thank... thank you. I'm done."

Speaker Davis: "Thank you very much. Next is Representative Sosnowski. For what reason do you rise?"

Sosnowski: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Sosnowski: "First off, thank you. You know, many parts of this legislation, including the Wayfair cleanup and the auctioneers' issue that was created, is good. Just had a brief question or two about the decoupling provision. In our analysis and I think there was some testimony in committee...

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what is the estimate on the revenue that would be gained by decoupling?"

Zalewski: "Gained as compared to lost if we don't do it is a frame of reference, Joe, but what I would... what we've been briefed on is upwards of a billion dollars."

Sosnowski: "Okay. We have some information from... from our analysis that the Governor's Office, at one point, estimated a half a billion. Do you have... I mean, that's quite a range, obvious..."

Zalewski: "What I was told by DOR is there were... both on net operating loss and excessive business loss, there's 2 ranges, anywhere from 200 to 600 billion. If you average those out, 500 billion each, it comes out to a billion dollars. That's the way they've explained it to me. That's the level of exposure they would say we have."

Sosnowski: "Okay, thank you for that. To the Bill just briefly. You know, obviously, these were some..."

Speaker Davis: "To the Bill."

Sosnowski: "These were some changes that were made as part of the Federal CARES Act. While parts of the Bill are important and good, help clean up, certainly this is a concern because the... the genesis of this, because of the pandemic, was that with this federal benefit for those job creators, businesses that are hiring people, that have employees, that are experiencing losses, this ability to carry forward. As is mentioned here, we're talking anywhere between half a billion to a billion dollars, if not more. This is certainly going to be a big impact for those job creators and their ability to survive through this. So, I want to state that for the record that that is a concern on our side, many of our Members and myself

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included, in just how this will affect those businesses that obviously are already being detrimentally affected by what's happening in the United States and the world around us. So, thank you very much, Mr. Speaker."

Speaker Davis: "Thank you, Representative. Representative Reick, for what reason do you rise?"

Reick: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Reick: "The Governor first started discussing this decoupling proposal sometime around January 9. And I read a story in, I think it was the *San Francisco Chronicle* that said that he had estimated the, you call it a tax savings, I call it a tax increase, of \$200 million. Now, we're at \$500 billion... million and upwards of a billion dollars. I'm not going to quibble over the amounts because one way or the other I believe that we're doing is we're doing something to harm the people we most desperately need to help in this country... in this state. I do want to say that the CARES Act was signed on the 4th of March, 19... 2020. The budget was signed the end of May. We've had two revenue estimates since the budget was passed. I'd like to know is... did the budget, 3.9 billion, that we... our budget showed in... a deficit that our budget showed, did that take into account the 500 million, or the billion, or whatever it is, was that factored into that original budget estimate?"

Zalewski: "I'm told that, indeed, GOMB projected that we would decouple when they prepared up estimates."

Reick: "So, the budget, 3.9 billion, is... it anticipates the decoupling at that time?"

Zalewski: "Correct."

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Reick: "So, we don't have a \$4.9 billion deficit or a \$2.9 billion deficit, we have a \$3.9 billion deficit based upon the expectation of there being decoupling?"

Zalewski: "Correct. That's correct, I'm sorry."

Reick: "Okay. When did the Governor first learn... when did the administration first learn of this? Because if it was factored into the budget in March... or in May of 2020, when did he learn about it and why did it take him so long to do the decoupling now?"

Zalewski: "I'm told that the... David Harris, who is the Director of Revenue, was made aware of the CARES Act provision in October. He anticipated a Veto Session where we would be able to decouple. That, obviously, didn't occur because of COVID. And GOMB revisited this with us at the end of 2020."

Reick: "Then how could that savings or costs have been factored into the budget in May?"

Zalewski: "Well, I don't know that the May budget had the number baked in. What I'm told is, as GOMB produced its revenue estimate for one of our statutory budget meetings under the COVID measure, that it's at that... when GOMB produced its first revenue projection, it was included in there."

Reick: "That doesn't make any sense, with all due respect, Representative, because that just indicates to me that the Governor... the right hand of the Governor's administration doesn't know what the left hand of the Governor's administration was doing."

Zalewski: "Well, don't forget CARES Act changed the treatment of the two deductions. So, that occurs, David Harris realizes as a result of the change of the treatment that there's going to

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be a revenue shortfall, alerts the... alerts GOMB that the number may change. We don't do it in Veto Session but, ultimately, we come to the conclusion that if we don't do it, our projected revenue is going to change. So, as of now, it's status quo. But we have to do this or else, eventually, in Fiscal Year '21, in tax year... for tax year '20, filers are going to file and we're going to end up losing that revenue."

Reick: "Yeah, okay..."

Speaker Davis: "Representative, your time has come to a close. Would you like more time?"

Reick: "Yes, Sir. Please."

Speaker Davis: "Representative McCombie yields her time to you."

Reick: "Thank you."

Speaker Davis: "Thank you."

Reick: "Again, how can you bake in a number in a May budget that anticipates that loss of revenue based upon something the Department of Revenue didn't even know about until October or didn't have the chance to calculate?"

Zalewski: "Because we baked in the amount of a normal excess business loss and net operating loss. And what GOMB and DOR is telling us is CARES Act is eventually going to change the way people file in '21 for '20. We have to account for that. Here's the statutory way to do that. That's the way the numbers work. That's..."

Reick: "Okay."

Zalewski: "...how to make the numbers make sense."

Reick: "Okay. I'm not going to argue with you. I... I disagree with you on this because I don't know how you can bake something in in May that you don't know about. You... you had no idea

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about it in... unless the Department of Revenue is, or somebody other than the Department of Revenue, is coming up with these estimates. But we'll... we'll pass on that. Okay, you... you just swerved into something here. This change will affect people who are filing their taxes for 2020, the returns that are coming due in March for C corps and April 15 for sole proprietors, people in S corps, LLCs, and partnerships. Is that correct?"

Zalewski: "Correct."

Reick: "Okay. If there was an inkling that back in May that there was going to be something dealing with decoupling, don't you think that it should've been told to the people out here who are about to get hit with a 500 million or a \$1 billion tax increase?"

Zalewski: "It should've been told in May when we didn't know that the CARES Act was going to pass in October?"

Reick: "The CARES Act passed in... the CARES Act passed in March. It was signed by the President on March 4th of 2020."

Zalewski: "Oh, I'm mistaken. I thought this was a piece of CARES, too. So, repeat your question, Steve."

Reick: "But what I'm saying is, is that if this billion dollars was baked into the budget projections in May of 2020, I think that for us... for the Governor's Office and the Department of Revenue to do all this after the end of 2020, when people have an opportunity to maybe do a little tax planning before the end of the year, and then come about and have a billion dollar tax increase foisted on them that's due in four months, I think that's..."

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Zalewski: "I can only describe for you the anxiety of David Harris when he explains his problem, and his tax team, and explains that this kept them up at night once they discovered, in the summer, that it was going to be a problem. And we just didn't meet in Veto Session. I..."

Reick: "I'm less concerned about the angst of David Harris than I am about the hundreds of thousands of people in this state who are going to be affected by something they did not know was coming. Those..."

Zalewski: "They... hold on. Hold on, Steve. They knew that the federal... that Congress had acted. However, they had... they have no sense until they filed it. They began tax preparation for '21... or for '20 in '21 of whether we're going to choose to do this or not. Decoupling happens all the time. We're not the only state that's done this."

Reick: "No, I'm aware of that. I mean, depreciation..."

Zalewski: "So... so, taxpayer... a tax preparer's going to tell them, hey, the General Assembly may not offer you the five-year look-back here. I understand what you're saying, but I also think there's a second view."

Reick: "Okay, nonetheless, we have a... we have a Department of Revenue that didn't realize... and they're supposed to know this stuff... that didn't realize that this decoupling was going to cost 500 million to a billion dollars. To the Bill. To the Bill."

Speaker Davis: "To the Bill."

Reick: "Thank you, Sir. What we're seeing here is the beginning of administrative malpractice. We have an unemployment system that is completely dysfunctional. We have a Department of

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Children and Family Services that is still allowing children to be killed. We have FOID and concealed carried problems with the Illinois State Police that have not been solved in spite of how much money that we give them and how much time we give them to do that. Now, we have a Department of Revenue that took six months to figure out that there was going to be some sort of revenue impact because of the change in the CARES Act that was passed in March. I do believe that this provision in this Bill, of all the things that are good in this Bill... and you went through them. You ticked them off. We're in favor of all of those. This is a poison pill. This, alone, justifies a 'no' vote. And I urge a 'no' vote. I hope we can come back later in the next General Assembly, decouple... decoupling from the good provisions that were in this Bill and let's move on. Thank you, Mr. Speaker."

Speaker Davis: "Thank you, Representative. Representative Demmer, for what reason do you rise?"

Demmer: "Thank you, Mr. Speaker. To the Bill."

Speaker Davis: "To the Bill."

Demmer: "You know, this has been a very tough year for small businesses in each of our districts. This has been, probably, the most difficult year they've ever experienced. Both for the entrepreneurs who have leveraged everything they have to build their businesses and for the employees who count on those businesses for a paycheck that puts a roof over their head and a meal on their table. Now, these small businesses have had such a difficult year because of the pandemic, because of people's behavior changes in order to keep themselves and their families safe, but also because of the

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Executive Orders that have ordered them shut down. The bars and the restaurants and the retailers and the mom and pop shops. These small businesses that form the life blood of many of our communities have been dramatically and uniquely impacted by the series of successive Executive Orders limiting what they can do, what they can't do, what options are available to them to try to salvage this thing they built, and this thing they poured themselves into, and this thing that their communities rely on. Now, the CARES Act... the CARES Act passed in Washington, D.C. And, uniquely, it had the support of Speaker Pelosi and President Trump. How many things can we say that about? This had bipartisan support in Washington, D.C. The CARES Act was designed to deliver financial relief to these small businesses. It was designed to ease the burden that they carry in this unprecedented and extremely difficult year. Now, here in Illinois, there have been a few programs that have been talked about as a source of relief for these small businesses. We had the downstate stabilization grants, which after months awarded only a tiny fraction of the amount allotted to them to a handful of businesses scattered across the state. We've had the business interruption grants, which took applications well beyond their ability to deliver any kind of financial relief and left businesses waiting, and waiting, and waiting, only to find out they would be left with no support from the state. And we've had employees who have had to wait months to file for pandemic unemployment assistance only to find that they have to stand by their phone day and night, for week, after week, after week, to get a call back from IDES to even apply

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for unemployment or to find out that somebody applied for unemployment in their name and is collecting a benefit that's not really due to them. Now, today, this Bill proposes to have the state, instead of those small businesses, have the state intercept a billion dollars of financial relief that should go to small businesses, that this Body, at 1 in the morning, with 11 hours left in this General Assembly, is saying it's going to be ours instead. This is no way to treat small businesses in Illinois. This Bill should be taken from the record. This Bill should not be considered today. Is this the headline that we want small business owners and employees of these businesses to wake up to in the morning? Vote 'no'."

Speaker Davis: "Thank you, Representative. Please turn off your light if you don't mind. Representative Caulkins, for what reason do you rise?"

Caulkins: "Will the Sponsor yield, please?"

Speaker Davis: "He indicates he will. Thank you."

Caulkins: "Representative, could you explain the SLF part of this?"

Zalewski: "Sure. I'm happy you asked, Representative. This... the SLF proposal says that... my understanding is when there's an assessor in Illinois that is assessing SLFs in a way that uses what is referred to as an income capitalization approach, and then applying the cap rates to the income to determine the value. Some of the stakeholders are arguing that they're using rental income instead of what's supposed to be the capitalization income. As a result, it's a creating a disparate market. This seeks to rectify that."

Caulkins: "Thank you. To the Bill."

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Speaker Davis: "To the Bill."

Caulkins: "I will abstain from the vote with a conflict."

Speaker Davis: "Thank you. Representative, could you please turn off your light, Sir? Representative Marron, for what reason do you rise?"

Marron: "Thank you, Mr. Speaker. To the Bill."

Speaker Davis: "To the Bill."

Marron: "You know, I would like to point out that it has been since the middle of May since we all met as a Body. So, for about seven and a half months, and the two months prior to that, small businesses around this state have been devastated. And so, when I learned a couple weeks ago that we were finally coming back to meet again, I was happy. And I thought that maybe that we would set as a priority to have a discussion on how we would provide more relief to those small businesses, and that we would talk about important issues like the absolute mess at the Illinois Department of Employment Security and why small business owners in my district and in all of your districts are getting notices of repayment of PUA, which is unconscionable that we are putting these poor people that have seen their livelihoods devastated through this mess. Here we are. We've been here since Friday, and we have yet to talk about providing relief for small businesses. And here, at 1:00 in the morning, on the last night of the General Assembly, we are actually talking about taking away tax relief to these people that have been devastated. Now, I understand that the Governor doesn't have a lot of empathy and a lot of understanding for the struggles

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of small business owners, but this is unacceptable. I urge a 'no' vote, and I request a verification."

Speaker Davis: "A verification has been requested. Representative Keicher, for what reason do you rise?"

Keicher: "I'd like to visit with the Sponsor if he'd yield."

Speaker Davis: "Visit? You mean you want to go visit with..."

Keicher: "I'd love to, actually. And I want to know if the prior Bill had an immediate effective date and if the Governor signed it already on delivery. Yeah. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Keicher: "All right. Hey, Mike, thank you for bringing this in. This isn't an easy one to talk about. So, I certainly appreciate your patience and diligence on this. I do have a couple questions on behalf of the small business community. What type of business structures would be subject to this additional revenue coming to the State of Illinois?"

Zalewski: "I think the Gentleman from McHenry did a nice job of walking through those. But it's S corps, C corps, and LLCs, right?"

Keicher: "Okay. C corps are included in that? I was under the understanding it was only pass-through organizations..."

Zalewski: "They're not. They're not. I'm sorry."

Keicher: "...such s and LLC. That was the clarification."

Zalewski: "I made a mistake. I made a mistake, Representative. It's the ones you're referring to."

Keicher: "Okay. And so, generally, we find in our state that those are the smaller business owners, right?"

Zalewski: "Correct."

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Keicher: "Those are the folks that are setting up their own kitchen table companies, that are trying this out for the first time, and their attorney encourages them to set up an LLC structure to protect them from liability."

Zalewski: "Correct. That's correct."

Keicher: "As this was set up in the CARES Act, obviously, we didn't have an intention, but I do take a little bit of an issue with you suggesting that the companies were relying on Illinois not taking action on this."

