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REGULAR SESSION
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98th Legislative Day

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Regular Session of the 101st General Assembly will please come to order. Will the Members please be at their desks? In place of invocation, the Senate will observe a moment of silence in respect for those lost during this pandemic. (Moment of silence observed) Please remain standing for the Pledge of Allegiance. Senator Bennett.

SENATOR BENNETT:

(Pledge of Allegiance, led by Senator Bennett)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Quincy Media and Blueroomstream both request to record audio and video. There being no objection, leave is granted. Mr. Secretary, Reading and the Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of January 11th, 2021.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcripts.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hunter moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Hollman, Clerk.

Mr. President - I am directed to inform the Senate that the

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House of Representatives has concurred with the Senate in the passage of a bill of following title, to wit:

Senate Bill 1608.

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

House Amendments 1 and 2 to Senate Bill 1608.

Passed the House, as amended, January 11th, 2021. John W. Hollman, Clerk of the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hunter, for what purpose do you seek recognition?

SENATOR HUNTER:

For the point of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Please proceed, Leader.

SENATOR HUNTER:

Thank you, Mr. President. The Illinois Legislative Black Caucus will meet in Room 212 at 1 -- from 1:30 to 2:30, and after the Black Caucus meets from 1:30 to 2:30 in Room 212, the caucus -- the Democratic Caucus will meet from 2:30 to 3:30 in Room 212, immediately upon release. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hunter requests the Black Caucus from 1:30 to 2:30 and then the -- the rest of the Democratic Caucus from 2:30 to 3:30, both in 212. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you very much, Mr. President. The Senate Republicans would request a caucus in Room A-1 of Stratton. Thank you.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter requests a Republican caucus in Room - 1A? Senate now stands in recess to the call of the Chair. After caucus, the Senate will reconvene for Floor action. Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR KOEHLER)

The Senate will come to order. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 1604, offered by Senator Bennett and all Members.

It is a death resolution, Mr. President.

And Senate Resolution 1605, offered by Senator Koehler.

It is substantive.

PRESIDING OFFICER: (SENATOR KOEHLER)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Hollman, Clerk.

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

Senate Bill 1480.

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

House Amendments 1, 2, and 3 to Senate Bill 1480.

We have received like Messages on Senate Bill 1792, with House

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Amendments 2, 3, and 4; and Senate Bill 1980, with House Amendments 1 and 2. Passed the House, as amended, January 12th, 2021. John W. Hollman, Clerk of the House.

PRESIDING OFFICER: (SENATOR KOEHLER)

Will the Committee on Assignments please go to the President's Anteroom? Committee on Assignments, please come to the Senate Floor. Yes, Committee on Assignments, please come to the Senate Floor. The Senate will come to order. Mr. Secretary, Resolutions, please.

SECRETARY ANDERSON:

Senate Resolutions 1606 through 1608, offered by Senator Villivalam and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Resolutions Consent Calendar. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Lightford, Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - House Bill 377; Be Approved for Consideration - Senate Resolution 1605, Floor Amendment 3 to House Bill 356, Floor Amendment 1 to House Bill 1653, Floor Amendments 1, 2, and 3 to House Bill 3469.

Signed, Senator Kimberly A. Lightford, Chairperson.

Senator Lightford, Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Re-referred from Executive Committee to the Committee on Assignments - House Bill 377.

Signed, Senator Kimberly A. Lightford, Chairperson.

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Senator Lightford, Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - House Bill 377.

Signed, Senator Kimberly A. Lightford, Chairperson.

PRESIDING OFFICER: (SENATOR KOEHLER)

Just let me inform the Senate that we'll be going to House Bills 3rd Reading. So if you have a bill to be presented, please come to the Senate Floor. We will start with House Bill 156 on page 2 of the regular Calendar. Senator Jones, are you ready to present your bill? Senator Jones seeks leave of the Body to return House Bill 156 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 156. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Jones.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Jones, on your amendment.

SENATOR JONES:

Thank you, Mr. President. I move for its adoption and I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, please read the bill.

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SECRETARY ANDERSON:

House Bill 156.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Jones, to explain your bill.

SENATOR JONES:

Thank you, Mr. President. This is just some cleanup language. In May, the General Assembly passed legislation to extend the repeal date of the Transportation Network -- Providers Act - rideshares - until June 1st, 2021; however, the Act was not signed until -- the Act was repealed before the bill was signed into law. So we're just redoing it. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? Seeing none, the question is, shall House Bill 156 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. We will vote in groups. So, Senators Anderson... Senator Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to motion adopted by the Senate, we have Senator McGuire and Senator Oberweis. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator McGuire. Senator Oberweis.

SENATOR OBERWEIS:

I vote Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

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Senator Oberweis votes... Senator Oberweis votes Yes. Will Senators Cunningham, Curran, DeWitte, Ellman, Feigenholtz, Fine, Fowler, Gillespie, Glowiak Hilton, Harris, please come to the Floor to vote? The third group is Senators Hastings, Holmes, Hunter, Johnson, Jones, Joyce, Koehler, Landek, Lightford, Loughran Cappel. Please come to the Floor to vote. Next group is Senator Manar, Martwick, McClure, McConchie, Morrison, Muñoz, Murphy, Pacione-Zayas, Peters, and Plummer. Please come to the Floor to vote. The next group is Senators Rezin, Righter, Rose, Schimpf, Sims, Stadelman, Steans, Stewart, Stoller, and Syverson. Please come to the Floor to vote. And the last group is Senators Tracy, Van Pelt, Villanueva, Villivalam, Wilcox, and President Harmon. Please come to the Floor to vote. Will Senators Manar, Ellman, Loughran Cappel, Van Pelt, Bush, Cullerton, Harmon, Sims, Hunter, and Peters, please come to the Floor to vote? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. And House Bill 156, having received the required constitutional majority, is declared passed. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Purpose for a motion. I move that Senator McGuire and Senator Oberweis be allowed to participate and vote remotely for today's Session.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? If not, the question is, shall Senators McGuire and Oberweis be allowed to participate and vote remotely to -- for the January 12th, 2021 Session Day pursuant to Senate Rule 4-1(e). All those in favor will say Aye. Opposed,

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Nay. In the opinion of the Chair, the Aye have it, and the -- and the motion carriers. And Senator McGuire and Oberweis are allowed to participate and vote remotely for the January 12th, 2021 Session Day. So ordered. We will now go to the bottom of page 2 on your regular Calendar, House Bill 356. Senator Steans. Senator Steans seeks leave of the Body to return House Bill 356 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 356. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Steans, on your amendment.

SENATOR STEANS:

Yes, the amendment deletes all and becomes the bill, and I'll give full description of it on 3rd.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Steans, on your amendment.

SENATOR STEANS:

This -- this amendment, I will also give full description on 3rd. There's two things that are sort of -- two parts to this that we'll explain.

PRESIDING OFFICER: (SENATOR KOEHLER)

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Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?
SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 356.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Steans, to explain your bill.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. This does two things. First, when we passed the new hospital assessment program in May, it had -- certain aspects became obsolete at the end of July. The Governor didn't sign it till after that date, so this bill is fixing that and making that inadvertent deletions sort of go back into effect. So it really effectuates the implementation of the hospital assessment program. The second piece is, there had been a public -- emergency rules during COVID to help get more health care workers into place. This -- the -- this second amendment on this bill puts in place a new emergency -- excuse me, it helps the temporary nursing assistant program that was put into place. Makes those nurses be able to get credit for on-the-job training, count for their certified nurse program -- training programs. It's gotten to agreement by HCCI, IHCA, and

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SEIU, as well as the Department of Healthcare and Family Services.
And I look forward to your support.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Yes, Mr. President, to the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

To the bill.

SENATOR SYVERSON:

I just want to thank the Senator for her leadership on getting this done. As she mentioned, there's a couple of key components, stepping up -- especially the parts stepping up to help the -- the temporary nursing assistants. That's a -- a crucial thing that's going to help a lot of these individuals that have been working so hard to get those credits. So thank you for doing that. And I would urge our side to support this -- support this good piece of legislation.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Steans, to close.

SENATOR STEANS:

I urge your support. Thank you very much.

PRESIDING OFFICER: (SENATOR KOEHLER)

The question is, shall House Bill 356 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. Those Senators voting remotely pursuant to the motion adopted by the Senate are Senators McGuire and Oberweis. Senator McGuire.

SENATOR MCGUIRE:

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I vote Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Oberweis votes Yes. The next group is -- the next group is Senators Cunningham, Curran, DeWitte, Ellman, Feigenholtz, Fine, Fowler, Gillespie, Glowiak Hilton, Harris. Please come to the Floor to vote. At this point, I'm just going to go off the board. Those who have not voted - Wilcox, McClure, Loughran Cappel, Castro, Van Pelt, Cunningham, President Harmon, Muñoz, Murphy, Fine - please come to the Floor to vote. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, no Nays, none voting Present. And House Bill 356, having received the required constitutional majority, is declared passed. We will now go to page 3 on the regular Calendar, the top of the page, House Bill 1653. President Harmon. President Harmon.

SENATOR HARMON:

Thank you. Thank you, Mr. President. Can you check with the Secretary to see if sponsorship has been changed?

PRESIDING OFFICER: (SENATOR KOEHLER)

We'll do that. Sponsorship has been changed to Senator Aquino. Senator Aquino. Senator Aquino seeks leave of the Body to return House Bill 1653 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 1653. Mr. Secretary, are there any Floor amendments approved for consideration?

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SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Steans, on your amendment.

SENATOR STEANS:

Yes, I -- please -- look forward to the adoption of the amendment.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1653.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Aquino, to explain your bill.

SENATOR AQUINO:

Thank you, Mr. President. Health care transformation is exactly that, it is -- it's an initiative by HFS to have a program that will truly transform the way we provide health care in our communities, especially in the Medicaid program. And I'm not going to go too long, but I -- in explaining, but I -- I do want to say that in light of what we're going through, of the hundreds and

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thousands of people that -- that -- that have died due to a global pandemic, that, ever a time, to make sure that -- that -- that Medicaid and our -- and our health care is providing those of all communities quality health care is important. And so this is a collaboration amongst many of the Medicaid work group -- a product of the Medicaid work group, both Chambers, of both parties, of several caucuses, including the Black and Latino Caucus, and essentially creates a -- a -- a program that would benefit the State in terms of a hundred and fifty million dollars that will go into our communities to transform health care. I ask for an Aye vote and prepared to ask -- answer any questions.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Maybe, first, let's start with a question of the -- the sponsor. And I know you've -- you've sat in on a number of these things. We -- we've been meeting for months and months, and I appreciate the -- the -- the openness that we've had in those discussions and -- of those that have been involved in that. Over the last week or ten days, this has changed. The bill has -- has changed from what the original intent was when they're looking at more specific projects for transformation, things that would be onetime changes. Can you kind of point out some of the -- the -- some of the changes and the creation of the new buckets that came -- that have transitioned in in the last week from what we were originally looking at?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Aquino.

SENATOR AQUINO:

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What I would say is that there have been conversations for some time and I wouldn't say that there -- any of the original intent has changed. I think that there has been things that have -- have been included in this to strengthen this transformation and -- which include setting floors for certain buckets and pools, including, you know, for safety-net hospital partnerships, for safety-net partnerships dedicated towards specialty care access, is -- that is a -- a big issue in many communities. There's a pool for critical access hospital partnerships as well, to make sure that the rural communities in our State also have an opportunity to -- to transform. There's also a pool for partnerships -- distressed communities, partnerships for -- cross-provider care partnerships, and, lastly, a -- a pool for workforce innovation and diversity inclusion. What I will say is that one of the changes is that originally this bill was about -- termed "hospital transformation" and it has really become more of a "health care transformation", and -- and I think that was the intent always for this -- for this legislation.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Syverson.

SENATOR SYVERSON:

Thank you. Can -- can you assure us or assure the Body that -- the discussions around the time, that this was going to be for onetime projects that were meant to be -- to help systems transition, whether it's, you know, upgrading health care systems, setting up partnerships, but these were meant to be onetime trends to help for facilities to do transition versus operational costs or versus manpower or labor costs. Can you assure us that the intent here is that these are for onetime projects and not going

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to be used for either operational or for labor or for subsidizing existing programs that are already in place?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Aquino.

SENATOR AQUINO:

I think that the language is pretty -- pretty clear in what this program does. It is -- it is -- we are trying to -- to have a hundred and fifty million dollars that will go out in a -- in -- in a -- in a bid process that -- that health care partnerships between hospitals, FQHCs, and others, can potentially be eligible -- eligible for these pools of money that I had previously discussed in order to transform their communities.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Syverson.

SENATOR SYVERSON:

Thank you. To the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

...bill.

SENATOR SYVERSON:

And I appreciate the sponsor's comments, and while this bill has evolved some to an area that certainly I have some concerns about, I do have confidence in Director Eagleson, and from day one, she's been really committed to having true transformational health care delivered across the entire State in all regions. And I believe that that is still her intent, and under her leadership, I think, even with some of these changes, that that original intent is still going to be in place. But there's something we're going to have to watch closely, because this is -- at a time when we can't pay our bills, this is a significant amount of dollars that

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are being out there. But, as I said, having said that, I have confidence in Director -- Director Eagleson and her -- her commitment to -- that these dollars would, in fact, be used for transformational changes throughout the State. So, with that, I appreciate you answering -- answering the questions and it's something we're just going to have to monitor closely as this moves forward. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Further discussion? Senator Gillespie.

SENATOR GILLESPIE:

Thank you, Mr. -- Mr. Chair {sic}. I -- to the bill, please.

PRESIDING OFFICER: (SENATOR KOEHLER)

...bill.

SENATOR GILLESPIE:

I just want to extend congratulations to the group working on this. This is a very significant milestone. It's a once-in-a-lifetime opportunity, where the State is actually investing in new programs, in new pilots, to determine how we can improve outcomes for areas that have had significant health disparities due to a variety of issues, including social determinants of health, systemic racism, and a lack of investment. This is a great opportunity for us to look at community health, how that will help these -- these communities achieve better outcomes, and I strongly urge passage of this. It's -- it's truly a once-in-a-lifetime opportunity. Thank you.

PRESIDING OFFICER: (SENATOR KOEHLER)

Seeing no further discussion, Senator Aquino, to close.

SENATOR AQUINO:

I just -- I just want to say a few things. Thank you to

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Senator Gillespie there, but I would be remiss if I did not thank my colleague over there, Senator Syverson and Senator Righter, for the work that they did in a collaborative nature in this -- in this group, the Medicaid work group, but also Senator Jones, Senator Koehler, Senator Steans, Senator Gillespie, and Senator Feigenholtz, who have all been working on this for some time. Senator Gillespie hit it on the head. This is a thing to address the disproportionate health care that we see in -- in our -- in our community and evermore present is the need for this with a global pandemic happening around us. So I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR KOEHLER)

The question is, shall House Bill 1653 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. We will call Members to the Floor in groups of ten. Senators Anderson, Aquino, Barickman, Belt, Bennett, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to motion adopted by the Senate, we have Senator McGuire and Senator Oberweis. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

No.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Oberweis votes No. I'm now going to just read from the -- the board. So we're looking for Senator Wilcox, McClure, Stewart, Plummer, President Harmon, Senator Villivalam. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, 1 Nay, and none voting Present. House Bill 1653, having received the required constitutional majority, is declared passed. And still on page 3, we're going to move to House Bill 2263. Senator Gillespie. Senator Gillespie seeks leave of the Body to return House Bill 2263 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading now is House Bill 2263. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes. Floor Amendment No. 2 {sic} (1), offered by Senator Gillespie.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Gillespie, on your amendment.

SENATOR GILLESPIE:

I ask for adoption and will speak to it on 3rd, please.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Now on the Order of 3rd Reading is House Bill 2263. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 2263.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Gillespie, to present your bill.

SENATOR GILLESPIE:

Thank you, Mr. Chairman {sic}. The -- Senate {sic} Bill 2263 is a bill focusing on the use of isolation/seclusion rooms and restraints in schools, and it is a bill to try to -- that will prevent them from being used as behavior -- behavior management tools and instead defines what isolated time-outs versus time-outs versus therapeutic sensory rooms are. It sets out a path to reduce usage of isolated time-outs and restraints by having institutions work with ISBE to set up individual goals and targets to reduce usage of the more traumatic interventions. It creates a grant program to help our schools slowly move away from trauma-inducing interventions and move toward positive interventions. It creates better reporting to ISBE, as well as more opportunities for parents to be aware and involved in the interventions being applied on their children. It creates better oversight for ISBE and reporting to the General Assembly on how these interventions are being used and the frequency. It defines and then protects the usage of sensory rooms and other therapeutic interventions proven to be effective. The bill bans prone restraint, which has led to death and is considered the most dangerous of all restraints, chemical restraints, as well as the practice of denying kids food, water, and bathroom facilities. The -- the bill applies to both public schools and private schools receiving State funding. And I urge a Yes vote.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? Senator Rose.

SENATOR ROSE:

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Thank you, Mr. President. I just have a single question for the sponsor, if I may?

PRESIDING OFFICER: (SENATOR KOEHLER)

Sponsor indicates she'll yield.

SENATOR ROSE:

Thank you for your good work on this. I know it's been quite a -- quite an issue that's been publicized and -- and -- and needs to be looked at. I -- I guess I'm just left with this -- this: What happens if you have a student who is so out of control that they're banging their head against the wall or banging their head against the -- the floor, you know, clearly evidencing intent of either trying to kill themselves or significantly hurt themselves? What type of restraint will be allowed to prevent that from happening? Because I don't -- I don't know how you're going to have the time to get the police there. And I just -- I just want to make sure that that's -- that there's still some opportunity here, because I've toured enough schools to know that, you know, young people can make bad decisions and then turn them into worse decisions. So I'd just like to hear your response on that. Thank you.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Gillespie.

SENATOR GILLESPIE:

Yes, thank you, Senator. The bill still allows -- expressly allows the use of restraint when a child is in risk of imminent danger to themselves or to others. So it does allow for that usage. And the purpose of the three-year phaseout and the grant program is to help schools identify less harmful interventions and more therapeutic interventions that they can start to use to

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replace those kinds of restraints over time.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Rose.

SENATOR ROSE:

Thank you. And, by the way, I do plan to support this. I -
- I'm just trying to get my arms around it. What -- what is the
-- explain what you just said, because it's hard to hear with the
masks on and everything else. You said some sort of restraint
will still be allowed, and I didn't -- what -- what type of
restraint?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Gillespie.

SENATOR GILLESPIE:

Yes, thank you. We are ban -- the only restraint that's
completely banned is chemical, mechanical, and prone restraints.
So they can still use supine restraints. They can use sitting
restraints with arms -- using arms. They just -- we're banning
prone because the facedown aspect of it has led to suffocation far
too frequently.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Rose.

SENATOR ROSE:

...three-year phase -- in the three-year phaseout, will these
also be phased out, or they still be available after three years?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Gillespie.

SENATOR GILLESPIE:

The bill does not ban them at the end of three years, but the
goal is to significantly reduce and hopefully eventually

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eliminate. There are new tools that are available that have been proven effective without having to resort to restraints with the kind of students you're talking about. So, hopefully, schools will learn those -- those techniques and adopt them over time.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Rose.

SENATOR ROSE:

So our staff just informed me the term was systemic elimination. So - I'll be done with this last question - I just want to make sure for -- for the record here today, the legislative intent, that at the end of three years, if it -- if -- if someone needs to grab the kid and physically prevent them from banging their head against the wall, that will happen, correct? That will not be systemically eliminated?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Gillespie.

SENATOR GILLESPIE:

Thank you, Senator. The phrase "systemic elimination" is not in the legislation at all. But what's in the legislation is the eventual -- or the significant reduction and eventual elimination. That's the aspirational goal that we're trying to hit. But it -- nothing in the bill completely blocks it. No.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Rose. Oh, I'm sorry...

SENATOR ROSE:

So we just...

PRESIDING OFFICER: (SENATOR KOEHLER)

Were you -- were you -- were you done, Senator Gillespie?

SENATOR GILLESPIE:

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Hi. Just to repeat what I was saying. The bill does not use the language "systemic elimination". What the bill says is that it is "the reduction and eventual elimination" that we are trying to get to as an aspirational goal. The bill does not -- at -- at -- at no point does it completely ban the use of that. We do want to be able to stop the imminent physical threat to the student or to others. We're just trying to get schools to adopt more -- less intrusive, less psychologically destructive tools.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Rose.

SENATOR ROSE:

So, at the end of the day, the answer is yes; that if that situation would present itself, a staff member, a teacher, a principal can still step in and physically restrain the student to help them -- keep them from hurting themselves or hurting someone else, correct?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Gillespie.

SENATOR GILLESPIE:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Seeing no further discussion, Senator Gillespie, to close.

SENATOR GILLESPIE:

...you. This -- this legislation is very important to protect our students in schools, to protect those that are the most vulnerable. And I urge your Yes vote. Thank you.

PRESIDING OFFICER: (SENATOR KOEHLER)

And to clarify for the record, we have adopted Floor Amendment No. 1. The question is, shall House Bill 2263 pass. All those in

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favor, vote Aye. Opposed, Nay. The voting is open. So we'll call the Members to the Floor. Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. And for those Senators voting remotely pursuant to the motion adopted by the Senate, we have Senator McGuire and Senator Oberweis. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

I vote Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Oberweis votes Yes. At this point, I will just look at the board. We have Senator -- Leader McConchie, Senator Syverson. That is all. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting -- Yea, none voting Nay, none voting Present. And the House Bill No. 2263, having received the required constitutional majority, is declared passed. We're now going to go to page 4. At the bottom of the page is House Bill 3994. Senator Morrison. Senator Morrison seeks leave of the Body to return House Bill 3994 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 3994. Mr. Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

Yes, Mr. President. Floor Amendment No. 1, offered by Senator

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Morrison.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison, on your amendment.

SENATOR MORRISON:

I'd like to, please, adopt the amendment and discuss on 3rd.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 3994.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison, to explain your bill.