Zalewski: "Well, they... it requires an affirmative act by us to decouple. I will concede that. However, my understanding from the Department of Revenue is that no business was in a position to have decided whether to use the tax break until the middle of January when the notice goes out. They put an annual circular out that says, in this instance, we've gone along with the Federal Government. In other words, your federal AGI is going to carry over to the state return. In this instance, we're going to... the state return is going to have precedence over the federal return in terms of the differentiation. So, in term of... I don't know if rely is the right word, but I will tell you, what I'm told by the experts is, is small businesses should not have made a threshold decision about whether this lawsuit is available to them until the end of January. And as a result, we have until then to make an affirmative decision to decouple. Now, you guys are likely to vote 'no', but it doesn't change... it doesn't change the fact that we're not pulling the wool over small businesses' eyes here. They..."

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Keicher: "So, as a small business owner, I would take issue with that. Because I think myself, like a number of other small business owners, have been in pretty constant conciliation with our accountants and lawyers through the course of this year, evaluating what we need to do to address the losses that we were subjected to in the State of Illinois concerning COVID mitigations."

Zalewski: "When was the last time you spoke to your accountant about excessive business loss and net operating loss?"

Keicher: "We spoke about business planning in the middle of December and what that might mean for our tax consequences."

Zalewski: "So, I'm... but I'm asking a specific question..."

Keicher: "We..."

Zalewski: "...on these two items."

Keicher: "But this is why I rely on my experts. So, the experts..."

Zalewski: "When I'm relying on the experts that told us that..."

Keicher: "I understand."

Zalewski: "...we would have until the end of January to give you a... to give you and your tax preparer guidance."

Keicher: "So, would this additional assessment be in arrears? And by that, I mean are we going back here today, January 2021, and taking additional revenues from Illinois mom and pop businesses that they earned in 2020?"

Zalewski: "So, for tax year 2020, CARES Act said five-year look-back for net operating loss and excessive business loss. We are saying, via state statute, before the Department of Revenue alerts taxpayers to the rules of engagement, do not rely upon the CARES Act provision. This... your AGI will not carry over to the state return for that purpose."

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Keicher: "Okay. But for clarification, we are making a decision in January of '21 that will impact to the tune of a billion dollars additional tax revenue being taken from Illinois mom and pop businesses that they incurred in 2020."

Zalewski: "I mean, it's too late to go back and forth with you, Representative. Yes. The answer to your question, for all intents and purposes, yes."

Speaker Davis: "Representative, your time has expired. Do you have more questions?"

Keicher: "I have one final question that I'd like an answer on if somebody would yield."

Speaker Davis: "Representative Bryant offers you her time. Please, go right ahead."

Keicher: "And, Mike, as I started out, I know this is touchy and I appreciate your patience on this. I am curious, just for clarification sake, of what this impact may have on any businesses that were recipients of PPP proceeds to help protect their business."

Zalewski: "I... that's a great... that's actually a great question. I... I recall that the... oh, my gosh, I'm a mess over here. I recall that the CARES Act 2 did offer the relief from PPP for tax purposes, but I will have to get you an answer on how this affects that, Representative."

Keicher: "Okay. And again, I do want to go back. Mike, I appreciate your dialogue on this, and I do appreciate... there are, as has been referred to by others, there are some good common sense clauses in this Bill. But I think it's unconscionable that we go back to nearly 400 thousand mom and pop businesses in the State of Illinois and ask them to contribute an additional

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billion dollars to our coffers after they have struggled in a year unlike any other year small businesses that have operated. So, thank you. I urge a 'no' vote."

Speaker Davis: "Thank you, Representative. Representative McSweeney, for what reason do you rise?"

McSweeney: "Mr. Speaker, to the Bill."

Speaker Davis: "To the Bill."

McSweeney: "We've heard a lot today about technical changes and also just minor changes, and let's don't worry about it. This is a \$1 billion tax increase. Everybody needs to wake up. This is a tax increase on small businesses. The states around us will not be raising taxes on their restaurant owners, not raising taxes on their small mom and pop shops. This is the most significant piece of legislation we are facing here during this Session. This is a \$1 billion tax increase on businesses that cannot pay their bills. We are telling people to leave the State of Illinois. Make no mistake about it, this is not a technical change. This is a \$1 billion tax increase. This morning, we thought it was \$500 million. This is an absolute insult to the job creators, to the people of this state who are struggling. Please vote 'no'."

Speaker Davis: "Representative McSweeney, please turn your light off. Thank you. Representative Davidsmeyer, for what reason do you rise?"

Davidsmeyer: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker Davis: "The Sponsor will yield."

Davidsmeyer: "Representative Zalewski, I want to say, first off, that I appreciate working with you. I think you're always straightforward, and I understand the situation that you're

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in running this Bill. I just can't get past the fact that here we are after 1:00, we've got just over 10 hours before the new General Assembly is sworn in, and we're talking about raising taxes on businesses for last year. I'm going to be very straightforward. I want to ask you if you will pull this Bill from the record so we don't end the 101st General Assembly with a tax increase to businesses that have been destroyed by COVID and by government mandates. Please, please be the straightforward guy that I know you are and pull this Bill from the record."

Zalewski: "I... C.D., I appreciate your kind words, but I'm not going to be able to pull this Bill from the record."

Davidsmeyer: "So, we're going to destroy more small businesses in order to increase the dollars coming into the State of Illinois coffers?"

Zalewski: "We are going to decouple from a federal provision that we have every right to do, and small businesses will be alerted to the fact that they won't have this five-year look back available to them."

Davidsmeyer: "A federal provision that's meant to save businesses that are drowning because of a pandemic and because of actions of the Illinois Governor shutting down our economy. We're still going to ask them for money, even though they're worried about closing their doors?"

Zalewski: "I... C.D., we're just not going to come to a meeting of the minds on this. I... I understand your position."

Davidsmeyer: "I hope that... I hope that others on this floor understand what they're being asked to do. They're being asked to make the decision to close the doors of small businesses

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throughout the State of Illinois that have been forced to close their doors temporarily up to this point by our Governor. Please think about what you're doing. Think about what you're asking people to do. You're trying to get blood from a turnip. It is not going to work. We can't do this to people. We've already destroyed their lives for a whole year, and now we're going to go after them again. If you won't pull this Bill from the record, I encourage a 'no' vote. Thank you."

Speaker Davis: "Thank you, Representative. Representative Hammond, for what reason do you rise?"

Hammond: "Thank you. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Hammond: "Thank you. Representative, can you tell me when you first became aware of this issue?"

Zalewski: "December 30. It was immediately after the chief of staff sent us the notice that we would be convening for lame-duck... for Session before the new General Assembly's sworn in."

Hammond: "So, if I may, were you told when the Department of Revenue became aware of this issue?"

Zalewski: "Yes, October."

Hammond: "October?"

Zalewski: "Yes."

Hammond: "And to be fair to you, Representative, I do not believe that you are a Member of the Legislative Budget Oversight Committee."

Zalewski: "No, I, in fact, am."

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Hammond: "Okay. Well, then... then, perhaps, we should both be concerned on this level."

Zalewski: "Norine, that's a... that's a sincere point. We did, quite frankly, push GOMB to say, look, it was not wise to bake this into the revenue number. We... we agree on that."

Hammond: "And... and so, we also agree that we, as Members of that commission, should've been made aware of that in our November report? Or at very least, our December report?"

Zalewski: "That's a fair criticism of the process. Correct."

Hammond: "And... and so, that, again, I think is very troubling that here we are at 0-dark-hundred on January 13 and we're having to deal with this and put this onus on small businesses that have suffered... and I'm not going to go into how much. We've heard it. But quite frankly, the Department of Revenue dropped the ball, and it's not on us to pick it up. They dropped the ball. It was their responsibility to report back to all of us, as Members of this commission. They didn't do it. We don't have to clean up their mess by passing this legislation. I urge a 'no' vote. Thank you."

Speaker Davis: "Thank you. Representative Murphy, for what reason do you rise?"

Murphy: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Murphy: "First, I'd like to clarify something that you mentioned early on, and you mentioned it, actually, a couple of times. As a former small business owner who was a subchapter S, that this would affect me if I was still in business. I did meet with my tax accountant multiple times through the year. My fiscal year started January 1 and ended December 31. We would

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meet in June, have a casual meeting, then we had a very serious meeting in October every year I had my business. So, the fact that you're stating that businesses don't do anything with their tax accountant 'til January shows me a total ignorance in regards to how small businesses operate."

Zalewski: "Mike, did you file your taxes in October?"

Murphy: "We did planning. We did planning, Mike."

Zalewski: "Well, not... no. My question to you is, did you file your taxes in October?"

Murphy: "Well, you asking me that question makes me wonder if you understand anything about taxes. Okay?"

Zalewski: "Well... well, did your accountant..."

Murphy: "No, I did not."

Zalewski: "Did you accountant say to you..."

Murphy: "We talked. We had planning."

Zalewski: "Mike... Mike, you cut me off."

Murphy: "No, you indicated..."

Zalewski: "No."

Murphy: "You indicated there was no planning throughout the year."

Zalewski: "That's not what I said."

Murphy: "Yes, it was."

Zalewski: "I'm... no, it's not."

Murphy: "That's what you indicated."

Zalewski: "Mike, no, it's not. I'm getting upset the way I'm being talked to."

Murphy: "To the Bill. To the Bill."

Zalewski: "No. Mr. Speaker, excuse me. I will not be disrespected by like that. It's irresponsible. These guys have been going off on me for 15 minutes, and I've taken it. I'm not going to

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get cut off like that. I didn't say that, Representative.
Finish your statement."

Murphy: "You said it three times. You said it three times that they would plan in January. We did not plan in January like you indicated three times. Can I go to the Bill now?"

Zalewski: "It's up to you."

Speaker Davis: "To the Bill."

Murphy: "To the Bill. For the last 8, 9 months, I received numerous calls almost every day, almost every night, from my fellow colleagues who are struggling, who are going through pain. I talked to one yesterday. He started the year with \$180 thousand in a rainy day fund. A rainy day fund, something I wish the State of Illinois had. The other day, he has \$5 thousand in that fund. I have another individual who told me he had \$100 thousand, and now he has \$425 in his account. He has 3 operations and he's not... he has no idea how he's going to remain open. And now, they're going to wake up and see this. What tough choices has the Governor made? I'm going to tell you. In my pocket here, ever since May of 2019, I've carried this. This list the things that we got that day, with good negotiations, that I was willing to take a tough budget and vote 'yes' for a budget because we got some business reforms. And the very top one is a Blue Collar Jobs Act. The Governor's taken that away from us. The Governor's going to decouple. I would like to know one reason why any business would want to come to Illinois or stay in Illinois. We're treating our small businesses, especially with this decoupling, shamefully. They need our help. They need our help. And, yes, I apologize, Mike, if I'm passionate about

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this, but this is personal. This is very, very personal. I know these people who put their whole life on the line for this, and now you're going to take a benefit away from them that they rightfully deserve. Please, please pull the Bill. At the least, vote 'no'. Thank you very much."

Speaker Davis: "Thank you very much, Representative. Ladies and Gentlemen, I know it's late and there's still yet a lot of work yet to be done tonight. So, if you need to, walk away, stretch your legs, get a bottle of water, come back, and let's continue our robust debates and try to make it as civil as possible. Representative Swanson, for what reason do you rise?"

Swanson: "Thank you, Mr. Speaker. To the Bill."

Speaker Davis: "To the Bill."

Swanson: "I come from rural America, and in my neighborhoods we have small businesses. In my neighborhood, we have cows, we have pigs, we have livestock, we have corn, beans. Most of you in this room do not have that in your neighborhoods. But something all 118 Members of the House have in common, we all have businesses in our neighborhoods. We all have businesses in our district. Now, if you look back on your district as you drove through there, maybe it was on the way down here Friday, Thursday, or one day last week, how many businesses did you see that had closed their doors? Maybe it was that mom and pops restaurant. Maybe it was that gas station. Maybe it was that grocery store. Maybe it was that clothing store. Maybe it was a major manufacturer. But over the last year, how many of you've seen a business close? Now, when that business closed, people lost their jobs. The State of Illinois

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lost sales tax. The State of Illinois lost income tax. The State of Illinois might possibly have lost property taxes when that building closed. So, let's look at all those streams of revenues that that business bring to the State of Illinois. Now, let's look at how many of those stores have closed and how much that has impacted the State of Illinois. Now, let's look at those businesses that are going to have to cough up as much as a billion dollars. How many more of those businesses in your communities are going to close because their bottom line does no longer support those employees, their merchandise, and all that that goes with that business, small or large? But this is a reality that's happening in Illinois in every one of our districts. And if we want to stop the bleeding, we don't tax our businesses more money. We provide them a hand and lift them up, as opposed to a boot and kick them in the... you fill in the blank. So, I'm asking this Body to think of that small business, if not in my neighborhood, think of that business in your own neighborhood that you're voting to potentially close them in the next week, days, or months. So, consider that. Thank you, Mr. Speaker."

Speaker Davis: "Thank you. Representative Murphy and Swanson, please turn off your lights if you don't mind. Representative Chesney, for what reason do you rise?"

Chesney: "To the Bill."

Speaker Davis: "To the Bill."

Chesney: "You know, when I first cut my teeth in politics, I heard it a number of times that elections have consequences. And while the elections in November didn't work entirely in the Republican favor, one thing that I think it's important to

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note is the progressive income tax went down in flames. And I think what people are trying to tell us, in the General Assembly, Democrats, Republicans, and Independents, is that they're taxed enough. They just don't want to send more money to Springfield. And we've spent the last 3 or 4 days talking about the impact of the pandemic and how it's impacting minority communities, urban, suburban, and rural communities. And now, at 1:30 in the morning, we're talking about taxing the same small businesses. The same small businesses that we're going to help on housing. The same small businesses that we're going to help in different COVID relief Bills. Now, we're going to do a technical change where we'll argue over the semantics if it's a tax or a technical change. But the net result's going to be a billion dollar increase in revenue to the state that's not going to be sent to minority communities, rural communities, and urban communities. But then when we take a look at the population in the State of Illinois, and we also measure that with the progressive income tax that was defeated, we're 1 of only 2 states in the entire country that's losing population. And so, when that population goes down, that means that more people... or fewer people, excuse me, are going to have to pick up the freight because the trajectory of our spending has never gone down. It only goes up. So, I just ask, if we're truly going to put together the pillars of change and have this robust and strong debate, why are we passing a tax increase on black and brown communities? Why are we passing a tax increase in our urban areas and on our rural areas? At a minimum, why are we passing a tax increase at 1:30 in the morning when, virtually, all of

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our constituents are sleeping? All while they just told us in November, you guys couldn't even tax the people that made over \$250 thousand a year and convince the majority that you were right. Please vote 'no'."