SENATOR MORRISON:

Thank you, Mr. President. This legislation is an offshoot of the vote by mail bill, which sunset on December 31st, and this has three very specific, defined actions which would be appropriate and in place, we hope, for the spring election of this year. First, it allows election authorities to establish ballot drop boxes. It also makes permanent the requirement that election authorities accept vote by mail ballots regardless of postage paid by the voter. And thirdly, it allows election authorities to

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establish curbside voting for individuals to cast a ballot during early voting or election day. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? We've had a request from Senator Oberweis for discussion. Senator Oberweis.

SENATOR OBERWEIS:

Thank you very much, Mr. President. And I'm sorry that I'm remote in this case, but this is something that I would like to talk about here. I will tell you that I was a strong proponent of encouraging voters to vote by mail this past election. Thought that it should be reasonably safe to do in the collar counties. In Chicago, I would've probably had more concerns, but I was pretty confident that things would go well in the suburban counties. I have to say that I was shocked to learn that there were over five thousand people who had filed a national change of address and registered to vote in different states and districts who, nonetheless, voted by mail in the 14th Congressional District, by mail or by dropping off ballots in boxes. That certainly caused me concern. I will tell you, I was shocked further, in DuPage County, when, upon our discovery count, we found there were eighteen hundred more ballots than voters. And to this day, to the best of my knowledge, nobody has been able to explain how that is even possible. So my confidence in the careful consideration of making sure that every ballot was legitimate has been deeply shaken. For that reason, I think we should proceed more cautiously. I'm certainly, in the long-term basis, not opposed to mail-in ballots, but we need to have protections to make sure that it's done in a fair manner so that we count only legitimate ballots and make sure that everybody's vote is protected and accurate.

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Because if we start to allow illegal ballots, that cheapens our own legitimate votes, and that's not good for Republicans, it's not good for Democrats, it's not good for our country. For that reason, I have severe concerns about this issue. I think we need to go slow and make sure we have protections in place, which we clearly do not at this point. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Further discussion? Senator Righter. Senator Righter.

SENATOR RIGHTER:

Thank you very much, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR KOEHLER)

Sponsor indicates she'll yield.

SENATOR RIGHTER:

Thank you, Mr. President. Am I on now?

PRESIDING OFFICER: (SENATOR KOEHLER)

Yes. Get closer to the mic, please.

SENATOR RIGHTER:

Senator Morrison, in looking over the amendment, it appears that the sunset date that was in the legislation that we passed in the spring has been removed. Is that correct?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

That's correct.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

Is -- is that based upon your conclusion that the experiment

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from the fall was a success and so we can move forward with this model permanently?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator Righter, this bill is in direct response to county clerks and election authorities from around the State that, almost immediately after voting stopped for the general election, reached out, asking to have the ability -- to have the permissive ability, if they chose to, to establish drop boxes for this spring election. That's what this is in response to. I do hope to, this spring - and unfortunately I will miss your presence for that - I do hope to work with other colleagues to come back with a more full-fledged vote by mail bill, after having an opportunity to see all the data, look at the voter information, and -- and talk to stakeholders and colleagues.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Morrison, if the county clerks who -- who reached out and asked for the statutory authority to put drop boxes out said we would like that for the April elections, and as I just understood you, you are hoping to then take a look at the information that's been gathered and then make changes going forward, that begs the question of why the sunset debt has -- sunset date has been removed. Why don't we have a sunset date for the end of next spring Session that incorporates the municipals -- or the spring elections and still requires the General Assembly to do the work that you're talking about?

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PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

This is still permissive, Senator, and there will be another opportunity this spring to revisit. But we had a fairly well-attended and fairly well-voted election as a demonstration that this works. It was very well received, it was safe, it was secure, and it provided access to voting for some people who may not have otherwise taken advantage of it.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

Thank you. And I want to be clear, Senator Morrison, I -- I support, generally speaking, the drop box concept. But the problem in -- one of the other problems in this bill is, there's no requirement in this bill that I can find that the boxes be locked at the close of voting. So, when the polls close, let's say at 7, there's nothing in the bill that requires the boxes to be locked at -- at that time. Why is that?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

This bill was done in consultation with clerks, Senator. And throughout the Election Code, there are numerous references to polls closing at 7 on election day. We believe the current statute, case law, and the various court orders over the years regarding the closing of polling places is instructive and controlling here for ballot drop boxes. We believe it is contained throughout statute and should be clear.

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PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

So I want to be clear, Senator, what you're telling me, that even though this -- the bill does not require the drop boxes to be locked when polls close, that there is some reference somewhere else in statute or in some case somewhere that nevertheless requires that, even though the plain statutory language that you will put in law will have no such requirement? That's our hope?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

So, Senator, I hope that you would approve of the fact that this is an opportunity for local authority, for your local clerks, your local election authorities who have expressed their willingness, some, to do this and some may not be interested to do this. The polls close at 7. For example, if the polls closed at 7 in the City of Chicago and there was a line of people ready to vote at 7 o'clock for some reason, those election judges would allow those voters waiting in line to go ahead and cast their votes. I think it's very similar. The election judges are going to be particularly sensitive to this. I -- I think you're concerned about something that's not going to be a problem.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

So, to be clear, you -- you don't want the boxes locked at the close of polls. That's what I just heard you say, because you're likening this to a polling place that has a line of voters.

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So at 7 o'clock, if that's when the polls are supposed to close, and there are ten more people in line, then all those people get to vote. I get -- I get that. The analogy falls down, though, when you have election judges that are actually at the polling place, can make sure - because I know that's how that works. So, at 7 o'clock, an election judge will go and stand at the back of that line to make sure that those ten people voted, but the people who come at 7:20, they're too late. That -- I mean, how are you going to do that with a lockbox? You're telling me you want the lockbox left open after the polls close. I mean, how much further do we have to go to say, "You know what, we're just okay with people dropping ballots in there as late as they want"? Couldn't this be solved by simply requiring the boxes to be locked when polls are closed?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, I believe that many clerks will take that action.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

But what about the clerks in the partisan areas that choose not to? I mean, Senator Morrison, there has been a lot of talk about election fraud over the last few weeks, and few months, and few years, and I get all that. But, man, there's lots of other things in this bill where we tell election authorities what they have to do. But you don't want to tell the local election authorities to lock the boxes when the polls close. Would you not agree that that provides the opportunity for people to come and

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drop votes in the boxes that they would not otherwise be able to cast at an actual polling place? You're going to agree with that, right?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, the logistics of a clerk picking up the final ballots that have been delivered will happen. I think we are micromanaging that process and I think there will be a lot more consternation and challenges by saying -- by -- by requiring what you're implying. And, you know, again, I have a great deal of faith in the county clerks to work with their employees who will be required to pick up these ballots from a locked box, for the security purposes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter, you do have two other people that wish to talk. Senator Righter.

SENATOR RIGHTER:

Thank you. So, Senator Morrison, what -- what is your idea of -- if the -- if the box isn't going to get locked when the polls close, what is your idea of when they should be locked? Is a half hour okay? An hour? Three and a half hours? Maybe we get to it at 6 the next morning. I mean, give me a ballpark here of when you're okay for the box to be locked after the polls close.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, it's 7 o'clock. I believe that the clerks should go to the drop boxes, remove the ballots that have been placed there,

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and so mark and identify those ballots as being received on election day. You might have somebody that comes at five to 7. I don't know how many election -- how many election employees...(inaudible)...court clerk is going to have? You know what, I don't -- I'm not -- you're asking the same question. I'm trying to respond to you. I'm trying to tell you that this is in the hands of the county clerks who, the last I was made aware, did not have a problem with this procedure. And in fact, we're asking for it to provide access to people. If there is a problem this spring, I will be the first person who will insert, in new legislation this spring, a change. But we didn't have a problem with this during the general election. We've done this once before - thousands and thousands and thousands of voters.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter, to the bill.

SENATOR RIGHTER:

Excellent suggestion, Mr. President. Thank you. To the bill. Ladies and Gentlemen of the Senate, I -- I would agree that there is a point at which you can micromanage, but the bottom line is that the State of Illinois has a fundamental duty when it comes to basic election security. I appreciate the sponsor -- and I -- I think she believes what she says when she says, "You know what, if we find out there's a problem, we're going to come back and fix it." Here's the problem: The box doesn't have a time stamp. If the election official didn't get around to locking the box until 10:30 or 11:30, nobody's going to know how many ballots were dropped in there between 7 and 10:30 or 11:30. You won't know if there was a problem or not. In this, the county clerks have complete discretion of where they put the lockboxes and whether

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they choose to lock them after the polls close. I'm for drop boxes, but, boy, there are some gaps here that need to be filled. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Further discussion? Senator Tracy.

SENATOR TRACY:

Thank you, Mr. Speaker -- or Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KOEHLER)

Sponsor indicates she'll yield.

SENATOR TRACY:

Since this is a -- a -- a bill that is very long and -- and convoluted and -- and actually a shell bill, I -- I'm wondering, did I understand that this is just for the spring election or is this going to be a permanent bill?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator Tracy, this is I think just a six- or seven-page bill, and it is permissive and it becomes permanent. It is -- it -- it -- it -- I hope that it is in place; that's why we're doing this during lame duck. And I hope that it is in place for the spring election and beyond.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Tracy.

SENATOR TRACY:

Well, the reason I ask is because, last spring, when we talked about this bill that was for the fall election in 2020, as I recall, you said this was only a temporary bill, and now we're

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wanting to make it permanent, not just for the next election.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator Tracy, the bill that we passed in the spring was much more comprehensive - dealt with applications, dealt with a lot more, dealt with panels of election judges - was -- was much more comprehensive. This, again, is a direct response for constituents and for their clerks who want the ability, during COVID especially, while it is still rampant in our State, to have the safety, the security, and access to voting safely. That's what this is and it would become a permanent Act, not...(microphone cutoff)...one in May.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Tracy.

SENATOR TRACY:

And you mention the county clerks. I'm wondering how many county clerks have you talked to about this and if the County Clerks' Association itself has voiced its -- support of this specific legislation?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

As this bill was negotiated, I believe the association came on board and I have talked to -- well, one this week. This bill has been changing. But I have had the opportunity to track one clerk down.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Tracy.

SENATOR TRACY:

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Well, I represent eleven county clerks in my district, which would be about ten percent of all the county clerks in the State of Illinois. They have not heard from their association on this bill and they do not support this bill - so that would be one-tenth of the association - and they're concerned about the cost to the counties that hasn't even been mentioned. As we talked about in the spring, the cost to the counties was quite substantial, and if we're going forward to make this permanent rather than just temporary to meet the pandemic situations, then it will still be a huge cost to the counties. Isn't that correct?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, again, this is permissive. Your eleven clerks may all decide they do not wish to make this an opportunity for their voters, and that is absolutely fine and there is no cost involved. They may also decide they don't want to provide curbside voting for disabled voters who drive up in their cars, and that is absolutely fine. There should not be any additional costs involved with that.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Tracy.

SENATOR TRACY:

Well, I'm wondering, if it's just permissive, why do we even need it?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

The statute requires that we make this -- that we put this

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exemption in statute. That's why.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Tracy.

SENATOR TRACY:

Final question is just about the security and the credibility of the lockbox. I would ask that we put something in legislation, whether it be for these permissive boxes or whatever a clerk decides, that somehow we protect the credibility of these boxes to make sure that after 7 p.m., at the close of election polls, that these boxes likewise are secured as well.