Speaker Davis: "Thank you, Representative. I'd like to just offer a reminder to all Members as it relates to wearing your mask properly, which includes covering your nose and your mouth. So, if you could kindly do that, we would appreciate it. Representative Thapedi, for what reason do you rise?"

Thapedi: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Thapedi: "Z, I don't have cows, and pigs, and beans, and corn in my neighborhood..."

Zalewski: "Oh, man..."

Thapedi: "...and I'm hearing that people in that area are hurting. And I'm listening to this side of the aisle behind me asking for relief. But what I do have in my community is no fresh food, lead riddled water, blight, and police killing unarmed people, but my pleas for help are always ignored. But I do want to understand and try to harmonize what's going on here with this Bill. Whose initiative is this?"

Zalewski: "It is the... well, it's actually a series of initiatives, Andre. The one we've spent the most time on, decoupling, is an initiative of the Illinois Department of Revenue."

Thapedi: "Okay. And what is the impetuous for this Bill?"

Zalewski: "The impetuous is if we don't do it by the time the Department alerts the taxpayers of the 2020 rules of engagement, it will be unfair to them to file under cloudy... effectively, cloudy regulatory schemes. So, we're trying to

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decide whether we want to remain or decouple from the federal rule on these two deductions."

Thapedi: "Okay. Well, I'm not an accountant, and I'm not an actuary. So, in English, what does that mean?"

Zalewski: "It means we have..."

Thapedi: "'Cause I'm hearing... I'm hearing from the folks behind me that this is a tax increase on black and brown communities. Now, I take that with great skepticism because I'm hearing, pretty much for the first time, that there's concerns from the aisle behind me about the concerns and the pains of the black and brown community."

Zalewski: "That irony isn't lost on me either, Andre."

Thapedi: "Yeah. So... I mean, again, I want to give credit where credit is due. And if that is a concern and if it is true, I want to take them at their word. So, can you tell me whether or not that's accurate because..."

Zalewski: "I don't consider... I'll go back to the very first exchange I had. I don't consider this a tax increase. You should not have been relying on these two deductions until the department put out its circular at the end of January."

Thapedi: "Well, help me out. Let's play devil's advocate for a minute. I know I only have two and a half minutes. Why are they making that assertion? And you're a very bright lawyer..."

Zalewski: "Because the oppositions are..."

Thapedi: "Why are they making that assertion? I just want to know, are they trying to pull the wool over my eyes by trying to get me concerned about the black and brown community, which

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is what the Black Caucus pillars are all about? Or is that a bunch of hogwash?"

Zalewski: "I don't view it as a tax increase on small businesses. I truly don't. They probably think it's disingenuous to suggest that. I suggest that it's a tax clarification so everybody knows the rules of engagement when they file their 2020 return."

Thapedi: "All right. Thank you."

Speaker Davis: "Thank you. Next would be Representative Meier. For what reason do you rise?"

Meier: "To the Bill."

Speaker Davis: "To the Bill."

Meier: "I don't talk very often on the House Floor, but there's some things in this Bill that maybe... I don't want to say Mike's misrepresented them but some of our small businesses have to have tax extensions. Those extensions have to be filed, and, whatever your estimated tax is has to be paid by January 31 because you're going into the extension, because you might be getting a 1099 yet, you might be getting a W-2 yet. So, you have to figure out how much your taxes are going to be. You have to have it calculated. You have to get through your tax plan. You've got to start in the early part of December to do this. The small businesses we have throughout the state, the mom and pop businesses, they are our backbone from the very start of it, from the first... the night before the first lockdown, I was sitting in a room with about sixty-five different businesses, trying to come up how we're going to be able to apply for some of the grants from the state, what we're going to do to try to keep these businesses afloat."

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We had only six in my district, when I looked at other districts with sixty and eighty businesses getting the first round. Six. Same amount of people in my district that's in everybody else's district. These businesses weren't getting help. I have a business in my hometown. It's been there since 1868. It survived the Spanish Flu in 1918. It survived the Great Depression. It may not survive this coronavirus. We're now asking to put... take extra revenue from them, a tax on these mom and pop businesses. This couple has put their whole life into that business to keep something that's on the National Register open so the people of Illinois can come and enjoy it. Just like Henry Ford getting back there and enjoyed it many, many years ago as he was building his company. And we may be slamming the doors shut on this business and many others because they're not getting the grants. They're not getting the help. I've tried many times with the Governor's Office, saying, please divide this up evenly. Let every business get the same amount. Let every landlord get the same amount. Don't pick. But on this tax, that gets to go on everybody. Everybody's got to pay this new bill and a lot of them didn't get the help. So, I beg of you for all these businesses, the mom and pops, the people that have to have that check written to the U.S. Treasury and the Illinois Department of Revenue by the end of this month. This is January 13. Those plans have been going a long time already. They don't have 'til the end of February and they don't have 'til April 15. This is not the time for this Bill. Thank you."

Speaker Davis: "Thank you. Respectfully, if Representatives Thapedi and Meier can please turn your speak buttons off,

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please. I would appreciate it. Representative Butler, for what reason do you rise?"

Butler: "Thank you, Mr. Speaker. To the Bill."

Speaker Davis: "To the Bill."

Butler: "The House Republicans, for weeks, have warned the citizens of Illinois that coming into this lame-duck Session there will be a tax increase. Ladies and Gentlemen, this is the textbook definition of a late night, no one's watching, lame-duck, backdoor tax increase. This is what the people hate. It's as easy as that. This is exactly what people hate. We have people sitting here on this floor getting ready to vote for a tax increase who will not be able to vote in 10 and a half hours because the 102nd General Assembly will have convened. This is a late night tax increase when nobody's watching. And if you vote for it, that's what you're voting for. Vote 'no'."

Speaker Davis: "Representative Stava-Murray, for what reason do you rise?"

Stava-Murray: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Stava-Murray: "How many businesses is it estimated that this will impact? Four hundred and forty thousand, I'm seeing. I'm sorry, I know but..."

Zalewski: "Yes."

Stava-Murray: "Okay. So, and the estimated impact to our budget, am I correct, in that it's been estimated that we'll be increasing our deficit by 500 million to 1 billion dollars if we don't pass this. Is that accurate?"

Zalewski: "Yes."

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Stava-Murray: "So, if we do the math for a quick second, let's take the total amount that we could increase our deficit by, which is what we are actually talking about tonight, it would impact each business approximately a thousand to 2 thousand dollars. Is that correct?"

Zalewski: "Say that one part again, Anne."

Stava-Murray: "So, if you do the math, it's approximately a thousand to 2 thousand dollars per business, if we were to average across all 440 thousand businesses, the 500 million to 1 billion dollars?"

Zalewski: "Correct."

Stava-Murray: "Correct. So, when we're talking about taxing businesses out of existence, that's a bit of an overreach to me and I'll say... to the Bill. What we're talking about..."

Speaker Davis: "To the Bill."

Stava-Murray: "To the Bill. This is a... this is a deficit increase if we don't pass this. And if you want the *Tribune*, tomorrow, to have the headline, Illinois fails to decouple from federal provisions to increase the deficit by 500 million to 1 billion dollars, then that's on you. But that's not what my people elected me to do. Thank you."

Speaker Davis: "Representative Morrison, for what reason do you rise?"

Morrison: "Thank you, Mr. Speaker. To the Bill."

Speaker Davis: "To the Bill."

Morrison: "We heard the Sponsor say that businesses should not have relied on this deduction. And I think it's... again, it's becoming clearer and clearer that businesses should not rely on the state reforming any of its spending or pushing policy

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reforms that would actually enable this state to pay for government in a reasonable, responsible way. Vote 'no'."

Speaker Davis: "Representative Zalewski to close."

Zalewski: "I'm just going to speak to my side for a moment. It's late, we're very tired. We've had an incredibly long day. The decisions in the 102nd General Assembly are not going to be easy. This makes balancing a budget a much more palatable circumstance for our constituents. We're not going to get any help from that side. It's been made perfectly clear over the last 5 days. And then they added insult to injury tonight by the way they conducted themselves. So, I'm asking the 74 on our side to do the right thing, support this legislation, and get it over to the Senate. Thank you."

Speaker Davis: "Thank you. Members, Representative Marron has requested a verification. All Members will be in their chairs and vote their own switches. The question is, 'Shall Senate Bill 1199 pass?' All in favor vote 'yes'; all opposed vote 'no'. The voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... oh, we have... you have technical issues, Representative? If you ask for technical support, we give it to you also. The Gentleman says he's having technical issues. Representative Smith, are you having technical issues? Would you... would you turn on Representative Smith's mic, please? Yes, Representative."

Smith: "Mr. Speaker, will the Clerk enter my 'yes' vote?"

Speaker Davis: "Is that possible, Mr. Clerk?"

Smith: "Oh, now it's working. We're good."

Speaker Davis: "Okay."

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Smith: "Thank you, Mr. Speaker."

Speaker Davis: "All right. Mr. Clerk, please... Representative Zalewski? Mr. Clerk, please take the record."

Zalewski: "No, no. Mr. Speaker, can I... can I add this to the Order of Postponed Consideration?"

Speaker Davis: "Yes."

Zalewski: "Thank you."

Speaker Davis: "Yes, the Bill... I was told I needed to take the record before I could put it on Postponed Consideration. I just took the record. Just took the record, and I was told that I had to take the record to put the Bill on Postponed Consideration. According to the parliamentarian, you take the record and then the Bill can be requested by the Sponsor to be put on Postponed Consideration. Representative Zalewski asked for the Bill to be put on Postponed Consideration. Leader Durkin, for what reason do you rise?"

Durkin: "Thank you. A parliamentary inquiry. Could you have the parliamentarian cite the section of the House Rules which allows for the request for Postponed Consideration to be taken after the record has been taken? I need the specific cite, Sir."

Speaker Davis: "Leader Durkin, it's House Rule 62."

Durkin: "Could you have the parliamentarian explain to this Body of what is... I think that... I don't plan to... my Motion... my request is for the parliamentarian to explain the cite but I happen to ask... I'm going to renew my request that they explain exactly why the Motion for Postponed Consideration is in order once you've already taken the record."

Speaker Davis: "Leader Durkin."

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Durkin: "Yes."

Speaker Davis: "I'm told that you have to exact to know... you have to know exactly how many votes you have to determine whether or not it even meets the threshold for Postponed Consideration. Therefore, you must take the record to finalize the vote."

Durkin: "All right. We're going to ask for a verification of... obviously, our verification for the votes. I'm not sure if..."

Speaker Davis: "A verification? If it's on Postponed Consideration..."

Durkin: "Please... Mr. Batinick, if you wouldn't mind discussing that aspect of the Rule for the parliamentarian and also the Speaker. I yield my time to Mr. Batinick."

Speaker Davis: "Representative."

Batinick: "So, we need to do the verification after you take the record because if the vote total is below 48 or 47, you can't do Postponed Consideration."

Speaker Davis: "According..."

Batinick: "You need to do the verification to see if there's 50 votes."

Speaker Davis: "So, you still want to do a verification for 50 votes?"

Batinick: "Correct."

Speaker Davis: "Even though there was a request for Postponed Consideration, which..."

Batinick: "Yes, we do."

Speaker Davis: "...according to this, he got 50 votes..."

Batinick: "Correct."

Speaker Davis: "...and he asked for a Postponed Consideration?"

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Batinick: "Right, but if he doesn't have either 47 or 48, he can't even do Postponed Consideration. We don't have 50 verified votes."

Speaker Davis: "Just hold on, Representative. Hold on. Representative Batinick, according to House Rule 56(a), a verification is out of order with regard to a roll call that has not been... that has not received the requisite number of votes to pass."

Batinick: "That... I'm not reading it that way. Any... after any record vote, except for a vote that requires a specific number of affirmative votes and that has not received the required votes, and before intervening business, it is in the order for any Member that voted on the question to request verification of the results of the recorded vote. Right. It didn't receive the number of affirmative votes to get Postponed Consideration. There's a requirement for Postponed Consideration of 47 votes. We can verify that, according to Rule 56, Section (a). I guess you guys can rule whatever you want 'cause that's what you do."

Speaker Davis: "For passage, the requisite number of votes is 60, correct?"

Batinick: "For passage, it's 60. But a vote that requires a specific number of affirmative votes. A Postponed Consideration requires a specific number of votes. There's a number. It's 47, so I'm told."

Speaker Davis: "We weren't voting on Postponed Consideration."

Batinick: "We're always voting on Postponed Consideration."

Speaker Davis: "If it received the requisite number of votes, correct?"

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Batinick: "Right. We have to verify to see if you get to 47."

Speaker Davis: "Mr. Batinick, that is the ruling of the parliamentarian."

Batinick: "I am shocked."

Speaker Davis: "Representative Mazzochi, for what reason do you rise?"

Mazzochi: "Mr. Speaker, I rise because it has... it was a long day yesterday, we're in the middle of January 13, I hereby move under House Rule 55(a)(4) to recess until later today at 10 a.m., January 13, 2021. Rule 55(a)(4). And if the Chair's not going to entertain my Motion, then I'd request a vote of the Assembly. Or is not going to grant my Motion, then I request a vote by all the Members present, immediately. And for the record, the time of my Motion has been made as of 2:00 a.m., on January 13, 2021."

Speaker Davis: "Representative Buckner, for what reason do you rise?"

Buckner: "Mr. Speaker, we've worked long and hard this year and over these last few days to pass a very important Black Caucus agenda. If we recess right now, we will not be able to get our work done. So, I want the Body to remember that. If we do vote on this Motion, I'm asking everybody on the Democratic side to please vote 'no'."

Speaker Davis: "The Representative asked for a recorded vote on her Motion. Members will vote their own switches. There is a Motion to recess. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question... on

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the Motion, there are 44 voting 'yes', 65 voting 'no'. The Motion fails. Continuing on the Order of Second Reading is Senate Bill 1510, Representative Harris. Mr. Clerk."

Clerk Hollman: "Senate Bill 510, a Bill for an Act concerning regulation. This Bill for read a second time on a previous day. Amendment 2 was adopted in committee. Floor Amendment #3, offered by Representative Harris, has been approved for consideration."

Speaker Davis: "Representative Harris on Floor Amendment #3."

Harris: "Thank you, Mr. Speaker. I'd like to adopt the Amendment, if we could, and then debate the Bill on Third."