PRESIDING OFFICER: (SENATOR KOEHLER)

Further discussion? Senator Plummer.

SENATOR PLUMMER:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KOEHLER)

Sponsor indicates she'll yield.

SENATOR PLUMMER:

Thank you, Mr. President. Senator Morrison, I appreciate all of your time on this bill. I know it's been a hot topic lately, but I had a couple quick questions. You and I discussed this quite a bit last spring on the Floor. The language that Senator Righter brought up earlier - and I'll cut right to that language - "ballots returned to such collection sites after close of business shall be dated as delivered the next day, with the exception of ballots delivered on election day, which shall be dated as received on election day", I understand that the -- bipartisan State Board of Elections offered alternative language to your staff to clarify the potential conflict that that language opens up, where they basically offered the following language, "with the exception of

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ballots delivered on election day, which shall be collected at the close of polls and dated as received on election day". Is there a particular reason why you elected not to go with the bipartisan suggestion of the State Board of Elections, which would clarify that -- that large loophole in your bill?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, the Clerks' Association - and I'm sorry that not every clerk was personally talked to, it sounds like - but they expressed support for this language that is included in -- in this bill this afternoon, bill -- "ballots returned to such collection sites after close of business shall be dated as delivered the next day, with the exception of ballots delivered the {sic} election day..." You just read that to me. I'm more than happy and will be happy to work with the State Board of Elections this spring. This is -- this is important to get done and this, again, is permissive.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Plummer.

SENATOR PLUMMER:

I understand that the Clerks' Association supports this legislation, or -- or so I'm told. You -- you brought that up last May as well. Interestingly, last May I reached out to over twenty county clerks in my district, outside of my district, from Wisconsin to Kentucky, and not a single county clerk I spoke with supported this - Republican or Democrat. I'm just kind of curious. You said earlier that you have faith in the county clerks, and if the vast majority of county clerks oppose this legislation, by -- by overriding their desires, you don't seem to be showing much

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faith in them.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, I have not heard nor has staff reported hearing from a single clerk who opposes this. I would hope that your clerks would have taken the affirmative action to reach out and express their problem with this legislation. We have not heard that.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Plummer.

SENATOR PLUMMER:

Thank you. Last spring, when I asked you on the Floor which county clerks you had talked with, you had told me that you had not talked to any county clerks, which was quite a surprise considering they're the election experts in the State and you're -- you're drafting pretty substantial changes to how they have to do their job and you didn't talk to any of 'em. That surprised me. But you did mention earlier today that you've talked to a lot of county clerks who support this. So, could you share with the Body which county clerks you've worked with to draft this language?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

This bill was drafted through the County Clerks' Association. This is lame duck. We have not had an opportunity to have a hearing where the clerks could come down and testify. I'll bet this spring that we do have clerks and the association present, and I'll make sure that we have individual clerks, hopefully from your district, who are invited to come down and participate.

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PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Plummer.

SENATOR PLUMMER:

When -- when was the amendment to this bill actually filed -
- filed, Senator Morrison?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

I -- I guess it was filed on Sunday.

SENATOR PLUMMER:

So...

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Plummer.

SENATOR PLUMMER:

So here we are less than forty-eight hours later and a hundred
and two county clerks are supposed to know on a Sunday during lame
duck Session a significant amendment was filed. Have you
specifically talked to any county clerks in the last forty-eight
hours, or have you just talked to this association?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

I have personally communicated with the Lake County Clerk,
who is my home clerk. And the association, I know, has been in
touch with staff, who drafted the legislation.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Plummer.

SENATOR PLUMMER:

Well, I -- I appreciate you talking to the Lake County Clerk.

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Just for what it's worth, I've spent a lot of time yesterday and today on the phone, all across State of Illinois, over fifteen clerks this time, not a single one supports it, but I guess that doesn't matter at this point. In the November general election, Senator Morrison, do you know how many of these boxes were deployed across the State of Illinois?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

I do not have a number for you, Senator.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Plummer.

SENATOR PLUMMER:

So my next -- I'm -- I'm -- I'm -- I'm surprised we don't know that number, but I guess my next question would have been, do we know how many of the boxes that were deployed across the State of Illinois were left open post -- the close of polls on election day?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, I have heard no reports of such an incident, but I can't -- I have not had an opportunity to take -- talk to the State Board of Election {sic} (Elections) or any of the hundred and, I believe, eight election authorities.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Plummer. We've got two more people that want to speak to this.

SENATOR PLUMMER:

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Yeah, to -- to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

...the bill.

SENATOR PLUMMER:

Senator Morrison, thank you for your time on this. I appreciate the conversation. I would just encourage this Body, in a lame-duck Session, when we are substantially changing the duties and the jobs of county clerks across this State, to actually take the time to take their input so that they can most effectively do their job and make sure the voice of the people, the voice of the voters of Illinois is heard. I do not think it's appropriate to hijack their jobs, to hijack the way they have to run their offices. I like to show faith in -- in subject-matter experts and the professionals. I encourage this Body to take more time and look at this next Session so that we can thoroughly investigate this. This is a high-profile topic right now. There's no need to make urgent changes to something that's so important. I urge a No vote.

PRESIDING OFFICER: (SENATOR KOEHLER)

Further discussion? Senator Barickman.

SENATOR BARICKMAN:

Question of the sponsor. Thanks, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

She indicates she'll yield.

SENATOR BARICKMAN:

What a fun debate. It's like it's the end of Session. Here's -- Senator Morrison, here's -- I think everyone's trying to wrap their head around this. Here's -- here's my question: If a county clerk were to allow a collection site and were to tell voters in

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their jurisdiction that they can drop off ballots on election day at any time of day, even after 7 p.m., where in the law today would those ballots be prohibited?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, the statute that we're proposing speaks very specifically to allowing electors to return these ballots by close of election day, and that is referenced many times in the Election Code as 7 p.m.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Barickman.

SENATOR BARICKMAN:

And -- and maybe it would help if you could point us to that statutory provision.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

I'm going to try to give him the citation. It's in very small print. Bear with me. 10 ILCS 5/17-1 - from Chapter 46, paragraph 17-1. And the language that I just referenced you is on page 6 of the bill, line 19.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Barickman.

SENATOR BARICKMAN:

So, Senator, if that statutory provision exists - I take your word at that - then why is the language in your bill required that says what to do with ballots collected at sites after the close of business on election day?

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PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Senator, it -- it says pretty clearly "at any collection site that {sic} it has established through the close of polls on election day". We've established that's 7 p.m. That's the close of polls.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Barickman.

SENATOR BARICKMAN:

Yeah, I think we're pointing to the sentence prior to that.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison.

SENATOR MORRISON:

Hang on. I -- I'm -- I'm challenged to find the problem here, Senator. I think it's pretty specific. It's just -- it's what I just said. It's through the close of the election -- through the -- through the close of the polls, which is 7 p.m.

PRESIDING OFFICER: (SENATOR KOEHLER)

I think we've covered this ground quite a bit. Can you -- to the bill?

SENATOR BARICKMAN:

I -- I appreciate that, Mr. President, and so let me speak to the bill. But the sentence that the sponsor is referencing is not the sentence that is being questioned in this incredibly thorough debate. There's not a discussion about the sentence that references the close of polls. The question -- the issue here is about the previous sentence, which is -- contrary to the sponsor's suggestion as absolutely clear, the previous sentence is

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undoubtedly ambiguous at best in that it states that a -- that ballots delivered on election day to collection sites are dated as received on election day. And the repeated question that has been asked by, at least, this side of the aisle is, where in that sentence does it prohibit the collection of ballots received after 7 p.m.? Now, maybe for the record the sponsor could suggest that her intent is that ballots collected after 7 p.m. are not intended to be counted, but a -- given the uncertainty that exists in this country about election discrepancies, a much better answer here would be to simply pull this from the record, amend this provision to demonstrate the intent of the Body that ballots collected after 7 p.m. on election day through collection sites are to be prohibited and not counted in an election. The reason that's necessary is because the plain language of the text here certainly does not say that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Further discussion? Is there -- Leader McConchie.

SENATOR McCONCHIE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

...the bill.

SENATOR McCONCHIE:

Thank you. Thank you, Senator Morrison, for bringing this forward. Let me -- let me just say upfront that I -- I like drop boxes. I -- with the stuff that went on with the post office this year and issues that people had trying to just send regular letters or packages with the overwhelming of the system and pandemic and so forth, we -- my daughter, my wife, and I all used the drop box in the courthouse in Mundelein. We -- we found it a appropriate

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thing to use - more reliable than the postal system this time. And if this was a temporary measure to simply try to address the upcoming consolidated election, I might go ahead and -- and vote for it in this case. However, with the issues that have just been raised by Senator Barickman and others, I went today and I contacted one of my county clerks. I represent McHenry County, next to our county, and I contacted him in regards to this and said, "Have you seen this bill?" This was probably about 2 o'clock today, and he said, "No, I haven't seen it. Let me look at it." And so we began a text exchange back and forth about the content of it, and let me tell you a couple of things that he said. One of the things is -- he said that we -- if -- "in order to make sure that we did not have ballots that are improperly cast after 7 p.m.", he said, "if we had eighteen boxes, we would have to have eighteen staff members at each of these locations in order to lock it at the time to do so." He said, "We only have eighteen staff and they're a hundred percent utilized on election day." And then he went and he contacted -- let me see -- said "Let me see what other states do this". So he contacted California, Sacramento County, California, who then came back and told him that the way that they do it is they do a staggered -- they advertise, do a staggered closing between 4 and 8 p.m., and hire temp workers, and so forth. But he wasn't even aware of this legislation until I brought it up to him. Maybe that's why you haven't heard from him in regards to this. But, again, the fact that this is permanent, I find is very troubling. I think that there is cleanup that obviously needs to be done, that is pointed out to here. At the end of the day, I think not only do we want to make voting convenient for those people like, you mentioned, me, who's

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disabled, I -- you know, having the option of being able to vote in a manner that helps me to do that. I welcome people to do that. We also want to make sure that we have the utmost of integrity within our election system. And these are the types of things that when we're doing it on a permanent basis when it doesn't need to be permanent, when we're going to be making changes anyway, is the type of thing that I think undermines the faith in the system that too many people out there have right now. And I wish that we could come together, negotiate on this to come up with something that restores that faith, that integrity in the system that I believe that we want all voters to have. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Seeing no further discussion, Senator Morrison, to close.

SENATOR MORRISON:

Thank you, Mr. President. Let's remind -- let's remind ourselves that the ballots we're talking about are vote by mail ballots who {sic} have been issued after an application has been approved by an election authority. These are valid ballots that have been given to registered voters. This simply gives clerks the opportunity, if they so choose, to provide drop boxes, making it easier for them to return them. I ask for an Aye vote and appreciate the robust discussion from the other side of the aisle.

PRESIDING OFFICER: (SENATOR KOEHLER)

The question is, shall House Bill 3994 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. We will move to having Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate, we have Senator McGuire and

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Senator Oberweis. Senator McGuire.

SENATOR McGUIRE:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

No.

PRESIDING OFFICER: (SENATOR KOEHLER)

I think that was a No from Senator Oberweis. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 voting Yea, 18 voting Nay, none voting Present. And House Bill 3994, having received the required constitutional majority, is declared passed. We're going to turn now to the Supplemental Calendar. Supplemental Calendar No. 1 has been printed and distributed. We'll go to House Bill -- 377. Senator Bush. 2nd Reading. Do you wish to move your bill? Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 377.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 1609, offered by Senator Fine, Feigenholtz, Morrison, Villivalam, and Belt.

It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

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Senator Holmes in the Chair.

PRESIDING OFFICER: (SENATOR HOLMES)

On Supplemental Calendar No. 1, we have Senate Resolution 1605. Senator Koehler. Secretary, can you read the resolution?

SECRETARY ANDERSON:

Senate Resolution 1605, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR HOLMES)

Senator Koehler, on your resolution, please.

SENATOR KOEHLER:

Thank you, Madam President. Senate Resolution 1605 creates the Journal Committee for the 101st General Assembly. The committee reviews and approves all outstanding Journals for the 101st General Assembly. This is identical to the resolutions that we have adopted in previous General Assemblies. I appreciate your support.

PRESIDING OFFICER: (SENATOR HOLMES)

Is there any discussion? Seeing none -- none, the question is, shall Resolution 1605 pass. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Amanda Vinicky with WTTW-TV has requested permission to photograph and video. Seeing no objection, leave is granted. Senator Koehler in the Chair.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Villanueva, for what purpose do you seek recognition?

SENATOR VILLANUEVA:

Point -- point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Please state your point.

SENATOR VILLANUEVA:

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I'm going to cry, so please bear with me. I stand to honor the life of my incredible mother, Sara Soledad Villanueva, who left us to join the ancestors early in the morning on December 24th after a two-and-half-year battle with pancreatic cancer. Born on September -- 23rd, 1963, in Nuevo Ideal, Durango, Mexico. My mom was an immigrant to this country that arrived at the tender age of thirteen, along with her mother and her siblings, who were -- were following my grandfather who had immigrated before the rest of the family to seek a better life in this country. A graduate of William H. Wells High School in Chicago. My mother gave birth to my older sister, my older brother, and myself before she made it her mission to move our young family forward by going to college part-time while raising the three of us with the help and support of my dad. In 2013 {sic}, while I was graduating high school, my mom was graduating Roosevelt University with her Master's degree. She pursued her educational goals all while working full-time and still being actively involved in our community. I remember growing up and getting ready to go volunteer at citizenship workshops on Saturday mornings with my mom. I'll be honest, most of the time I was in it solely for the donuts and the treats that we would get at the workshops. But the influence of my mother's active service have had a profound impact on my life. She volunteered because someone had been there to help her on her pathway to become a citizen, which she became in the late nineties. And she always wanted to give back in hopes that she could provide that support for others that would follow. We were lucky in that most of our extended family live in and around the City of Chicago. And I remember this conversation with her so vividly that describes the essence of who my mother was for me.

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We lived in the Little Village neighborhood, which is a working-class immigrant neighborhood on Chicago's southwest side. And over the years, we've had different family members ask us, "Well, why do you live there", particularly when talking about the social ills that impact neighborhoods like ours. And I asked her, "Well, what do you tell them when they say things like that?" And my mother looked at me and she said, "Mija, we can't help change things if we're not here." That was my mother, a woman who took pride in our neighborhood. She was a woman who would roll up her sleeves and get involved. For over twenty-five years, she worked in the non-profit world in Chicago at various community organizations like Instituto del Progreso Latino and most recently at CommunityHealth, a free health care organization serving uninsured and underserved in Chicago. In a profile done for the organization's website, it reads, "Sara Villanueva is CommunityHealth's very own Wonder Woman. Part of the strong bonds with our patients stem from the fact that Sara is able to relate her personal experiences to patients at CommunityHealth." And this is a quote from my mom, "I raised three kids without health insurance back in the eighties. It was not a law that you had to have health insurance. I didn't even think about applying for a Medical card. Instead, I took my kids to a clinic that provided free or discounted services based on your income. If a procedure was ever needed, we were sent to Cook County Hospital. We did what we had to to survive. Maybe that's why I can relate to our patients, because I went through what they are going through now." "While, her own coworkers regard Sara as their superhero, Sara sees the mission and values of CommunityHealth as the reason staff stay. Wonder Woman fought for what she believed in and she saved

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so many lives. In a way, that's what we're doing at CommunityHealth, we are saving people's lives. She wasn't just our Wonder Woman; she was a Wonder Woman to so many." My mom was so many things - an avid bike rider, a fan of old western movies. She was a huge Chicago Bulls fan. She never missed a game and was rooting for them through thick and thin. She was a community advocate and a fighter for social justice. But, most importantly, she was a perfectly imperfect human being that let -- let me know that it was okay to just be me, just me, and that that was more than enough. My mother gave us so many gifts and we were lucky to have her as our mother. I was lucky to have a mom who wasn't just proud of all of her kids, but a mother who let me know that my work, not just as a legislator, but my life's work of fighting for my community, for our voices to be heard was an imperative. Throughout her battle, she never let me forget that I needed to get my work done, that I had to keep fighting, just like she kept fighting - but now she's resting in peace. We miss her so much. Losing her has been difficult and heartbreaking. But even in the midst of this most difficult loss has come so much love - love and support from our extended family, love and support from our friends, love and support from our community, and so much love and support from so many of you, all my colleagues. I want to thank you all for the prayers, for the flowers, for the cards, the notes, the calls, and text messages, every little thing, big and small. I know that I'm not alone, and unfortunately they're so many people that are going through this level of loss in this State and our nation and throughout the world. And I ask for a moment of silence to honor my mother and to honor all of those we've lost. Thank you.

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PRESIDING OFFICER: (SENATOR KOEHLER)

Will Members and staff please be at their desks and observe a moment of silence? (Moment of silence observed) Senator, our deepest sympathies to you and your family. Will the Members of the Committee on Assignments please come to the Floor of the Senate Chamber? Committee on Assignments.

PRESIDENT HARMON:

Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Lightford, Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Resolution 1609, Floor Amendment 2 to House Bill 471, Floor Amendment 1 and 3 to House Bill 3393, and Floor Amendment 4 to House Bill 3469.

Signed, Senator Kimberly Lightford, Chairperson.

PRESIDING OFFICER: (SENATOR KOEHLER)

All right. If everybody's ready, we'll go to page 4 on the regular Calendar. Up at the top of the page, we have House Bill 3469. Senator Murphy. Senator Murphy seeks leave of the Body to return House Bill 3469 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading now is House Bill 3469. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Murphy.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy, to explain your amendment.

SENATOR MURPHY:

I move for passage and I'll explain on 3rd, please.

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PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Murphy.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy, to explain your amendment.

SENATOR MURPHY:

I don't wish to adopt this amendment, Mr. President.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Oh, I'm sorry. Senator Murphy does not wish to adopt that amendment. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Murphy.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy, on Floor Amendment No. 3.

SENATOR MURPHY:

Thank you, Mr. President. I move for adoption. Will explain on 3rd.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Murphy.

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PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy, on Floor Amendment No. 4.

SENATOR MURPHY:

This is the last amendment and I'll explain -- after adoption, I'd like to explain on 3rd.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

Now on the Order of 3rd Reading, Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 36 -- I'm sorry, House Bill 3469.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy, to explain your bill.

SENATOR MURPHY:

Thank you, Mr. President. House Bill 3469, as amended by Amendments 1, 3, and 4, contain the following provisions in response of the COVID-19 pandemic. It extends the Secretary of State's emergency rulemaking -- the expiration date of driver's license renewals and various other permits until no later than June 30th, 2021. It amends the Illinois Library Systems {sic} (System) Act by increasing the per capita rates for the Secretary of State's Library equalization grants due to an increase in funds

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for these grants in the FY21 budget. This would increase the per capita grant for public libraries from one -- a dollar twenty-five to a dollar forty-seven, and increase the school library grant per pupil amount from seventy-five cents to eighty-eight cents. It further extends the homestead exemptions through 2021. This includes homestead exemptions for people with disabilities, veterans with disabilities, and senior citizens assessment freeze exemptions. It extends the Restore Illinois Collaborative Commission that was created in response to COVID-19. It amends the Open Space Lands Acquisition and Development Act by providing that when the Department awards grants under the Act, a unit of local government may opt out of receiving the minimum advanced payment. The bill also sets requirements for the Department to consider requests for extension. It allows the General Assembly to convene remotely during a pandemic or threat of attack, as well as the Joint Committee on Approp -- on Administrative Rules, the Commission on Government Forecasting and Accountability, and the Legislative Audit Commission. It permits a work permit issuing officers {sic} to authorize a minor to use a remote application process, and under the current law, the minor must submit an application for a work permit in person. It ties local government CURE fund reimbursements to recent changes in the federal statute regarding the Cares Act. It gives the Illinois State Police the authority to grant emergency rules to keep FOID and concealed carry license cards active and valid during the renewal process when a disaster has been declared by the Governor, extending the expiration dates. It reinstates the Landscape Architect {sic} (Architecture) Registration Act, which is allowed -- which was allowed to sunset on January 1st, 2020. It also allows individuals

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who renewed their registration before the sunset of the Act to have their registration restored without fees. The bill sets the sunset date for the Act of January 1st, 2031. And finally, it creates the future -- the Illinois Future of Work Act. The Act aims to identify and assess emergency {sic} (emerging) technologies that have the potential to affect employment. So I know of no opposition. There's a lot in this bill. I'm happy to entertain any questions should there be any.

PRESIDING OFFICER: (SENATOR KOEHLER)

Thank you, Senator. Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR KOEHLER)

She indicates she'll yield.

SENATOR RIGHTER:

Thank you. Senator Murphy, I am looking at page 92 of the amendment, lines 4 through 15, the underlined -- obviously, the underlined language, which is, I'm assuming, what you're adding to Illinois law. As I read this, the State Police are not required to meet the current statutory deadline of sixty days to make a decision on a Firearm Owner's Identification Card, regardless of whether or not there is a disaster declaration. Am I reading that correctly?

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy.

SENATOR MURPHY:

No. Senator Righter, this is thirty days, and because it's the event of a disaster, it's extended.

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PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

Okay. So, Senator Murphy, the language says when a disaster has been declared by the Governor under the Illinois Emergency Management Agency Act that impacts counties representing a majority of the population of the State, or if the Illinois State Police are unable to approve or deny renewal applications within the sixty-day deadline. The -- the -- the State Police deciding that they can't meet the sixty-day deadline, according to this language, is not contingent on a disaster declaration. This is just if the State Police decide, "Well, we just can't meet the sixty-day deadline." Am I -- how am I reading that incorrectly? The word "or" is in there.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy.

SENATOR MURPHY:

Senator, this was language negotiated by the Illinois Rifle Association. And, again, it comes back to, in a pandemic, in a state of disaster that the Governor has declared, it would extend their licensure.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Righter.