Speaker Davis: "Representative Harris moves for the adoption of Amendment #3. All those in favor say 'yes'; all those opposed say 'nay'. In the opinion of the Chair, the 'yesses' have it. Floor Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

Clerk Hollman: "Senate Bill 1510, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Davis: "Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The majority of this Bill, it consists of the hospital transformation program for the State of Illinois. Those of you who were here last May remember that when we passed the hospital assessment we had allocated \$150 million for a hospital transformation program to improve health care and outcomes in communities affected by health care disparities. At the time though, the Body rejected the proposal that was on the table before us. So, all summer long, the Medicaid

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Working Group, which is a bipartisan group made up of Legislators from both sides of the aisle, the administration, and the health care advocacy groups, have been working on this new proposal that is before us today. I just want to give special thanks, particularly, to Representatives Camille Lilly, LaToya Greenwood, Fran Hurley, Robyn Gabel, Tom Demmer, Ryan Spain, Norine Hammond, Janet Haas, Members of the working group from this chamber who put in many, many, many hours to get this done. Essentially, Ladies and Gentlemen, what this does is it directs funds to areas that have been disproportionately impacted by disparities of health care that have developed over years and generations and will work to undo those systemic disparities. It's available to all areas of the state that are in distress. We are making sure that there is money for safety net hospitals in Chicago, for FQHCs, to be sure that rural critical access hospitals downstate are accommodated. There's programs to incentivize innovation, particularly in the areas of behavioral health, post-COVID care, maternal child health, and others. I know the hour is late. So, I'm not going to go into a long discussion. I will point out that there are a couple other provisions in the Bill related to some adjustments for nursing homes related to COVID, as well as a fix to the initial hospital assessment Bill, a date correction, and an adjustment for FQHCs. I'd be happy to answer any questions."

Speaker Davis: "Thank you, Representative. The Chair will use the timer on this debate. Representative Demmer, for what reason do you rise?"

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Demmer: "Thank you, Mr. Speaker. To the Bill."

Speaker Davis: "To the Bill."

Demmer: "I appreciate the description of this Bill that was given by Leader Harris and the bipartisan spirit in which we have worked over many years to get this transformation program up and running. This provides a great opportunity for health care delivery networks in both small rural areas represented by critical access hospitals as well as some of the most densely populated parts of our state who are served by safety net hospitals to create and craft new systems that will allow them to better serve the health care needs of their communities. There are responsible safeguards put in place here. There are specific metrics that'll be needed to be achieved in order for these projects to be successful. And I appreciate the work from my colleagues on the Democratic side of the aisle, our colleagues in the Senate, as well as in the administration for the genuine effort that went into putting forward this Bill. I encourage all Members of the Body to vote 'yes'. Thank you."

Speaker Davis: "Thank you, Representative. Representative Flowers, for what reason do you rise?"

Flowers: "Would you the Gentleman yield?"

Speaker Davis: "Yes, he will."

Flowers: "Representative, I thank you and your committee for the hard work and the years of hard work that you've been putting into this, but I have a few questions. So, there's going to be a \$150 million given to how many hospitals, over what period of time?"

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Harris: "That is \$150 million per year. So, each year there will be an additional amount of money. And the hospitals must have submit... or hospitals, or collaborations of hospitals and FQHCs, submit applications. So, there's not a set amount. They would apply for what they need and then these are reviewed by the department and granted based on merit."

Flowers: "Will these hospitals be allowed to close?"

Harris: "No. There are provisions in there that should... the hospital should not close. Or should they cease to deliver the services or not perform, the money will be clawed back."

Flowers: "So, if the money will be clawed back, then they'll be able to close?"

Harris: "This Bill does not address hospital closures. I believe that might be in the pillars Bill."

Flowers: "My other concern in regards to... what is the transformation? Just give me an idea of what type of transformation are we looking at for these hospitals."

Harris: "So, some hospitals that have talked to us about ideas they're thinking of would be transforming to find new ways of delivering... accessing people and delivering mental health and substance abuse community... services in local communities. Or there are a lot hospitals in areas disproportionately hit by COVID who now say they're having to invent from the ground up a whole new type of medical practice that has never existed before. And this is called post-COVID care, that people who have been afflicted with COVID-19, whether they got extremely sick during their illness or just a mild case, hospitals and doctors are now seeing people coming in months later, weeks later with neurological problems, cardiovascular problems.

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You know, all these things which they are now having to learn how to treat and design buildings and systems to provide that care. And we want to do that in the communities where people live. So, it would be able to incentivize that type of thing."

Flowers: "And what type of prevention treatment or intervention treatment are people given? Because a lot of these people that died from COVID in my community, the reason why they died was probably because of... the reason why they got sick from COVID was because of the preexisting conditions because of the lack of access to care that they were getting it in the first place. And how are we going to change and have a health care system as opposed to these individual health care providers acting as if there's no new technology or no research out there to help them make people better?"

Harris: "No, no, you raise a very good point. And in the... you know, I'll be happy to show you in the actual Bill where it goes through some of the details, but it... when you submit your application, there are enhanced eligibility if you work in collaboration with other hospitals, other health systems, FQHCs, and community organizations. That's actually part of the application process to encourage folks to do that. But also work with other community organizations such as food, or housing, or, particularly, health outreach workers. You know, folks who would go into the home and do the care coordination, help people get to their appointments and that kind of thing."

Flowers: "And another problem that I have is... oh, wow, what was it? I understand that some..."

Speaker Davis: "Representative Flowers."

Flowers: "Yes."

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Speaker Davis: "Your time has expired. Would you like more?"

Flowers: "Yes."

Speaker Davis: "Representative West yields you his time."

Flowers: "Representative Harris, there was another concern I had.

A lot of hospitals are having their monies removed from them because of the... of the billing. Now, can you explain what type of billing are the hospitals not in compliance with? And as opposed to taking away the funds from the hospital, because it's really hurting the patients, how about if someone from the Department of Human Services go in and show these safety... these overworked and understaffed safety hospitals what they're doing wrong as opposed to taking the money back?"

Harris: "Representative, it's like you and I sat here and planned out your questions to make my Bill sound better, because you'll be happy to know there's actually a section in there that provides resources for hospitals to be able to do just that kind of thing, to bring in better billing services and recovery services so that those claims denials go down and they're able to get more money back from the MCOs."

Flowers: "My final question. In regards to people being healthier, what type of homes or what type of safety environment are we trying to send them back to?"

Harris: "We want to send people back to safe environments. We want to send them back to places with wrap around services if need be. And that is if somebody has a disability, would there be somebody who would help make sure that their house is accessible. If it was somebody who is struggling with a mental illness, would they have somebody who could help make sure that they're taking their medications, getting to their

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appointments regularly. And if it's a person who's not stably or safely housed, we're trying to incentivize people to also move people into stable housing situations where they can recover from their illness, whether it would a behavioral illness or physical illness, which you can't do, obviously, if you're..."

Flowers: "And one other question, then I'll bring my remarks to a close. In regards to taking their medication, why is it that Aetna is requiring that people on Medicaid to go to a certain Walgreens, as... I'm sorry, a certain drugstore as opposed to the one that's closest to their community. Considering the fact that this is capitated fees, so the insurance company has already been paid. So, why are we causing our poorest people to have to go further and further put themselves at harm by taking public transportation if they don't have a car... a car and put other people at harm if they have COVID or any other disease that they could pass on?"

Harris: "I know the situation you're referring to, and this Bill doesn't touch that issue, but I understand the issue and share your concern about it."

Flowers: "Well, I think... will your committee be working on that or do I have to help you, or what can I do?"

Harris: "I think this could be something we're going to take up. I know Representative Ford has brought it up to me a number of times. So, I think that could be next on..."

Flowers: "Thank you very much. I appreciate you and your hard work."

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Speaker Davis: "Thank you, Representative. Representative Kalish, for what reason do you rise?"

Kalish: "Good morning, Mr. Speaker. I have a question of the Sponsor. Does the Sponsor yield?"

Speaker Davis: "He indicates he will."

Kalish: "Just for legislative intent, I want to read this question. Does this coverage include testing of individuals that have no know symptoms and no known exposure to COVID?"

Harris: "Representative, can I try to rephrase your question, possibly, in a way..."

Kalish: "Please."

Harris: "...I think I know where you're going with this. Would you say that there are some who have raised questions about some of the drafting in this Bill related to an insurance issue for testing for people with COVID?"

Kalish: "I think that's exactly it, Sir."

Harris: "And I've talked to the Life Insurance Council of Illinois tonight. I've also sent message with Representative... Chairman Jones to the Department of Insurance that we will work with them and do a trailer Bill to address those concerns."

Kalish: "Thank you so much."

Speaker Davis: "Representative Harris to close."

Harris: "Thank you for your time. I would ask for an 'aye' vote."

Speaker Davis: "And the question is, 'Shall Senate Bill 1510 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members, please record yourselves. Representative Ammons. Representative Frese. Mr. Clerk, please take the record. And

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this Bill receiving 112 'yeyes', 0 voting 'no', 1 voting 'present', having received the Constitutional Majority, is declared passed. Mr. Clerk, what's the status of Senate Bill 1530?"

Clerk Hollman: "Senate Bill 1530 is on the Order of Third Reading."

Speaker Davis: "Representative Harris, Senate Bill 1530."

Harris: "Thank you, Mr. Chairman. For those of you looking at the screen, this Bill has nothing to do with utilities or..."

Speaker Davis: "Representative, I understand you have a Floor Amendment that you need to adopt."

Harris: "Oh, you're right. I have a Floor Amendment. I would like to adopt House Floor Amendment #1."

Speaker Davis: "Mr. Clerk, would you move this Bill back to the Order of Second Reading?"

Clerk Hollman: "Senate Bill 1530, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. Committee Amendment #1 was adopted in committee. Floor Amendment 2, offered by Representative Harris, has been approved for consideration."

Speaker Davis: "Leader Harris on Floor Amendment #2."

Harris: "If we could adopt the Amendment and then discuss the Bill on Third."

Speaker Davis: "Leader Harris seeks for the... asks for the adoption of Floor Amendment #2. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yeyes' have it. And the Floor Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Hollman: "Senate Bill 1530, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Davis: "Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill corrects a date in statute. It deals with the eligibility of a hospital in Granite City, Illinois, and that's what it does."

Speaker Davis: "Representative Spain, for what reason do you rise?"

Spain: "Thank you, Mr. Speaker. First, a matter of housekeeping. Please excuse Representative Randy Frese for the remainder of the evening. And then second, to the Bill. I urge an 'aye' vote. This is a technical cleanup for a hospital in the Metro East in Southern Illinois area. Thank you."

Speaker Davis: "Thank you. No one else seeking recognition, Leader Harris to close."

Harris: "Please vote 'yes'."

Speaker Davis: "And on that question... well, the question is, 'Shall Senate Bill 1530 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. And on that question, 112 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Willis, your light is on. Would you, please? Thank you."

Willis: "It won't go off. Malfunctioned, I'm sorry."

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Speaker Davis: "Moving to the Order of Concurrences. On page 5 of the Calendar, we have House Bill 1559, Representative Cassidy."

Cassidy: "Thank you, Mr..."

Speaker Davis: "Mr. Clerk, do you need to read the Bill? No. Okay. Go right ahead, Representative."

Cassidy: "Thank you, Mr. Speaker. I believe I need to adopt... no, this is just a concurrence."

Speaker Davis: "Concurrence."

Cassidy: "Thank you. I move to concur in Senate Amendment 2 to House Bill 1559. This represents a... an agreement between the City of Chicago and the Chicago Teachers Union. It is a trailer Bill to clean up some distinctions in the... from the Bill that passed this chamber unanimously affecting the collective bargaining agreement in the Chicago Public Schools. And I ask for an 'aye' vote."

Speaker Davis: "The question is... I'm sorry. Representative Batinick, for what reason do you rise?"

Batinick: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she will. And we are using the timer, Representative."

Batinick: "Okay. Yeah, no problem."

Speaker Davis: "Thank you."

Batinick: "Representative, I think we're good with this Bill. Can you give us a... you said clean up, what exactly does it clean up and what was the vote in committee on this?"

Cassidy: "Thank you for giving me enough time to pull up the notes since they don't come up automatically. I apologize. The Bill deletes one section that deals with Chicago school district

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collective bargaining subjects. It moves negotiation on the length of the school day and the lengthy academic school year from prohibited subjects to permissive subjects... permissive subjects of collective bargaining in the Chicago school district. Once again, this is an agreed Amendment with no known opposition."

Batinick: "And this went through a committee, or is this a Floor Amendment?"

Cassidy: "It went through committee this morning."

Batinick: "And what was the vote in committee? Do you know?"

Cassidy: "It was unanimous."

Batinick: "Unanimous. That's what I'm looking for. Thank you very much. Thank you, Mr. Speaker."

Speaker Davis: "Thank you, Representative. Seeing no further requests, Representative Cassidy to close."

Cassidy: "Please vote 'aye'."

Speaker Davis: "And the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1559?' This is final action. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. It's already taken. On this question, 107 voting 'yes', 3 voting 'no', 0 voting 'question'... 0 voting 'present', excuse me. The House does concur in Senate Amendment #2 to House Bill 1559. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative, on that... on that Bill you wish to have been recorded? Would you recognize Representative Flowers, please?"

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Flowers: "Pardon me."

Speaker Davis: "Go right ahead."

Flowers: "Mr. Speaker, I was walking, not running, and I was trying to tell you to wait. So, please be patient with us. We can't fall on these floors, okay?"

Speaker Davis: "Yes, Ma'am."

Flowers: "But, yes, had I been at my desk, I would've voted 'yes'. So, please let the record reflect that I would've voted 'yes'."

Speaker Davis: "Yes, Ma'am. The record will reflect that you would've voted 'yes'."

Flowers: "It's 2:00... 4:00 in the... what time is it? I want all of my votes to count."

Speaker Davis: "Yes, Ma'am."

Flowers: "Thank you."

Speaker Davis: "Thank you. Continuing on the Order of Concurrences, Supplemental Calendar #1 is House Bill 156, Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. The concurrence here simply extends the TNC Bill, which is the Uber and Lyft regulatory Act one year. I'd ask for its adoption."

Speaker Davis: "Representative... Representative Batinick, for what reason do you rise?"

Batinick: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Batinick: "Representative, I greatly appreciate your brevity. It would be helpful for us to give us a little feedback on, kind of, what it does and what happened with this Bill in committee just for my side's edification."

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Zalewski: "Very simply, we have a TNC Act, which is a transportation network... TNP, transportation network provider, that's effectively Uber and Lyft. We put a sunset on the Bill to make sure that we had maintained regulatory control. This extends the sunset."

Batinick: "And would it..."

Zalewski: "I actually think this is a technical correction because we didn't extend the sunset and LRB asked us to fix it."

Batinick: "And the... in committee... did the committee vote on this or was it a Floor Amendment?"

Zalewski: "It was sent... it was a concurrence sent directly to the floor."

Batinick: "All right, fair enough. Thank you."

Speaker Davis: "Thank you, Representative. Representative Zalewski to close."

Zalewski: "Vote 'aye'."

Speaker Davis: "And the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 156?' This is final action. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Is anybody running to their desk? Have all voted who wish? Mr. Clerk, please take the record. And on this question, 109 Members voting 'yes', 3 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #3 to House Bill 1556 (sic 156). And this Bill, having received a Constitutional Majority, is hereby declared passed. Continuing on the regular Calendar, page 5, on the Order of Concurrences is House Bill 3360, Representative

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Hoffman. Representative Hoffman on the Motion. Please turn Representative Hoffman's mic on."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3360, as amended, requires prevailing plaintiffs in all personal injury or wrongful death actions seeking damages to also be able to recover prejudgment interest on all damages set forth in the judgement. This Bill would indicate that you could receive prejudgment interest of up to nine percent. Nine percent is the amount of post-judgement interest that you can receive now under Illinois law. This would be consistent by allowing some prejudgment interest in over forty states in the United States. I ask for a favorable roll call."

Speaker Davis: "Representative Mazzochi, for what reason do you rise?"

Mazzochi: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Mazzochi: "All right. Leader Hoffman, I went through, actually, all 50 states to look at all of their prejudgment interest statutes, and I can assure you none of them are as extreme as the ones that are proposed in here. And let me give you some examples. So, while there are some states that will... can you agree that there are some states that will allow a look back to a certain period of time when an injury, for example, is discovered but those tend to be states that actually have caps on recovery, and we don't have those kinds of caps here. Isn't that right?"

Hoffman: "That's correct. I believe they were found to be unconstitutional."

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Mazzochi: "Right. So, in a lot of the other states that do have caps, they actually do these broader look backs. But when it comes to prejudgment interest, if you haven't... in most of the other states, you actually can't get prejudgment interest unless you have either given notice to the defendant or you have filed your actual action. Some states actually will say once you file you're only allowed to go for a certain period of time and then they cut off the prejudgment interest. So, can you identify for me any other state that, for both contract and tort, goes as far back as what you're proposing to do here?"

Hoffman: "It's my understanding that this prejudgment interest proposal deals with personal injury and wrongful death actions, not contract."

Mazzochi: "Yeah, well, we already have a prejudgment statute for contracts, and it doesn't go back anywhere close to what this is. So, if I... as I understand subpart (c) on page 3, you could have a situation where you experienced an injury in 1980, you don't sue on it for 40 years later, say after we have passed this statute, and you would be entitled to 9 percent interest. Say you had an injury that was worth the equivalent of a thousand dollars. You're going to get an interest award that massively outweighs what you actually could recover in a court of law."

Hoffman: "Well, there's a thing called the statute of limitations that I think would prohibit that."

Mazzochi: "No, see that's the whole point is that because the way in which you drafted subpart (c), you're not limiting it to the statute of limitation. You're saying, starting on line

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14, 'Prejudgment interest shall begin to accrue on the date the defendant has notice of the injury from the incident itself or of a written notice.' And it also allows, starting on... where is it? Yeah, but you've also got it in terms of... on line 11 with anything relating to strict liability, and the plaintiff shall recover prejudgment interest. So, we've got a pretty long statute of limitations for things that relate to strict liability. And so, for example, for asbestos and things of that nature, where you can go for potentially up to 20 years and still be within the statute of limitations. So, one of the things that I have a real concern about when it comes to this... the way in which this language is drafted is that your actual injury could be minuscule but your interest award could be hundreds of times larger. And I think that if you were to refine this language so that it mirrored the language that we have in other states, where maybe the amount of prejudgment interest is limited to a period of 2 years or something along those lines, I think that would address your concern of being able to award some prejudgment interest. Because I understand there are instances where defendants will delay litigation and you don't want to have that happen. But I'm also not interested in giving potential plaintiffs a windfall where the interest award itself is larger than the underlying claim. Is there any way we could potentially get some revisions to account for that?"

Hoffman: "Well, there's a couple things. First of all, this prejudgment interest, if it occurred prior to the effective date or the date that the alleged tort fees or receives notice of the injury or death, whichever is latter, therefore, this

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does not go backwards, just prospective. In addition, with regard to... you... I think you mentioned asbestos by mesothelioma. There would have to be notice before the prejudgment interest begins."

Mazzochi: "Yeah, but... and if it was drafted that way, I might agree with you that that could be acceptable. But as I look at lines 15 and 16, 'Prejudgment interest shall begin to accrue on the date the defendant has notice of the injury from the incident itself or a written notice.' And it doesn't have the language of whichever occurs later. I think if you actually had either 'and' or if you put in the language 'or whichever occurs later' then that could resolve my objection..."

Speaker Davis: "Representative, would you like more time?"

Mazzochi: "Yes, please."

Speaker Davis: "Representative Caulkins offers you his time. Thank you."

Mazzochi: "But without that language, then, to me, again, you're giving plaintiffs a windfall, and they actually are going to get the ability... they're going to get all kinds of benefits from delaying and the defendant doesn't necessarily have a way to try to cap off their liability risk, such as by trying to settle a claim early. Another issue that I had, had to do with the language... oh, and I'm sorry. To your point on that if it... that if the personal injury or wrongful death is occurring before the date of this amendatory Act, the prejudgment interest, you've got here on the top of page 4, 'shall accrue on the later of the effective date of this amendatory Act or the date of the alleged tort fees or has

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notice of the injury.' So, you've got the appropriate language in subsection (c), but it's missing from... I'm sorry, from subsection (e), but it's missing from subsection (c). So, we're creating two different regimes. So, that might've been why you were thinking that it was going to be one versus the other. But the subsection (c) language is going expand the scope of the liability. Do you see where I'm coming from?"

Hoffman: "The intent is to get litigation moving so that the... there is a... there's a reason... because the prejudgment interest, there's incentive to move the litigation and/or settle a claim that makes... that is warranted. So, I... the intent of this Bill is that it is prospective from the date of the effective date."

Mazzochi: "Yeah, and I think if subsection (c), lines 15 to 16, mirrored the language that you've got in subsection (e), where you've got it accruing on the later of the effective date or the date of the alleged tort fees or has notice, then I can be okay with that. What I'm not okay with is targeting it on line 15 to the date the defendant has notice of the injury or a written notice without having that caveat whichever is later. So, we either need... so, I think if you... if you can put that later concept in there so that the defendant isn't punished for not having notice from the plaintiff, then this becomes a lot more palatable and it does start to get more in harmonization with other states."

Hoffman: "Was that a question? I apologize."

Mazzochi: "Yeah, I mean, is that something that you're willing to do to make sure that it matches? Because I... you know, because otherwise I think the subsection (c), without having that

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'later' language in it, is what's creating, from my perspective, the unworkable, potentially unreasonable, punitive prejudgment interest time frame that could arise at no fault whatsoever of the defendant because they simply don't have notice from the plaintiff."

Hoffman: "Well, I can just tell you I don't... I understand how you're reading it. I don't read it that way, and I don't believe that that is necessary. I can tell you what the intent is. It's that the prejudgment interest would not accrue until the latter of either the effective date or the date the alleged tort fees or receives notice of the injury or death. That's the intent."

Mazzochi: "Yeah, which line were you reading from?"

Hoffman: "I'm reading from the legislative intent."

Speaker Davis: "Representative, your time has expired. Would you like more?"

Mazzochi: "Yes, please."

Speaker Davis: "Representative Reick offers you his time."

Mazzochi: "Right, but Mr. Hoffman... Leader Hoffman, how can we have legislative intent overriding the expressed language that's in the statute? That's what I'm concerned about. And I'm concerned that a court would look at the fact that subsection (c) is written differently from subsection (e). subsection (e) has the, 'or whichever is later' language. Because it's excluded from subsection (c), under rules of statutory construction, a court is going to say that you have to interpret them differently, not that you're going to reconcile them as having the same meaning."

Hoffman: "I apologize."

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Mazzochi: "Sure, I understand."

Hoffman: "Staff has it on her phone. I can't see it."

Mazzochi: "Okay. Yeah, so it's subpart (c), lines 15 to 16, versus subpart (e) on page 4, lines 2 to... lines 1 to 3. So, lines 1 to 3, in part (e) has the 'later of the effective date or the date of the alleged... or the date of notice'. And subsection (c) doesn't have that 'or later' provision. I think this... like I said, I think this language becomes much more realistic and fair if you can have that same language that's in subpart (e) apply to subpart (c)."

Hoffman: "So, the... I don't believe that is necessary. I believe it is properly drafted."

Mazzochi: "Well, I can... I mean, if it was drafted so that you had them reconciled, then... you know, so that the plaintiff is not going to potentially incur years of prejudgment interest without even know they're subjected to a claim, that's really not fair to the defendant. If we can structure it so that it's after they have notice of a claim, then I would agree with you that some of the goals of trying to encourage early settlements could potentially be met. I don't know if your staff wants... if staff wants to try to keep working that out..."

Hoffman: "Yeah, I think what you're talking about is the actual notice provision versus the accrual date. And the notice provision indicates that you would receive actual notice of the injury 'cause you knew about the injury or you received written notice. The accrual date relates to the date that this actually becomes law, and that indicates that the prejudgment interest would not accrue until the latter of

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either the effective date or the date the alleged tort fees or receives notice of the injury or death."

Mazzochi: "Yeah, but you still... but you've still got prejudgment interest shall... in subpart (c), you still have prejudgment interest shall begin to accrue..."

Hoffman: "But... but it's... it's the defendant's notice of the injury. It's not... you can't... you can't go back years to when the plaintiff received injury, it's the defendant's notice of the injury. That's when it begins."

Mazzochi: "Right. I know that's when it begins but then... but then the problem is, is if it... I mean, are you... but if the defendant has notice of the injury from the incident itself, or a written notice, right? But then it says for any..."

Speaker Davis: "Representative, we have extended your time three times already. Is it possible you can bring your remarks to a close?"

Mazzochi: "Yeah. Let me just ask about the questions then in subpart (f). So, in subpart (f), you have 'The trial court may, in its discretion, apportion any amount of prejudgment interest between the plaintiff and any agency or department of the state.' That one I didn't see in other states. So, what's the rationale behind that?"

Hoffman: "Well, I think the rationale is what it says you can do."

Mazzochi: "Right, but what's the standard that a court is going to apply to say they're going to seize the prejudgment interest from one of the plaintiffs and have a... and have it get given to the state agency. Who's got jurisdiction? Which

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agency? Who decides? Who has the right to file a claim on behalf of the agency?"

Hoffman: "Well, the court would have the discretion of which agency. It could be, I assume, possibly a ward of the state. It could be an individual who is possibly in a... has incurred state... been put into a state institution. I think that would be up to the discretion of the court."

Mazzochi: "Okay, but why couldn't it also just apply to..."

Speaker Davis: "Representative, can this be your last question?"

Mazzochi: "Yeah. I... I mean, this is really important because..."

Speaker Davis: "I'm not..."

Mazzochi: "...I don't want money taken away from plaintiffs..."

Speaker Davis: "I'm not saying it's not..."

Mazzochi: "...randomly by the state."

Speaker Davis: "...but we have extended you a few times already.

We'd just like to be able to move on, that's all. If I offer you more time, can we close at the end of that then?"

Mazzochi: "We... we can try to get it moving, yes."

Speaker Davis: "Okay. Representative Welter offers you more time. Thank you."

Mazzochi: "Right. So, for example, let's assume I have a slip and fall. I give notice... you know, under the way that subpart (f) is written, because it doesn't seem to be limited to someone who is a ward of the state or who is in the charge of the state, such that the state is exercising some sort of guardianship or in local apprentice or something along those lines, this would seem, to me, that the state could swoop in any time and declare a right to some prejudgment interest by a slip and fall plaintiff involving two adults, two... you know,

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two different parties. And there's not really a standard as to when the state can come in and why. And I understand your point that if, for example, the injured party is someone who is a ward of the state. But that's... again, this is not how the language here is written. So, what's a court to do? 'Cause I read this as the state can basically take anybody's prejudgment interest in this type of tort case if they're so inclined."

Hoffman: "Well, it gives the direct discretion to the court and the... obviously, the state would have to have some kind of a standing or would have to have some type of an interest in the case."

Mazzochi: "Yeah. And I... again, I just think that this is one of those areas where I could see the state improperly encroaching on individual... on money that rightfully belongs to individual plaintiffs. And if we don't actually put some standards and limits on what the state can do, I don't trust the State of Illinois to not essentially treat this as a defacto tax on plaintiff's prejudgment interest. And I'm assuming you don't want that to be the outcome either, nor do I suspect the trial lawyers want that to be the outcome. So, I think that this language needs some work to make clear that you're really targeting a unique subset of patients, not... or individuals, not just any or every potential plaintiff. I mean, we don't even impose a standing requirement on this, or a legal interest threshold on this. So, that... that's the other thing that I am concerned about. So, because of the looseness in this language and my concern that the state would abuse it against plaintiffs who were trying to make whole with

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prejudgment interest, I would urge a 'no' vote. But I do think that this is fixable to get to a point where both sides could agree to it. It's just... you know, those things in particular and the lack of clarity in the statute gave me great pause. Thank you."

Speaker Davis: "Thank you, Representative. Rules Report."

Clerk Hollman: "Rules Report. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on January 13, 2021: recommends be adopted, referred to the floor is the Motion to Concur with Senate Amendment(s) 1, 3, 4, 5 to House Bill 3469, and Floor Amendment(s) 5 to Senate Bill 558."

Speaker Davis: "Representative Ugaste, for what reason do you rise?"

Ugaste: "Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Ugaste: "Morning, Leader Hoffman. I'll try and make this fairly quick. You mentioned that the interest paid on these suits, the prejudgment interest that would be entered, is meant to incentivize settlements. Is that correct?"

Hoffman: "Yes. Reasonable settlements, yes."

Ugaste: "Reasonable settlements, okay. Couldn't it also, though, be used to inflate the settlement by threatening the defendant that if you don't sue... or settle for the amount I want, we could drag this on for years to come, go to court, I could get nine percent per year on my money, which is very hard to get for most people right now, I think you'd agree, and actually get more money instead of incentivizing a reasonable settlement? Isn't that potentially a problem with this?"