SENATOR RIGHTER:

Well, I mean, I understand that, Senator Murphy, but it wasn't negotiated with this side of the aisle, and perhaps, if it had been, the -- the word "or" in there, which leaves it up to the State Police to decide of their own volition that they need not meet the statutory sixty-day deadline, wouldn't be in there. I

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mean, I appreciate that this was negotiated with the State Rifle Association. Those people aren't elected to these seats. Is it your intention that the State Police should be able to decide on their own, regardless of whether there is a disaster declaration pending, that they simply can't meet the deadline? Because that's what the language reads.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Murphy. Just -- just -- just -- just hold it one second.

SENATOR MURPHY:

...the record.

PRESIDING OFFICER: (SENATOR KOEHLER)

Okay. That -- that portion will be taken out of the record. Okay. That bill will be taken out of the record right now. We're going to go to the top of page 4, to House Bill 3393. Senator Collins. Oh, I'm sorry. The sponsorship has been changed to Senator Feigenholtz. Senator Feigenholtz. Senator Feigenholtz seeks leave of the Body to return House Bill 3393 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 3393. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Feigenholtz.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Feigenholtz, to explain your amendment.

SENATOR FEIGENHOLTZ:

Is this a technical amendment? Or the bill -- the big bill? There's -- there should be two amendments for this.

PRESIDING OFFICER: (SENATOR KOEHLER)

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...deal with the next one after this. Just -- just one moment.
Yes. Senator Feigenholtz, to explain your amendment.

SENATOR FEIGENHOLTZ:

Sure. Thank you, Mr. President. Floor Amendment No. 1 is a comprehensive bill that is a gut-and-replace. It is the COVID-19 (Pandemic) Hospitality Recovery Act. There are three or four elements to this bill. One is an extension on a bill that we passed in May.

PRESIDING OFFICER: (SENATOR KOEHLER)

We're just on the amendment, Senator. Move for its adoption.

SENATOR FEIGENHOLTZ:

Oh, I'm -- I'm sorry. I thought it was -- in the House, we used to have to explain things. I move to adopt Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Feigenholtz.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Feigenholtz, on Amendment No. 3.

SENATOR FEIGENHOLTZ:

This is just a technical cleanup that changes June 31st to December 31st.

PRESIDING OFFICER: (SENATOR KOEHLER)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

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SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Now on the Order of 3rd Reading, Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3393.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Feigenholtz, on your bill.

SENATOR FEIGENHOLTZ:

Here we go. The COVID-19 (Pandemic) Hospitality Recovery Act is a group of immediate assistance that we're going to be giving to bars and restaurants. One is an extension of the sunset that we originally put on the cocktails-to-go bill and it extends to January 1st, 2024. We are allowing credit cards to be used when retailers purchase from distributors. The fourth {sic} part is a limited exemption for items of value so that bars and restaurants can receive tents and heaters and all of the very expensive things they've been spending their money on to keep outdoor dining going. And the fourth piece is a -- is a -- sort of an amendment at the Department of Revenue for when restaurateurs' sales tax liability has dropped, from quarter monthly -- they -- they will now be able to get -- pay their sales tax once a month, like on actual sales tax. So four cash management things that will happen very, very quickly and will be done through not-for-profit agencies. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR KOEHLER)

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Seeing no discussion, the question is, shall House Bill 3393 pass. All those in favor will vote Aye. Vote -- opposed, vote No. The voting is open. We will now move to the group of Senators to come to the Floor to vote. Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. And for those Senators voting remotely pursuant to the motion adopted by the Senate, we have Senator McGuire and Senator Oberweis. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

I also vote Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Oberweis votes Yes. I will now just read the Members that have not voted: Wilcox, Schimpf, Collins, and Jones. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 3393, having received the required constitutional majority, is declared passed. We're now going to go back to page 3. At the top is House Bill 471. Senator Fine. I'm sorry. It's been switched to Senator Morrison. Senator Morrison seeks leave of the Body to return House Bill No. 7 -- 471 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 471. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

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Floor Amendment No. 2, offered by Senator Morrison.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison, on your amendment.

SENATOR MORRISON:

I'd like to adopt this and discuss on 3rd, please.

PRESIDING OFFICER: (SENATOR KOEHLER)

There any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR KOEHLER)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill -- or House Bill 471. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Morrison, on your bill.

SENATOR MORRISON:

Thank you, Mr. President. House Bill 471 simply allows the board of directors of a corporation to choose to hold a shareholder meeting solely by means of remote communication if they are permitted to determine a place of a shareholder meeting. This is in response to COVID and the inability of shareholders to meet face-to-face. I ask for favorable consideration on this.

PRESIDING OFFICER: (SENATOR KOEHLER)

Seeing no discussion, the question is, shall House Bill 471

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pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. We will now have the group of Senators come to the Floor to vote. Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. And for those Senators voting remotely pursuant to motion adopted by the Senate, we have Senator McGuire and Senator Oberweis. Senator McGuire.

SENATOR McGUIRE:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

Yes.

PRESIDING OFFICER: (SENATOR KOEHLER)

Senator Oberweis votes Yes. I'm going to now read those that have not voted. Senator Stoller, Senator Righter, Senator Schimpf, Senator Harris, Senator Steans, please cast your vote. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And House Bill No. 471, having received the required constitutional majority, is declared passed. Senator Sims, for what purpose do you seek recognition?

SENATOR SIMS:

...President, for point of personal privilege.

PRESIDING OFFICER: (SENATOR KOEHLER)

Please state your point.

SENATOR SIMS:

Mr. President, I -- I'd like to be -- the record to reflect that, on House Bill 2451, I'd like to be recorded as Aye.

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PRESIDING OFFICER: (SENATOR KOEHLER)

The record will so reflect. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Hollman, Clerk.

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

Senate Bill 54.

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

House Amendments 4 and 5 to Senate Bill 54.

We have received a like Message -- we have -- excuse me, we have received like Messages on Senate Bill 1805, with House Amendments 1 and 5; and Senate Bill 2779, with House Amendment 1. Passed the House, as amended, January 12th, 2021. John W. Hollman, Clerk of the House.

PRESIDING OFFICER: (SENATOR KOEHLER)

The Senate will recess to the call of the Chair.

(SENATE STANDS IN RECESS)

(12:00 a.m. - January 13th, 2021)

(SENATE RECONVENES)

PRESIDENT HARMON:

Senate will come to order. Mr. Secretary, Messages from the

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House.

SECRETARY ANDERSON:

Message from the House by Mr. Hollman, Clerk.

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

Senate Bill 3066.

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

House Amendments 7 and 8 to Senate Bill 3066.

Passed the House, as amended, January 12th, 2021. John W. Hollman, Clerk of the House.

PRESIDING OFFICER: (SENATOR HOLMES)

Would the Committee on Assignments please come to the Senate Floor? Committee on Assignments.

PRESIDENT HARMON:

Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Lightford, Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 1 to House Bill 122, Floor Amendment 5 to House Bill 3469, Motion to Concur with House Amendments 4 and 5 to Senate Bill 54, Motion to Concur with House Amendments 1 and 5 to Senate Bill 1805, and Motion to Concur with House Amendment 1 to Senate Bill 2779.

Signed, Senator Kimberly A. Lightford, Chairperson.

PRESIDENT HARMON:

Ladies and Gentlemen, on your printed Calendar, page 4, on

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the Order of House Bills 3rd Reading, is House Bill 3469. Senator Murphy. Would you like to proceed? Senator Murphy seeks leave of the Body to recall -- to recall House Bill 3469 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, House Bill 3469. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Murphy.

PRESIDENT HARMON:

Senator Murphy, on your amendment.

SENATOR MURPHY:

Thank you, Mr. President. So we have Amendment 5 based upon discussion here in the Chamber and that portion has been removed. Oh! So, first, I'd just move for adoption.

PRESIDENT HARMON:

Senator Murphy moves to adopt Floor Amendment No. 5 to House Bill 3469. Is there any discussion? Any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDENT HARMON:

3rd Reading. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3469.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT HARMON:

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Senator Murphy, on your bill.

SENATOR MURPHY:

Well, thank you, Mr. President. The bill remains the same, but under the watchful eye of our Leader on the other side, he picked up an error that we have since corrected. So I would -- happy to entertain any additional questions. I can go through the bill again, but it -- I believe we've covered all the points.

PRESIDENT HARMON:

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

To the bill, if I might, Mr. President.

PRESIDENT HARMON:

To the bill, Senator.

SENATOR RIGHTER:

Thank you. First, Senator Murphy, thank you for -- your willingness to pull the bill out of the record earlier so we could correct what was obviously a serious flaw that was being put before us by the State Police. This is a much better bill in the form it is now and I would encourage an Aye vote. Thank you.

PRESIDENT HARMON:

Is there any further discussion? Seeing none, the question is -- do you wish to close, Senator Murphy?

SENATOR MURPHY:

...from our Leader on the other side.

PRESIDENT HARMON:

Thank you, Senator. The question is, shall House Bill 3469 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and

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Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate -- Senator McGuire and Senator Oberweis. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

I vote Yes.

PRESIDENT HARMON:

Senator Oberweis votes Yes. On that -- have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting No, none voting Present. And House Bill 3469, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, a Supplemental Calendar has been distributed to the Members' desks. It is -- due to the change in the clock, it is labeled as Supplemental Calendar No. 1, dated January 13th, 2021, but a continuation of our Calendars beginning on January 12th. So with leave of the Body, we'll deem that Supplemental Calendar No. 3. On that, there are three motions to concur in House amendments to Senate bills. With leave of the Body, we'll start at the bottom of the order. That's Senate Bill 2779. Senator Holmes has a motion to concur. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2779.

Signed by Senator Holmes.

PRESIDENT HARMON:

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Senator Holmes, on your motion.

SENATOR HOLMES:

Yes. I would like to concur with the House on 2779, which is an initiative by the Fox Valley Park District on their nominating petitions for candidates for commissioner of a subdistrict or a candidate for the at-large commissioner shall contain signatures of registered voters residing anywhere within the Fox Valley Park District, but at least fifty such voters or two percent of the total cast for the -- Park District-wide in the last preceding election for commissioners in the Fox Valley Park District whichever is less.

PRESIDENT HARMON:

Thank you, Senator. Is there any discussion? Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor briefly yield, please?

PRESIDENT HARMON:

Sponsor indicates that she'll yield. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Holmes, I'm unfamiliar with the background on this. I mean, is this a substantive change to the practice now? Or is this some kind of clarification as a result of a misinterpretation? Can you just -- a little background, maybe.

SENATOR HOLMES:

We -- we had...

PRESIDENT HARMON:

Senator Holmes.

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SENATOR HOLMES:

Oh, sorry. With the Fox Valley Park District, we had turned them into -- they were -- they used to be appointed once; we changed them to being an elected board. This was sort of an oversight that -- that -- the -- this park district came -- to us and wanted to correct, because the number was so huge it was almost prohibitive.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

That said, thank -- Senator Holmes, thank you for the explanation. Thank you, Mr. President.

PRESIDENT HARMON:

Thank you, Senator. Senator Holmes, do you wish to close? No. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2779. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

Yes.

PRESIDENT HARMON:

Senator Oberweis votes Yes. Senators Van Pelt, Muñoz, Jones,

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Pacione-Zayas, and Lightford, please come to the Floor if you wish to vote. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2779, and the bill is declared passed. On Supplemental Calendar No. 3, we have a motion to concur in Senate Bill 1805. That's Senator Castro's motion. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 5 to Senate Bill 1805.