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Hoffman: "Well, first of all, I don't believe that that is practical simply because the plaintiff wouldn't want to take a risk that they're not going to receive a judgment. Therefore, if they get no judgment, they get no... they don't get any interest. Secondly, normally in these types of situations, in a personal injury or wrongful death case, the plaintiff is not the one that's dragging it on. Now, in the age of COVID, we can't have jury trials in many jurisdictions, therefore, we're unable to move forward with trials. And in many cases, it is believed that the defense is simply keeping the plaintiffs... knowing that there's a legitimate claim by the plaintiff and has been a legitimate injury, is simply keeping the money, drawing interest on their own accord, and then eventually, after a long period of time not settling the case, and then not paying prejudgment interest either."

Ugaste: "Okay. Fair enough. So, there's arguments on both sides. The interest in this situation would be in suits that are filed against businesses. Is that correct?"

Hoffman: "Well, it would be in... it would be in any wrongful death or personal injury case. So, it... whoever the defendant might be, is my understanding."

Ugaste: "Okay. So, it could be business such as a nursing home?"

Hoffman: "If it is a wrongful death or a personal injury case, yes."

Ugaste: "Okay. And on nursing homes, do we already make them pay attorneys' fees to the other side if they lose?"

Hoffman: "I think there is a statutory attorneys' fee in nursing home cases, yes."

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Ugaste: "And would attorneys get to collect on the interest they recover in these situations as well? Not just in nursing home cases but in any cases under this section."

Hoffman: "I believe... well, what would happen is they would receive an amount on the judgment that is entered."

Ugaste: "Okay. So, if we have a million dollar judgment and it's 9 percent per year, that's \$90 thousand a year. Is that correct?"

Hoffman: "From the date of notice to the judgment date."

Ugaste: "Right. For each year though. So, that could be, if it takes 5 years to get to judgment date, which probably isn't a short time, at least in Cook County, it may be in other parts of the state but not Cook, we're talking almost \$450 thousand, correct? On a million dollar judgment."

Speaker Davis: "Representative, is this your final question?"

Hoffman: "I will an..."

Ugaste: "I... just a little more time, if I could."

Speaker Davis: "Just a little more time? Representative Meier offers you his time."

Ugaste: "Thank you."

Hoffman: "If that's the math, then from the point of notice, either actual or written, to the judgment date, it would be nine percent. Yes."

Ugaste: "Okay. And this would also apply against suits against individuals in wrongful death or bodily injury cases such as arising from an auto claim?"

Hoffman: "Yes, any... any personal injury case and/or wrongful death."

Ugaste: "Okay. So, to the Bill. What we have is..."

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Speaker Davis: "To the Bill."

Ugaste: "Thank you. Sorry. What we have is a situation where we're looking to assess additional interest on a case that could increase, potentially be used just to increase the settlements that have to be paid. If it's a serious injury, and something, say the cost is a million dollars, could end up costing hundreds of thousands of dollars more, and it... even an individual auto case. This could cause premiums to go up for both businesses and individuals alike, and it would be another disincentive for what we're trying to do here, what I'm being... what we're here and working as a General Assembly to do, which is to bring more opportunity to the people of the State of Illinois. So, I would urge an 'aye'... a 'no' vote."

Speaker Davis: "Thank you, Representative. Representative Davidsmeyer, for what reason do you rise?"

Davidsmeyer: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Davis: "Indicates he'll yield."

Davidsmeyer: "All right. So, I think I'm the only one who is not an attorney that stood up to talk on this Bill. So, I'm going to try to lay this down. Let's say, Leader Hoffman, I'm your employee. I get hurt, I notify you five years ago. I'm doing physical therapy and I'm delaying, and I'm delaying, and I'm delaying. COVID hits, I have to delay my court case another year. As the defendant, I am the one that's delaying this but you would be one that would have to pay for it if I'm given a judgment."

Hoffman: "This is in the case of personal injury and/or wrongful death. So, the defendant would not be receiving a nine percent

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prejudgment interest because, generally, the defendant is the person that is at fault and would pay the plaintiff who was injured or died."

Davidsmeyer: "So, I'm the plaintiff. I'm the one who got hurt at work. You're my employer. I'm delaying this for five years."

Hoffman: "If you get hurt at work, that would be under the Illinois Workers' Compensation Law."

Davidsmeyer: "Okay."

Hoffman: "It wouldn't be covered by this."

Davidsmeyer: "Oh, so this is... this is if I get hurt in an auto accident?"

Hoffman: "Or any type of... any type of personal injury that is nonwork related."

Davidsmeyer: "Okay. So, you run into me, I get hurt, I delay a trial for five years and then you have to pay me interest if I'm awarded judgment for five years? 'Cause I notified you five years ago?"

Hoffman: "If you had notice of the actual incident or had a written notice."

Davidsmeyer: "So, I'm going to try to dumb this down for myself a little bit. I feel like... I feel like I'm going into... I'm going into my bank to get a loan. They notify me that I'll be able to get a loan in five years. So, in five years, I go back in, they charge me interest on those five years that I didn't have the money. I mean, is... does that... I don't understand how that makes sense for the person who cannot control the timeline to have to pay the additional dollars."

Hoffman: "Well, generally, the timeline is controlled by the defendant because the defendant, if it is a personal injury

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or wrongful death case, has the ability to settle the case for a reasonable amount. But if they decide not to and they delay unduly or just delay, and there ultimately is a judgment, then they would have to pay from the point of notice to the judgment date nine percent."

Davidsmeyer: "But if they're innocent, if they didn't actually cause it, you're... this in encouraging somebody who is innocent, who didn't actually do it, to settle because they might actually have to pay more, right?"

Hoffman: "Well, if you did not commit a negligent act, you would not be liable."

Davidsmeyer: "But the courts could still say you are liable even if you didn't do it."

Hoffman: "Well, I would hope not."

Davidsmeyer: "It happens all the time."

Hoffman: "It does?"

Davidsmeyer: "I'm sure."

Hoffman: "Probably not in your county."

Davidsmeyer: "Especially in this state. Especially in this state.

I'm not even going to ask for more time. I'm not going to waste time. I know that what you want to do... I know how things are funded around here. So, it's just... it's frustrating that we continue to go after... go after people in this way, make it a more litigious society. You know, trial lawyers continue to take home more and more money on the backs of people who weren't... were just trying to work, were trying to do... live their life. I urge a 'no' vote. It's ridiculous that we're trying to do this at this hour of the day. What time is it? 3:12. 3:12. Business hours are generally eight to five. They

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don't have an opportunity to be here to voice their opinion. I think it's ridiculous that we're running this Bill. I urge a 'no' vote. I assume that you guys will all pass this, make this a worse state. Thanks for nothing."

Speaker Davis: "Representative Ammons, for what reason do you rise?"

Ammons: "Thank you, Mr. Speaker. I move the previous question."

Speaker Davis: "Representative Hoffman to close."

Hoffman: "I want to thank you, Mr. Speaker, Ladies and Gentlemen of the House. This proposal is a proposal that would actually speed up the court system, would be reasonable to injured individuals or individuals who actually lost their lives as a result of a negligent and/or strict liability act or intentional act, and I believe it is reasonable. And I ask for a favorable roll call."

Speaker Davis: "And the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3360?' This is final action. All those in favor vote by... vote 'yes'; all those opposed... all those opposed vote 'no'. The voting is open. Ding. Thank you. Have all voted who wish? Have all voted who wish? Have all voted who wish? And we've got some... Representative Slaughter, are you okay? Did you vote? Okay. Mr. Clerk, please take the record. On this question, there are 69 voting 'yes', 42 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3360. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Concurrences, we have House Bill 4276, Representative Hoffman."

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Hoffman: "Thank you, Mr. Speaker. House Bill... this House Bill is actually... 4276, which is a Motion to Concur, is actually the agreed to workers' compensation Bill concerning the agreement that we had that expired... that we passed in March and expired on December 31, 2020. A few days ago, we began the debate on this, and I took it out of the record. I know of no known opposition. This actually is the agreed Bill and extends all the provisions to December 30... to June 30, 2021 for the workers compensation, the death benefits presumption, as well as the Illinois Public Employee Disability Act."

Speaker Davis: "Representative Wheeler, for what reason do you rise?"

Wheeler: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Wheeler: "Thank you. Leader Hoffman, this is the agreed Bill that you and I have been working on with a number of other people for a number of months. This is something that I want to make sure all the people on my side of the aisle hear. This is an agreed Bill. This is going to protect workers and benefit businesses at the same time. Is that accurate?"

Hoffman: "Yes, it is."

Wheeler: "Thank you. Please vote 'yes'."

Speaker Davis: "Seeing no further debate, Representative Hoffman to close."

Hoffman: "I ask for a favorable roll call."

Speaker Davis: "And the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4276?' This is final action. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. And the House does concur in Senate Amendment #1 to House Bill 4276 on a vote of 113 voting 'yes', 0 voting 'no', 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 4276. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Concurrence, we have House Bill 2461, Representative Hoffman. Representative Hoffman, concurrence on House Bill 2461."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a several property piece of legislation that the Senate put on this Bill and there were several provisions from Members on both sides of the aisle. It would.. the Bensenville IDOT property requires the Illinois Department of Transportation convey specific parts of the land near O'Hare Airport, currently used by the Illinois Tollway Authority. This is a Representative Willis provision. It would.. it would give the Carole Robertson Center, or sell it, with the reverter clause for \$1. This was Representative Collins' provision. Concerning Northern Illinois University, you could sell property pursuant to the legislation without the CMS approval. This is similar to current law, and it would also ensure that Will County quick take.. it authorizes several quick take proceedings for a 2-year period by Will County. And the properties are needed for reconstruction of 80th Avenue, from 191st Street to 183rd Street in Tinley Park. It would require the requisite appraisals. As well as it would allow the comptroller to buy a building for its offices in

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the City of Springfield. Currently, they rent and they believe it would possibly be cheaper to purchase."

Speaker Davis: "Representative Butler, for what reason do you rise?"

Butler: "I would like to participate in the order of Hoffman here. Thank you. A few questions of the Sponsor, Mr. Speaker."

Speaker Davis: "He indicates he'll yield."

Butler: "Thank you, Jay. We had a good discussion this morning. I believe I delivered my message to the Comptroller's Office. And just to get it on the record, a point of frustration that Representative Murphy and I, I would assume Representative Scherer might share as well when it comes to things in the Capital City, and I would hope the administration... all branches of the administration, all the Constitutional Officers, would work a little better with us when they start talking about buildings and moving and things like that in Springfield instead of us having to reach out to them 12 hours before they want a Bill to run. So, anyway, with that, this is a... this has properties in for both sides of the aisle, Representative Batinick's district, Representative Keicher's district. And just one question for you, Jay, on the... on the property here in Springfield. You said in committee this morning that you urged the Comptroller to ensure that they continue to locate their headquarters downtown. I just want to make sure that is the intent of you as the Sponsor of this Bill to ensure that the Comptroller remains downtown with this new building."

Hoffman: "It is my intent that they do everything to remain downtown, yes."

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Butler: "Very good. With that, I would actually urge an 'aye' vote on this Bill. It's a bipartisan piece of legislation."

Speaker Davis: "Thank you. Representative Hoffman to close."

Hoffman: "I urge a favorable roll call, please."

Speaker Davis: "And the question is, 'Shall the House concur in Senate Amendment numbers 1 and 3 to House Bill 2461?' This is final action. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? You okay, Representative Flowers? Got... okay. All right. No running across the floor. We don't want you to fall. Have all voted who wish? Mr. Clerk, please take the record. On the question, we have 101 voting 'yes', 9 voting 'no', and 2 voting 'present'. And this Bill... and the House does concur in Senate Amendments numbers 1 and 3 to House Bill 2461. And this Bill, having received a Constitutional Majority, is hereby declared passed. Continuing on the Order of Concurrence, we have House Bill 2488, Representative Zalewski. Representative Zalewski on the Order of Concurrence, House Bill 2488."

Zalewski: "Thank you. Thank you, Mr. Speaker. House Bill 2488, Senate Amendment 3, clarifies a technical concern among providers of what's called the PMP, which is a Prescription Monitoring Program. The department, along with the stakeholders, are working... worked through an agreement. I'd ask for an 'aye' vote."

Speaker Davis: "Representative Batinick, for what reason do you rise?"

Batinick: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

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Batinick: "Representative, I know it's... we're trying to zoom along with some of these, but this just... this was coming back in concurrence and go to committee, correct?"

Zalewski: "Correct."

Batinick: "Do you have an idea what the... what the partisan vote was in committee in the Senate?"

Zalewski: "I don't."

Batinick: "Do you know what the vote was in the Senate?"

Zalewski: "I don't."

Batinick: "Okay. What's the opposition on this Bill?"

Zalewski: "I'm not aware of any."

Batinick: "Not aware of any opposition? Our handy staff here that's working diligently at 3:15 let us know it was 54 to 1 in the Senate for anybody who's interested. Thank you very much."

Zalewski: "Oh, my God."

Speaker Davis: "Thank you. Is that it, Representative Batinick? Okay. Representative Zalewski to close."

Zalewski: "Vote 'aye'."

Speaker Davis: "And on this question... the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 2488?' This is final action. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... technical issue. Representative Willis. We can... for the record, Representative Willis, if... you good? Okay. Mr. Clerk, please take the record. Oh, she did this. Okay, take the record. On a vote of 112 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur in Senate

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Amendment #3 to House Bill 2488. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Willis."

Willis: "I meant to vote 'yes'. I'm still having technical difficulty. So for the record, would you please record me as a 'yes'?"

Speaker Davis: "The record shall so reflect."

Willis: "Thank you."

Speaker Davis: "On the Calendar, page 3, we have Senate Bills- Second Reading. Senate Bill 558, Representative Lilly. Mr. Clerk."

Clerk Bolin: "Senate Bill 558, a Bill for an Act concerning health. The Bill was read for a second time, previously. Amendment #2 was adopted in committee. Floor Amendments 3, 4, and 5 have been approved for consideration. Floor Amendment #3 is offered by Representative Lilly."

Speaker Davis: "Representative Lilly on Floor Amendment #3."

Lilly: "Thank you, Mr. Speaker, Ladies and Gentlemen."

Speaker Davis: "Representative Lilly, would you just like to go ahead and adopt all the Amendments and then debate on Third?"

Lilly: "That's exactly what I was going to do. Please."

Speaker Davis: "Okay. Representative Lilly moves for the adoption of Floor Amendment #3. All those in favor say 'yes'; all opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. And the Floor Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #4 is offered by Representative Lilly."

Speaker Davis: "Representative Lilly moves for the adoption of Floor Amendment #4. All those in favor say 'yes'; all those

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opposed say 'nay'. In the opinion of the Chair, the 'yeses' have it. Floor Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #5, offered by Representative Lilly."