Signed by Senator Castro.

PRESIDENT HARMON:

Senator Castro, on your motion.

SENATOR CASTRO:

Thank you, Mr. President. Senate Bill 1805 is a motion to concur. House Floor Amendment 5 to Senate Bill 1805 allows the board of trustees, by a two-thirds vote, to transfer additional revenues received by the Metropolitan Water Reclamation District to either the district fund or the Water Reclamation District Retirement Fund. The amendment retains the normal contribution required by the Metropolitan Water Reclamation District into the pension fund. This bill passed the House 93-0 {sic}. I ask for an Aye vote.

PRESIDENT HARMON:

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and 5 to Senate Bill 1805. All those in favor will vote Aye.

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Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

I vote Yes.

PRESIDENT HARMON:

Senator Oberweis votes Yes. Senator Oberweis votes Yes. Senators Wilcox, McClure, Stewart, Plummer, and Righter, please come to the Floor if you wish to vote. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 5 to Senate Bill 1805, and the bill is declared passed. On page 2 of your regular printed Calendar, at the top of the Order of House Bills 3rd Reading, is House Bill 122. Mr. Secretary, I believe the sponsorship has been changed to Senator Castro. Senator Castro seeks leave of the Body to return House Bill 122 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, House Bill 122. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Castro.

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PRESIDENT HARMON:

Senator Castro, on your amendment.

SENATOR CASTRO:

I'd like to adopt the amendment and explain it on 3rd.

PRESIDENT HARMON:

Senator Castro moves for the adoption of Floor Amendment No. 1 to House Bill 122. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Floor amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDENT HARMON:

3rd Reading. Now on 3rd Reading, House Bill 122. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 122.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT HARMON:

Senator Castro.

SENATOR CASTRO:

Thank you, Mr. President. Ladies and Gentlemen, I know it's really late and our bandwidth is probably very short, but I'm going to try to make this as simple as possible. Obviously, there were some issues with the cannabis lottery, some of the scores, and what this does is hoping to rectify some of the State's mistakes. Obviously, we have the 1A lottery, which we've made a change so that way they give up to seventy -- give away seventy-five

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licenses. We also created the 1B lottery. 1B lottery will allow applicants to, obviously, correct the -- the -- you know, get their scores corrected. State made some mistakes in their scoring. But it also creates that other pool which gives away another seventy-five licenses. And something that's been very important to not only the Latino Caucus, but, most importantly, the Black Caucus - it's the aspect of why we passed this bill in the first place - social equity applicants need a fair chance, especially when you look at the war on drugs. Currently, we have a market that's dominated by a few. I also don't need to explain the awful financial situation that our State's facing. So this is an opportunity to correct some of the issues that were done and finally get these licenses awarded so folks can -- you know, so we can start generating some revenue. Some of the other things that are included were some technical changes, one that dealt with what we call "badging", so that way folks who are employed or trying to be employed in the cannabis industry can go ahead and begin employment while their background check is being done. If their background check is not -- or is not found right, then they would stop working. The other thing is it -- dealing with containers and how, you know -- allowing for resealable containers. So I'll entertain any questions.

PRESIDENT HARMON:

Is there any discussion? Any discussion? Senator Lightford, for what purpose do you seek recognition?

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDENT HARMON:

To the bill, Senator.

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SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, I rise to support House Bill 122. I know that we had a very long debate around cannabis when we passed it. I -- I felt that Senator Steans and Senator Hutchinson, at that time, and Rep. Cassidy and Rep. Gordon-Booth had done a really good job in crafting the first equity piece of legislation that I'd ever seen to that extent. When the medical market was created, it was created with absolutely no equity in mind and that's what we saw, an industry that had no minorities, no minority participation whatsoever. But, yet, it was the very thing that created so many challenges in our community with the war on drugs. So I rise in support of this legislation, because during the selection process, there was another snag, and there are many, many people who spent a lot of resources trying to get a chance for ownership, trying to get a chance to be a part of the industry, and then that, too, fell short. So this is a cleanup measure with hopes that it finally provides the equity that's not only needed, but deserved. So I rise to say I'm hoping that this is a measure that we can pass out of here in the wee hours of this morning, because not only is it the right thing to do, but it's the most honest thing to do considering we've not been able to reach any of our goals. So thank you for working on this. It was a work in progress from a commission. Thank you to Senator Steans and Representative Harris and Representative -- excuse me, Senator Villanueva for working on this commission with the Governor's Office to come up with what we think can help finally fix the lottery that we've been stalled in and address the lawsuits and open it up so that we can continue to grow and expand and include African Americans, Latinos, and all those other minority groups

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who want to have a fair shot. I ask for an Aye vote.

PRESIDENT HARMON:

Thank you, Senator Lightford. Is there any further discussion? Senator Castro, to close.

SENATOR CASTRO:

I would also like to thank everyone in the working group. Senator -- Majority Leader Lightford, thank you for your leadership in trying to get this over the finish line. It's been difficult, but we -- I think we have something here that can actually meet some of those goals and we can start seeing those licenses given to the folks that we want to see that. So thank you. Leader Harris, thank you for all your work on this as well. And, also, all the other members of the -- of the working group: Aquino, Senator Villanueva, Senator Steans, and everyone else who put a lot of time and effort over the last few months to get this over the finish line. With that, I respectfully ask an Aye vote.

PRESIDENT HARMON:

Thank you, Senator. The question is, shall House Bill 122 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

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Yes.

PRESIDENT HARMON:

Senator Oberweis votes Yes. Senators Stewart, Crowe, Loughran Cappel, and Van Pelt, please come to the Floor if you wish to vote. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 16 Noes, none voting Present. And House Bill 122, having received the required constitutional majority, is declared passed. Senator Holmes in the Chair.

PRESIDING OFFICER: (SENATOR HOLMES)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Hollman, Clerk.

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

Senate Bill 1510.

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

House Amendments 2 and 3 to Senate Bill 1510.

We have received a like Message on Senate Bill 1530, with House Amendments 1 and 2. Passed the House, as amended, January 13th, 2021. John W. Hollman, Clerk of the House.

PRESIDING OFFICER: (SENATOR HOLMES)

Would the Committee on Assignments please come to the Senate Floor? The Committee on Assignments please come to the Senate Floor.

PRESIDENT HARMON:

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Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Lightford, Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 2 to House Bill 3653, Floor Amendment 3 to House Bill 3840, Motion to Concur with House Amendments 2 and 3 to Senate Bill 1510, Motion to Concur with House Amendments 1 and 2 to Senate Bill 1530.

Signed, Senator Kimberly A. Lightford, Chairperson.

PRESIDENT HARMON:

Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 4, misleadingly labeled as Supplemental Calendar No. 2, has been distributed to the Members' desks. On that Calendar is the Order of Secretary's Desk, Concurrences, and at the top of that order is Senate Bill 1510. Senator Steans, are you ready to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 2 and 3 to Senate Bill 1510.

Signed by Senator Steans.

PRESIDENT HARMON:

Senator Steans, on your motion.

SENATOR STEANS:

Yes, I move to concur with the House. This -- we have done a number of these things already, but it's just getting repackaged differently. This addresses the hospital assessment timing that was inadvertently missed -- the sunset that was missed because of the Governor's -- you know, signature being late on it. It retroactively applies and extends the adolescent inpatient psych

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rate for DCFS youth in psych hospitals beyond medical necessity. It also includes a hospital and health care transformation program that we've earlier discussed. It permits HFS to implement the fiscal year '21 federally qualified health care {sic} (center) rate increase through a ten percent across-the-board rate increase. It requires insurance coverage for medically necessary routine testing of nursing -- nursing home employees for COVID. And it -- and this also puts in place the TNA program that allows their on-the-job training to count towards their training requirements for the CNA program, which we've also already discussed. So, look forward to your concurring this with me.

PRESIDENT HARMON:

Thank you, Senator. Any discussion? Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. Questions of the sponsor.

PRESIDENT HARMON:

Sponsor indicates that she'll yield. Senator Syverson.

SENATOR SYVERSON:

Thank you. Senator, thank you for giving us the highlights of this and most of this are all things we've discussed before and are -- are -- are -- are important and good things that we like. I just want to quickly ask about one thing that was slipped in and you quickly highlighted it, which was the mandatory COVID testing that has to be -- that will be covered by insurance. You talked about medically necessary. This COVID testing isn't medically necessary testing though, is it? Can you tell me what the guidelines are for the testing of -- of COVID?

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Senator Steans.

SENATOR STEANS:

Well, all I can -- what I can tell you is, I understand there is an issue here that -- just because of the late time wasn't able to be addressed that I heard from the House sponsor about - Senator -- excuse me, Representative Harris - that is -- said he'd be happy to work on with the insurance folks around exactly how this was drafted. So I think there may be an issue getting to the exact way it was that I know he's very willing to, as am I, to do a trailer bill as soon as we can. It's just a late date for that at the moment to try to fix it in this bill. That doesn't entirely answer your question, but I know there's an issue there that needs to be addressed.

PRESIDENT HARMON:

Senator Syverson.

SENATOR SYVERSON:

Okay. I appreciate that. I think if we have a commitment that we can address that. The -- the concern with this is, under this legislation, it -- it would require that insurance companies pay for, I think, weekly testing, which is not covered by any insurance plan, because it's not medically necessary. It's just a rule they're requiring this weekly testing. We also have a problem with -- of course, this -- we can only put this -- this rule on small, struggling employers, 'cause larger employers are under ERISA, which would be exempted from this rule. So this new mandate would only hurt those smaller, struggling homes. And so with the commitment that -- that we can look at dealing with that portion of it - and I appreciate that - with that commitment, I would -- I would certainly urge our side to support this

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legislation and appreciate the -- the leadership you and your team have done to put together all the other aspects of this bill, which are very important and very helpful. So thank you very much, Senator.

PRESIDENT HARMON:

Thank you, Senator. Senator Steans, to close.

SENATOR STEANS:

Yes, and you absolutely have that commitment, and I spoke to -- as I say, I spoke to Leader Harris and he shares that commitment as well. So, please, I urge your Aye vote and thank you very much.

PRESIDENT HARMON:

With that, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 1510. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis. Looks like the NASA site in Florida is down for the evening. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 2 and 3 to Senate Bill 1510, and the bill is declared passed. Continuing on that order, on Senate Bills -- House -- Concurrences, we have Senate Bill 1530. Senator

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Belt. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1530.

Signed by Senator Belt.

PRESIDENT HARMON:

Senator Belt, on your motion.

SENATOR BELT:

Good morning, Mr. President. Yes, I concur with House Bill -- with Senate Bill 1530 as amended. Requires a hospital that would have - take these off - qualified as a safety net for the 2012 rate year, in addition to the 2011 rate year, to be considered a safety-net hospital until December 31st, 2022.

PRESIDENT HARMON:

Is there any discussion? Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you. Just to the bill.

PRESIDENT HARMON:

To the bill, Senator.