Speaker Davis: "Representative Lilly moves for the adoption of Floor Amendment #5. All those in favor say 'yes'; all the opposed say 'no'. In the opinion of the Chair, the 'yeses' have it. Floor Amendment #5 is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Davis: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 558, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Davis: "Representative Lilly."

Lilly: "Thank you, again, and good morning. On this day, Senate Bill 558 is the health and human service pillar for the Illinois Legislative Black Caucus policy agenda. It's the beginning of addressing health needs of all Illinoisans here in the State of Illinois, focusing on the most hardest hit communities, distressed communities, and under-resourced communities here in the State of Illinois. I would first like to thank everyone who have contributed to this piece of legislation. All of the Black Caucus Members who have had General Assembly after General Assembly, putting forth legislation to make sure we all have access to health care. So, I'd like to thank my colleagues here in the Legislative Black Caucus on both sides of the Capitol. I'd like to thank the advocates and the organizations who've contributed with thought and endearment to make sure we are addressing the under... the address... the under-resourced communities as it

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relates to health care. This Bill is... is agreed and negotiated. The subject matter hearings that we held addressed many of the concerns that we talk about day to day here in the General Assembly and throughout our community when it comes to quality of health. This information has built a database that tells us we have to begin to rid Illinois of systemic racism when it comes to health care. The purpose and the issues related in health care is that health care is a right. It is a human right. It's a basic human right that if you do not receive the basic essentials to ensure quality of life, most Illinoisans would not have good health and quality health. When you are addressing food, the absence of food, housing, education, jobs, health care, and transportation, you are looking at deficiencies in the lives of many. And that here in Illinois, the deficiencies exist in the communities where they're poor, black, and brown statewide. So, at this point, we want to make sure that Illinois is living up to its Constitution, its Preamble adopted December 15, 1970. It is important that we are ensuring that every citizen has access, according to our Preamble, have access to good health, safety, and the welfare and making sure that we're doing it in an orderly fashion. And this particular Bill does just that. With... with that, the Illinois Legislative Black Caucus agenda will ensure that we are addressing the pandemics that exist in our society. One, the systematic racism. Two, violence. And now, COVID-19. This omnibus package with legislation that makes sure we are remedying the harms that's been caused in our communities. We want to take the lead of our Leader Mary Flowers who's been here General

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Assembly after General Assembly, taking up this measure. And we now want to do as she had done years ago where the HMOs who were not being fair and providing health care to our communities and those who were eligible for Medicaid, that particular legislation is no longer existing here in our state. So, I would like to thank Mary for that vision. This Bill will also look at things that we can do better, we can reform, and we can improve upon. We'll be looking at community health worker initiatives. We'll be reforming hospitals. We'll be adding implicit bias to training throughout the health care industry. We'll be addressing the needs related to substance abuse and mental health treatment. We will make sure that we really will have access to health care. We're looking at the issues around hospital closures and how we can deter that from happening. We're looking at managed care organization reform where we're making those... those concerns with those programs addressed. And we're dealing with infant mortality and maternity mortality where we have a Bill with Representative Greenwood where we're bringing doulas, HB4, before to our delivery of our mothers and our babies. It is important that we begin to... we begin to talk about this measure. And at this time, I'll ask for any questions. And I ask for your 'aye' vote."

Speaker Davis: "Thank you, Representative. Representative Gabel, for what reason do you rise?"

Gabel: "Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

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Gabel: "Thank you. Thank you, Representative, for this very comprehensive Bill. It's very impressive, and I think it's going to have a true impact on the health of the community."

Lilly: "Thank you."

Gabel: "I just was wondering if you could tell us a little bit more about the community health worker aspect of this because there's quite a bit of research showing that that can really help improve people's chronic diseases."

Lilly: "Thank you, Representative. We worked very hard on this initiative to bring forth what we call work for initiatives that allow local people to work within the health industry to ensure that we have better health outcomes through the lenses of prevention and promotion. We have the opportunity to bring forth certification through an opportunity of employment. We have many, many, many industries within the health care industries that's looking to tap into the work that they're doing. They will be dealing with case management, navigation. They'll make sure that a family who needs to navigate the health care system will be able to have that opportunity through their assistance. So, the health care worker has been key and has been known... actually, data has been proven that when you have community health workers, navigators, case management, health outcomes improve. So, we are excited to bring that to our state where we are now bringing grass root approach to making sure we have better health outcomes."

Gabel: "Great. I think that's going to be a very, very effective program. Well, I just want to thank you, again, for bringing this Bill forward. As you know, we can pass all the Bills we want, but if we don't make sure that they're implemented,

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nothing will happen. So, let's work together and make sure that all the aspects of this Bill are implemented and we can really improve the health of our people in Illinois. Thank you."

Lilly: "Thank you, Representative."

Speaker Davis: "Representative Demmer, for what reason do you rise?"

Demmer: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "She indicates she will."

Demmer: "Thank you. Representative Lilly, we had a brief discussion about this is committee, but I know we've had a couple of Amendments since then. So, I'd like to clarify what's included in the version that we're debating here on the floor today because I think there have been some significant changes. We spent some time in committee talking about the termination of managed care. Does this Bill terminate managed care contracts or prohibit the renewal of existing contracts?"

Lilly: "No, it does not. But I would like to say it does give the opportunity for managed care to work with local community groups and the department to make sure that we are monitoring, overseeing, and being a part of making managed care effective for all Illinoisans."

Demmer: "Okay. Thanks for that clarification. We also talked a little bit about some expansions of, in unity, in situations in which a person seeks treatment for drug use. One of the concerns at the time was that the earlier version of the Bill would have prohibited the Department of Children and Family Services from initiating an investigation based on an

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individual who presented and in need of treatment for drug use. Has that... is that provision still in this version of the Bill?"

Lilly: "It is not. It has been removed."

Demmer: "Okay."

Lilly: "We have an agreed Bill before us today."

Demmer: "I... we don't have an agreed Bill before us today but that provision has been removed. Thanks. We also had a discussion about, there was a previous version would've required all schools and day cares to provide trauma counselors at no cost and with no reimbursement. Is that provision in this Bill today?"

Lilly: "That... that language has been changed. We're requiring them to be trained. Just trained."

Demmer: "Requiring who to be trained?"

Lilly: "The nurses, the teachers, and the day care... I'm sorry, the day care providers."

Demmer: "So, this is a new training requirement for day care providers that they'll have to do a new level of training. Is that correct?"

Lilly: "One second."

Demmer: "Okay."

Lilly: "I believe that is correct, but they're double checking."

Demmer: "Okay. And then, if they're... they could possibly check too, are there any requirements on teachers or people in schools for similar training?"

Lilly: "No. I do know that one."

Demmer: "Okay. I'd like to turn then to... I know this concept has been discussed about the creation of the community health

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worker category. And I would echo some of the comments, there are some promising things that community health workers have shown to add to health care delivery systems. But one of the things that was concerning about this is that many of those programs so far have been talked about as a, kind of, a pilot program or a needing some coordination with local providers to be able to make that effort successful, and this Bill creates that for the entire State of Illinois. And in a fiscal note that was filed on this Bill by the Department of Healthcare and Family Services, they estimated the cost of the community health worker portion of this Bill to be between \$960 million and \$2.88 billion. That's, obviously, a very significant impact on the state budget. And so, my question is, have you talked to the Governor's Office or the agency about their ability to implement a program with a cost of \$960 million to \$2.88 billion a year?"

Lilly: "Yes. When I mentioned this is an agreed Bill, everyone who chose to meet with us and talk with us through it, we came up with some, I would say, some accommodation to their concerns. This particular language indicates that the Governor agreed to subject to funding availability because they are... and reimbursement. They are very much interested in addressing the disparities within health care. And we are going to work together to make sure that these types of programs and ideas where it includes the community to have... create a workforce that's going to support the outcomes to a population, the most vulnerable population, here in the state. So, this particular creative initiative, which we're bringing back, is subject to appropriation."

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Demmer: "So, I want to ask about the specific words that... the Bill says subject to funding availability. Often, we see Bills that say they're subject to appropriation. Is that the same impact and how does... how does Bill determine funding availability?"

Lilly: "This is..."

Speaker Davis: "Representative, I probably dozed off a minute and you did run out of time. Representative Batinick would like to offer you more time."

Demmer: "Thank you."

Speaker Davis: "Thank you."

Lilly: "This is language proposed by the Governor's Office, but we will check into it and get back to you."

Demmer: "This... yeah, and I appreciate that. This is, obviously, extremely important. I mean, to Representative Gabel's point before, a program doesn't do anything unless it's implemented. And when we look at this program, the fiscal impact is \$960 million a year on the low end, to \$2.88 billion a year on the high end. Very, very significant financial burden at a time that we're already dealing with many other... many other challenges. I notice your language also requires that the state enter... submit a state plan amendment to incorporate the use of community health workers. If a state plan amendment is submitted but not approved by the Federal Government, doesn't that mean that the entire financial responsibility would come to the state without the benefit of federal matching dollars?"

Lilly: "No. Actually, this initiative is taking into account the federal match to make sure that this is being implemented."

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Demmer: "Correct. Your Bill requires the state to submit a state plan amendment, but the Federal Government doesn't have to approve on submitted amendments. They could choose to reject a submitted state plan amendment, and in a scenario where we can't direct the Federal Government to approve something. So, the Federal Government says, no, this program doesn't work for us, the state would be on the hook for the entire fiscal impact, not just the state portion and have the benefit of the federal matching dollars."

Lilly: "Well, real quickly, we just passed a transformation plan tonight, which involved the commitment of the Federal Government through an application to address the health needs in the state. So, I'm excited to see that the Federal Government is working with the state. And many of you who voted in favor of that type of plan is an indication of how this type of plan and this type of ideal can move forward in our state and throughout our country. So, I'm excited about their commitment to better health in America."

Demmer: "That state plan amendment has already been approved. This is a new state plan amendment with not a certain... not certainty for approval. And even in a case where the Federal Government approves this, we still have, even on the low end, a state fiscal impact projected at \$960 million a year for just this single aspect of the Bill. So, I understand that this is a program that has advantages, that provide services, but we also must take into account we're struggling with the state finances. We were struggling before COVID, we're certainly struggling during COVID. The addition of a \$960

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million, at least, program is something this Body should pay very special attention to."

Lilly: "Real quickly in response to that. I have to.. I have to state that this opportunity is in front of us. All we have to do is request for approval. And that there is important to any state who's looking to have better health outcomes for its citizens. And that's what we're going to do. And we'll get back to you on their response."

Demmer: "I appreciate that. Even in a case where the waiver is approved, it's not fully federal funded. There's just a federal match. Even in that scenario, the state would have a financial impact of \$960 million. If it's not approved, that's when we go up to \$2.8 billion."

Lilly: "And something, once upon asked, is better than nothing. We have the opportunity to match our funding here in the state so that we can have better outcomes. And we have in this Bill mechanisms to monitor and support the resources needed to make sure every Illinoisan has access to health care in the poor black and brown communities."

Demmer: "Thank you. So..."

Speaker Davis: "Representative, Representative Keicher will offer you his time."

Demmer: "Thank you."

Speaker Davis: "Thank you."

Demmer: "I'd like to shift now to looking at a commission that's established by this legislation, and it's a commission to provide oversight to the managed care program. It's called the Medicaid Managed Care Oversight Commission. The commission is created that doesn't exist. So, this Bill would

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create that commission. And it provides for a number of members to serve on that commission, including some Legislators as well as some appointments from outside. A concern I have with that is that federal regulations require that a state have a single entity designated to oversee the Medicaid program. Each state gets to pick which agency is their single source, single point of oversight for Medicaid. But they must pick that and they must designate a single source. The State of Illinois has, obviously, chosen the Department of Healthcare and Family Services to oversee and administer our Medicaid program. Yet, this commission is being created that will have authority in matters to issue fines or penalties, to evaluate the responses of someone who's been brought on a proposed fine, to evaluate those findings, to exercise discretion in allocating and bringing those fines, to find when a managed care company is noncompliant and make recommendations about reestablishing compliance. Many of these items are things that a Medicaid oversight agency does. And I think there's concern from within the Medicaid oversight agency today that this puts an impermissible layer between the Federal Government and our single Medicaid agency, the Department of Healthcare and Family Services. How do we justify that given the Federal Government has that requirement? It's not something the state is able to amend."

Lilly: "This has just been brought to our attention. We will work with them to address it."

Demmer: "Okay. Thank you. It's a very significant issue, and I think we all understand that our compliance with the Medicaid

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program means billions of dollars a year in federal funding that comes to the state. We cannot risk noncompliance with that. I'd also like to ask for that commission, the members of the commission, as I mentioned, include both Legislators and non-Legislators acting in a regulatory manner. This is not unlike other agencies that have regulatory oversight boards that are appointed. And as we cited, there are some specific items and powers that the board has. So, my question is, what ethics requirements apply to members of this regulatory commission? And if it's similar to the ethics requirements that apply to other regulatory commissions, do those requirements also apply to Legislators, which would mean that a Legislator that was appointed to that commission would be subject to ethical standards outside of the normal bounds of the Legislature to include revolving door bans, gift bans, bans on contributions, you can't take them out for dinner, can't buy them a round of golf, things like that. Would that apply to the members of the commission and the Legislators on the commission?"

Lilly: "Thank you for the question, and we do understand the importance of that question. These are the impetus that we're going to work on, and we will get back to you on everything we come up with. But we appreciate the question."

Demmer: "Thank you, Representative. The last question I have before I close is, this Bill creates a new note that can be requested by Legislators on pending Bills, the racial impact note. And the purpose, I think, is a good one, to evaluate the potential racial impact of a Bill that the Legislature is debating. You had a stand-alone Bill on this last year, and

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we had a discussion about it. And it think it was a worthwhile legislative measure to bring about. I do have to note though, we all, in this Body, can probably think of, what, a dozen, 2 dozen times in the last 24 hours alone that this Body has ruled notes inapplicable. So, a note that was created just like this one was. The Note Act was amended. You provided an opportunity to gather useful and valuable information. Yet, when it became politically inconvenient for the Body to deal with those notes, they were simply ruled inapplicable. I would just like to bring your attention to that, and to say that, just as a fiscal note is important to have on a Bill, also a racial impact note is important to have on a Bill. I support that part of this Bill, but I'm worried that it'll be treated like all the other notes that we've created and simply set aside when it's not in the interest of a Bill's Sponsor to have those notes answered. So..."

Speaker Davis: "Representative, are you... are you done? Did you have a question?"

Demmer: "I'll bring my... I'll bring my remarks to a... I'll bring my remarks to a close."

Speaker Davis: "Okay, please do."

Demmer: "To the Bill."

Speaker Davis: "To the Bill."

Demmer: "We have a number of unanswered questions here today. This is a very important initiative. I applaud the Sponsor's desire and commitment to improving health care access in communities across the state. We've worked in many, many different types of Bills over the last several years to try to deliver that. The important thing is when we talk about

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providing these health care services, we can sometimes talk about a very complicated issue of the Federal Government agreeing to match things or not match things, the state bearing different fiscal responsibility. This Bill has a fiscal impact of at least a billion dollars, maybe up to \$3 billion. This is a major, major financial commitment that the Legislature's debating here. Very far reaching. It also has significant regulatory challenges with the state's requirements to comply with Federal Law. I encourage the Body to very, very carefully consider those and to consider that it might be in its final form right now. A 'no' vote might be the appropriate place to go. Thank you."

Speaker Davis: "Thank you. Representative Flowers, for what reason do you rise?"

Flowers: "Will the Sponsor yield?"

Speaker Davis: "And she indicates she will."

Flowers: "Representative, first of all, I want to thank you for your hard work and the long hours that you put into this pillar, this very important pillar. I just have a few questions. Excuse me, my voice is tired. In regards to the community health workers, what do you foresee them doing exactly?"

Lilly: "Thank you for asking, Representative... Leader Flowers. Basically, it is important and it's been documented and researched, that when the vulnerable populations who have barriers to health care have persons to assist them with understanding their health condition, accessing services that they may not know where or how to access, and to have someone available to them to answer their questions about their health

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issues, they have better outcome. It requires coordination of care that would ultimately improve the access and outcomes."

Flowers: "Would these also be considered doulas as well?"

Lilly: "Yes. I apologize, that... that's a separate Bill and program, which is also in this piece of legislation."

Flowers: "I understand that it's separate but, basically, the doulas would be doing the same thing for the moms and the children..."

Lilly: "Oh, technically, yes."

Flowers: "...but for the seniors or the people that's incapacitated, they will be, basically, helping those type of people out. And as a result, maybe some of these people will not have to go to a nursing home or they can get their physical therapy in their homes. Something to... something like that?"

Lilly: "Yes."

Flowers: "Okay. We... Representative Gabel and Representative Demmer referred to the implementation legislation. So, is House Bill 157 in your package? Because that Bill was introduced to make sure that the actual legislation that becomes law is implemented. And if not, the agency or the Department would have to report back to tell us the reason why they cannot implement the legislation."

Lilly: "Representative, that particular piece of legislation, very important legislation, had some single subject concerns, and we requested it to go to one of our other pillars. And it did not receive... it did not get into the Bill, I think, is what they're telling me. However, as I mentioned earlier, this is the beginning of what we're trying to accomplish with

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the health pillar. We have some trailer Bills that we want to pick up to make sure that that legislation is involved."

Flowers: "Yes. And my next concern would be the commission. Now, what concerns me about this commission that's being created to provide oversight is that this is monies that will be going to oversee a department that is supposed to be overseeing what the MCOs are doing. And that monies that we're spending on this commission should be going toward helping the patients. That's monies being taking away from the hospitals, the doctors, the patients. And so, I would suggest that the MCOs would go back to the Department of Insurance and have that office of consumer protection to take the calls and the concerns that the... that the consumers may have in regards to what's going on with the Department... with the MCOs as opposed to paying this commission."

Speaker Davis: "Representative, would you like more time?"

Flowers: "Yes."

Speaker Davis: "Representative Chesney offers you his time."

Flowers: "Thank you."

Speaker Davis: "Thank you."

Flowers: "And my final... in order to make sure that the MCOs are in compliance... and, furthermore, I think there needs to be a report that the Department of Insurance would report back to the General Assembly as it used to be with the HMOs. The HMOs would put together a report every year and give us the information so we'll know exactly how this program, or these programs, are being implemented. So, those are just my suggestions. But once again, I want to thank you for the hard

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work and the long hours and look forward to working with you.
Thank you."

Lilly: "Thank you, Representative. Your input will add more to this initiative. The commission is well overdue for the MCOs, and I think it's an excellent idea to talk to the insurance companies to pay for this commission, or support the commission, and then also get a report from them. I'm looking forward to implementing your suggestions."

Flowers: "No, no, no."

Speaker Davis: "You have one more question?"

Flowers: "I don't... I do not want the MCOs to pay for this..."

Lilly: "Oh."

Flowers: "...because, once again, that's taking monies away from... from out consumers that need the health care."

Lilly: "Okay."

Flowers: "So, why am I... why am I paying them twice when HFS should be doing that or the Department of Insurance could be collecting that information? We don't need to pay anyone else. Let's put the money where it's needed, and that's with the patients, the hospitals, and the providers, please."

Speaker Davis: "Are you done, Representative? Thank you. Representative Meier, for what reason do you rise?"

Meier: "Sponsor yield?"

Speaker Davis: "Yes, she will."

Meier: "I had a couple of questions about the day care and the training for the trauma person there. Is this just in schools with day care or is this for private day cares? Is this for home school day cares or not-for-profit day cares? So, I'm wondering how this is going to affect all them."

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Lilly: "It's for all licensed day care home providers, licensed group day care home providers, and licensed day care centers, directors, and classroom staff."

Meier: "So, it will be an extra cost on them... all them, right?"

Lilly: "It's subject to... oh. This is the new language that was provided in lieu of what was initially suggested. The cost, I believe they believe... I believe that they felt that this would not be an additional cost, but we will look into it."

Meier: "Well, with COVID this year, there's been a lot of day cares built around my area in my district. And it's several hundred thousand dollars or more to put up a nice day care. It's very costly to have enough people working there. This seems to have been extra cost in the year where their maximum capacity has been cut by half or more. They can't make their bank payments. These not-for-profit churches are losing money on trying to take care of people's children. So, I worry about any extra cost to them right now. They... you know, so I want to make it clear that we're going to lose day cares. I'm losing some already because they can't afford it. And now, a home day care is going to have to have this. And our... to get a day care licensed, we have to wait months sometimes to get an inspector there. So, how's this going to get enforced?"

Lilly: "Thank you... thank you, Representative. I just want to point out the legislation indicates at least one training. One training for continued ed and support for this population that's serving the children of our future. I think it's something that we need to look into. We do not feel that it will be a cost act that's going to close our child care center. It's going to actually enhance the services and the

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quality of care for our children. And now, again, this language was submitted in support of making a difference and making sure young people have access to child care. It was not submitted to make sure we close our child care facilities."

Meier: "Well, I hope we can work together on this. I just want to make sure this isn't the final straw that breaks the camel's back in the situations that all of these have been put into this year because we do want good quality care for our youth no matter where they are in the State of Illinois. Thank you."

Lilly: "Thank you, Representative. I truly believe one training will help our services to our young people and is... I do not believe it will break the system of child care. And I'm looking forward to working with you."

Speaker Davis: "Representative Spain, for what reason do you rise?"

Spain: "Thank you, Mr. Speaker. A question for the Sponsor."

Speaker Davis: "She'll yield."

Spain: "Thank you. Representative Lilly, good morning."

Lilly: "Good morning."

Spain: "We're getting close to our usual meeting time for the Medicaid working group."

Lilly: "Don't start."

Spain: "Hopefully, we'll be done soon, before that. I'd first like to congratulate and thank you for your leadership on this piece of legislation as well as health care issues throughout the State of Illinois. I know that you are a very sincere and a very tireless advocate for improving access to health care and, particularly, improving health care in our

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vulnerable communities. So, thank you. I do have a question though about your intention with this Bill and also what we may see taking place in the Senate right now. And so, my understanding is that Senator Hunter is positioned with a version of this Black Caucus health care pillar in the Senate. Is that correct?"

Lilly: "Our hope was to make sure that all the language become before both chambers to make sure that Members had the opportunity to read, respond, and react. So, we have legislation in both chambers."

Spain: "And what are the differences between your Bill and the Bill that we are watching over in the Senate?"

Lilly: "They are substantially similar. We've just changed some few nuances because of the input and the negotiation we've been going through all night. So, they're substantially similar."

Spain: "Thank you. I think one of the areas and... you know, we're all doing this a bit on the fly. So, I apologize, Representative. But one of the areas of distinction though has to do with the subject as was previously discussed by the Deputy Republican Leader of the Managed Care Reform and Oversight and, specifically, the idea of creating a new body of oversight for the Medicaid and managed care program. That language, as I understand, is a significant concern to HFS. However, the Senate version of this Bill has been resolved with that concern for HFS."

Lilly: "I believe we have the same language. We're working with the Senate to address the issues of HFS."

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Spain: "I apologize, Representative. Could you say that one more time?"

Lilly: "Yes. HFS tweaked the language, and we're working to address their issues as well."

Spain: "Okay, thank you. Mr. Speaker, to the Bill. Ladies and Gentlemen..."

Speaker Davis: "To the Bill."

Spain: "...grateful, again, for this work and appreciate it as a very earnest and very important and needed. There's more work needed though. This is the very type of Bill that I would've loved to have the opportunity to discuss in detail at our bipartisan, bicameral health care working group, the Medicaid working group, where we've had great success over the last number years, collaborating to make a meaningful impact on health care in the State of Illinois. Unfortunately, we didn't have an opportunity to do that. And, unfortunately, there are a lot of questions about this Bill tonight. Specifically, about the differences that we're trying to understand here at this late hour, between the House version and the Senate. And then, particularly, about the community health worker program, which I strongly support. I think community health workers are a huge opportunity for us to actually engage in health care improvement and keep people healthy and out of the hospital, which should ultimately be our goal. It's the way that we can lift up vulnerable communities, especially those that have been disproportionately impacted by COVID. We also have a massive financial crisis in this state right now, and when we see Bills like this, with the potential fiscal impact of up to \$3 billion, it certainly should give us some

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pause. And so, I think this work is important. I would pledge to continue working on it in good faith and would be interested in doing so. But unfortunately, at this late hour tonight, I will not be able to support the Bill. And with respect, here in a somewhat empty chamber, if the Bill does receive the requisite number of votes, I would request a verification of the roll call."

Speaker Davis: "Verification has been requested. Representative Lilly... Representative Lilly to close."

Lilly: "Well, just to address some of the points that have been made. Again, I stated that this particular effort from the Illinois Legislative Black Caucus has been an issue in our state for a long time. We are, basically, making sure that everyone has a right to health care. And the concerns that you have in relations to the resources, I must state again and again, and I listen to Leader Flowers all the time, that because we are not implementing our health care plan to the most vulnerable population to... to the most vulnerable population in our state, we are putting those lives at risk from denials and lack of access. Which, ultimately, when they're not being cared for, we are actually losing resources that are earmarked for our communities. When you put barriers from young people and families to getting their prescriptions because they do not have access to pharmacies in their communities, they are not capable of utilizing their health plan. When you have signage that indicates that individual providers will not accept managed care plans, those individuals do not have access to health care and they are not being able to use their health plan. When you have, I

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would say, an operation that is denying services and not reimbursing for care, you now have a plan that's truly causing health care concerns. Ultimately, causing persons not to survive, i.e., COVID-19. We, here in the State of Illinois and throughout our country, COVID has hit us the hardest than any other global country in the world. It is truly a concern to many and, particularly, those in the poor black and brown communities that we do not have a health care system that we can tap into, that we can be benefactors of because we have contributed to making sure that the most vulnerable populations in our country have access. We must continue to understand that we have to work on this. It is important that we look at all the legislation that has been noted in this Bill from Legislators from decade after decade trying to address access when we now have health outcomes that's causing persons not to survive a pandemic. We must understand that in the communities that are distressed, in the communities that are under-resourced, in the communities that are underserved, we see that we lack basic... basic human needs that are essential to a quality of life. We lack food, grocery stores, we lack education, we lack housing, we lack jobs, transportation, and now health care. All of these essentials to quality of life must be restored into the poor black and brown communities. If we do not do so, we will never be able to survive the pandemics that we all know will be part of our society. Therefore, here in Illinois, we are putting forth a health pillar with the efforts of the Illinois Legislative Black Caucus to begin this important step today. It's the beginning and we are looking forward to working with each and

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every one of you here in the General Assembly to make sure that every Illinoisan has access to health care where we will no longer have to hear that the disparities of health care, where expectancy of life is based on your zip code, with a difference between 30 years from one community to a next. We cannot... we can no longer see hospitals closing in the middle of pandemics. We can no longer see lives lost because they did not have access to health care that prevents illnesses, that prevents death. We, collectively, want to see Illinois be the lead in making sure that everyone has access. And we're looking forward to working with our Governor to make sure that when we have available resources, we're implementing the programs that are here in this particular pillar. With that, I'd like to say thank you for your morning ears. Thank you... to all of the Legislators, Black Caucus for their support, initiative, thank each of you for your vote to make sure that we are addressing health care in the poor black and brown communities. At this time, I ask for your 'aye' vote."

Speaker Davis: "Thank you very much, Representative Lilly. Members, Representative Spain has requested a verification. All Members will be in their chairs and vote their own switches. And the question is, 'Shall Senate Bill 558 pass?' All those in favor vote 'yes'; all those oppose... opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On the vote of 66 voting in 'favor', 44... 41 voting 'against', 0 voting 'present', and this Bill, having received... he withdraws his verification. So, on this question, there are, again, 66 voting in 'favor', 41 voting

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'against', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 959, offered by Representative Bryant. House Resolution 960, offered by Representative Severin. House Resolution 962, offered by Representative Conroy. House Resolution 964, offered by Leader Durkin. House Resolution 965, offered by Leader Durkin. House Resolution 966, offered by Leader Durkin. House Resolution 967, offered by Leader Durkin. House Resolution 968, offered by Leader Durkin. House Resolution 969, offered by Leader Durkin. And House Resolution 971, offered by Representative Welch."

Speaker Davis: "Leader Harris moves for the adoption of the Agreed Resolutions. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. And the Agreed Resolutions are adopted. And now, allowing perfunctory time for the Clerk, Leader Harris moves that the House stand adjourned until Wednesday, January 13, at the hour of 8 a.m., 8 a.m. Yeah, about... yeah, a little under four hours from now. All those in favor say 'yes'; all those opposed say 'nay'. In the opinion of the Chair, the 'yesses' have it. And the House stands adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on January 13, 2021: recommends be adopted, referred to the floor is Floor Amendment(s) 1 to Senate Bill 1968. First Reading of House Bills. Introduction and First Reading of

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House Bills. House Bill 5879, offered by Representative Wheeler, a Bill for an Act concerning revenue. First Reading of this House Bill. Introduction of Resolutions. House Resolution 970, offered by Representative Mazzochi, is referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."