SENATOR SYVERSON:

Thank you. This is a tremendous piece of legislation and I want to certainly commend the Senator for his leadership on this. Earlier today, we -- we passed legislation talking about transitional care. This is transitional care. This is a -- an - - an -- absolutely, great model program, where you create centers of excellence in a region, as opposed to having -- trying to create centers of excellence on every corner. They have come up with a great program that's going to give much better outcomes for the

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patients that they serve. So we appreciate this plan that was put together. We hope it's a model that other parts of the State could look at, because the results of this are not only going to save money, but are going to clearly get better outcomes for patients. So thank you for that. And on our side, I certainly urge your support on this legislation.

PRESIDENT HARMON:

Thank you, Senator. Seeing no discussion, Senator Belt, to close.

SENATOR BELT:

Mr. President, I would just ask for all Aye votes on this. Thank you.

PRESIDENT HARMON:

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1530. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. We'll try Senator Oberweis one more time. Senator Oberweis. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. Senate Bill 1530, having received the -- having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to

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Senate Bill 1530, and the bill is declared passed. In the middle of page 4 of your printed Calendars is House Bill 3653. Senator Sims, are you ready to proceed? Mr. Secretary, please.. Senator Sims seeks leave of the Body to return House Bill 50 -- 3653 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, House Bill 3653. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Sims.

PRESIDENT HARMON:

Senator Sims, on your amendment.

SENATOR SIMS:

Thank you, Mr. President. I'd like to adopt the amendment and debate it on 3rd.

PRESIDENT HARMON:

Senator Sims moves to adopt Floor Amendment No. 2 to House Bill 3653. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDENT HARMON:

3rd Reading. Now on 3rd Reading, House Bill 3653. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3653.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT HARMON:

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Pursuant to an agreement between the caucuses, there will be two speakers on each side following the presentation of the bill. Senator Sims, to present your bill.

SENATOR SIMS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. First, let me thank each and every one of you for the work that we have done to get us to this moment, but also let me thank the Members of the Illinois Legislative Black Caucus for their commitment to public safety, criminal justice reform, police accountability, and violence reduction in our communities. What we have before us in 3653 represents the criminal justice reform pillar of the Illinois Legislative Black Caucus. It gives me great honor and privilege to present this here to you today. But, as many of you have heard me say, reform is not a destination; it is a journey. This is a moment that presents a tremendous opportunity for us to fundamentally change the way we look at criminal justice in this State. This is a big, bold, complex, transformational agenda, and I want to run you through some of the key elements therein. First, the criminal justice reform: There's reporting of deaths in custody; reforms relative to pregnant prisoner rights; medical treatment; alternatives to custody for those charged with three or four -- Class 3 or 4 nonviolent felonies; the end to prison gerrymandering; the end to money bond and the Pretrial Fairness Act; the creation of a domestic violence pretrial working group; the creation and establishment of detainee rights; additional earned program sentencing credits; modernization of our State's mandatory supervised release program. Under violence reduction and victims' services: expanded usage of diversion -- diversion courts -- diversionary courts; crime victims

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compensation. And under police accountability: the State's first expanded certification and decertification process; expanded use of force training; expanded crisis intervention training; the creation of the State -- of a co-responder model for State -- for -- for State government and policing; data collection; the creation of -- of -- the expansion and -- and clarification of our ban on chokeholds; the creation of a duty to render aid for law -- law enforcement officers; the -- creation of the duty to intervene from law enforcement officers; protection for whistleblowers who -- who seek to make sure that the relationship between law enforcement and communities remain sound; increased body camera usage; a discussion on the certification process and decertification process for law enforcement. This is a complete and comprehensive initiative. And, Mr. President, I stand ready to answer questions.

PRESIDENT HARMON:

Thank you, Senator Sims. Discussion? Senator Barickman, for what purpose do you seek recognition? Senator McClure -- Senator McClure, for what purpose do you rise?

SENATOR McCLURE:

Thank you, Mr. President. Will the -- will the sponsor yield for a question?

PRESIDENT HARMON:

Sponsor indicates that he'll yield. Senator McClure.

SENATOR McCLURE:

Thank you, Mr. President. Senator Sims, we just got this, as you know, a very short time ago, so I am literally still going through this as we are speaking. So some of the questions are really not gotcha questions. I really am trying to ascertain

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what's in the bill. The first question as I'm going through this is looking at now the number of crimes where a person cannot be held on any bail, they'd have to be released - and -- and correct me if I'm wrong on any of these: residential burglary, witness intimidation, animal cruelty, animal torture, financial exploitation of elderly, aggravated battery to a child, robbery, aggravated battery to a senior citizen.

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

So, Senator McClure, under those provisions that you're talking about, those are -- those are elements and crimes that a judge would look at when -- in the -- in denial of pretrial release. So I think you have that backwards. The judge looks at. So under the Pretrial Fairness Act, which is a portion of this bill, the judge looks at the totality of the circumstances, and those are crimes that a judge would look at and would -- would pay heightened -- heightened attention to in -- in making those determinations of whether or not release would be granted.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

..Mr. President. Senator Sims, my recollection from reading this just a few minutes ago was that, in fact, there's a -- a combination of circumstances in which you can detain a person - one of which, it has to be a particular crime and then you have to be a danger to a person or persons. And -- and the crime itself, as far as forcible -- forcible felonies, for example, it's not something you can get probation for; it has to be something that

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you're sentenced to Department of Corrections for, for you to be detained. So, therefore, I don't believe that's -- based on what I just read in the bill, I don't believe that's the case. Can you please direct me to the page that you're referring to that indicates what you're talking about?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

Senator McClure, I'm looking at pages 374 and 375 of the bill.

SENATOR McCLURE:

Computer's acting up at the -- at the wrong time, as usual, right? Can you please direct me, Senator Sims, as far as the -- the totality of the circumstances, where that language is? What line?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

The -- the entire process for the Pretrial Fairness Act, that is the -- that is the crux of the -- of the program. It -- it allows for -- for a judge to make a decision not based solely on monetary bail. Because, as you and I both know, that -- the access or the -- the setting or the termination of bail does not, in and of itself, make sure that some -- that an individual is going to -- to -- we -- we can take -- we can make the community safe. But what -- what -- the Pretrial Fairness Act, what we are -- what we are accomplishing here, is making sure that a judge has that ability. So, looking at verified risk assessment, looking at an individual's prior -- prior record, looking at, again, the totality of the circumstances, that is the -- that is the crux and the --

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the impact of the Pretrial Fairness Act.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

Mr. -- thank you, Mr. President. Senator Sims, I agree with you that people should not be held based just upon their ability to pay. That's why we have judges that can make the determination. As a prosecutor myself, I would ask for own recognizance bonds all the time. It happens. We're going to get you the -- I'm going to go back to the question I was getting at. I'm having issues with my computer so I'm going to ask you a couple more questions, if you don't mind. On the section of -- of willful flight, my recollection from reading this was that it says that if you missed your previous court appearance, for example, that cannot be used against you for evidence that you're going to not be at your next court appearance. What justification is there for that?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

Senator McClure, the -- the basis of the pretrial system is to ensure, one, that individuals are not a threat -- threat to persons or the community - that is currently -- that is in the bill; that's -- that's the purpose of the -- of the -- of the program - but also to ensure that they appear before a -- a court of appropriate jurisdiction. That is, again, the essence of what we are doing here. We are -- we want individuals to appear before a court of -- of -- of appropriate jurisdiction. But just because an individual missed a court date does not mean that their -- their failure to appear was willful. There -- there are circumstances,

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and this is why the -- the -- the -- the pillars that we are working through address all of these challenges, whether they are economic, whether they're educational, whether they're health related, or in the criminal -- or in a criminal justice space, which we're talking about here today.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

Senator Sims, I think I'd have to disagree with you if you don't believe that it should be used as evidence that they would not be going to court. I'm not saying that that would be absolute proof, just evidence. And the fact that that can't be used as evidence, to me, is a troubling aspect of this bill, but I'll move on because I think we're about to find the -- the question that I want to ask. Let's talk about that language that you just talked about, because, as you know, I've seen several drafts of this bill and this is now sort of new. On the specific identifiable person or persons that you have to be a threat to, what has changed as of now versus the previous drafts? Because, before, there was the community standard that was taken out, but I think that's in there somewhere at least for specific instances. Can you please just let me know what that -- where that is and -- and -- and what the language is now, please?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

Yes, you are -- you're referring to an earlier draft. The language you have before you speaks about an individual being a threat to a person or a -- threat to the community. So that is -

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- there -- there is -- there is no -- the language that you're referring to was a threat to a particular person. We aren't -- we removed that language so that an individual would have to -- would have to be a threat to person -- to a person or to the community at large.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

So, is that applicable for every single crime that is charged, that you have to be either a threat to a specific person or persons or the community, or is that just for certain crimes, as far as...(microphone cutoff)...aspect is concerned?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

It is a factor that the judge will look at when making a determination about pretrial release.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

Actually, it's a requirement. Is that -- am I -- am I misreading this? It says you have to do this and do this. And one of those requirements is you have to show this, but it's only for certain -- certain crimes on here. Is that -- is that not correct?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

Senator, as I mentioned, it is a -- it is what a judge will

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look at when they are making determinations about pretrial release.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

...ask -- answer my question. Is it a requirement?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

Senator McClure, I have asked {sic} the question. You -- you've asked it several -- several times and I'm going to give you the same answer every time you ask it.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

...your silence is basically the exact same answer I've been getting, so I agree with you. I just -- I think it's a simple yes or no question. Is it a requirement or not? If it's not a requirement, you can say no. If it -- if it is, you can say yes.

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

I believe I've asked -- I believe I've answered the question, Senator.

PRESIDENT HARMON:

Thank you, Senator. Senator Barickman. Oh! I apologize, Senator. I thought you were telling me you were done with questions. Senator McClure.

SENATOR McCLURE:

Thank you, Mr. President. Okay, Senator Sims, getting back

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to what the requirements are for a person to be detained. We -- we discussed -- Senator, we discussed several issues in here. There is a section in -- in the -- in the bill that discusses forcible felonies and it discusses what sort of forcible felonies are eligible for pretrial release and what -- and -- and what aren't. And -- and, unfortunately, we're having trouble finding the exact page and, as I said, my computer is having an issue, but my recollection is the language in the bill says that you have to be charged with a forcible felony and that felony -- that forcible felony cannot be a -- a -- a forcible felony eligible for probation. That was the part of the bill that I was trying to get to and I think it might be around -- I think it's around 370, potentially, but that's not the pages I have in front of me. On this section of forcible felonies, can you just please give me some clarity as to what that -- what that says in that portion and what that means as far as their eligibility for either pretrial release or detention?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

Senator McClure, you can find the sections on pages 370 through 373 of the bill.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

Thank you, Senator Sims. That's the page that I thought it was on. Okay. Thank you, Mr. -- thank you very much for your patience, Senator Sims and Mr. President. Senator Sims, okay, so we're on -- on the page that we just talked about. It says that

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if a defendant is charged with a forcible felony for which a sentence of imprisonment, without probation or other aspects, periodic imprisonment or conditional discharge, and it is alleged that their release is a specific, real and present threat to any person or the community. That's the language I'm talking about. So, with that in mind, that would then make the crimes of residential burglary, witness intimidation, animal cruelty, financial exploitation of elderly, animal torture, -- aggravated battery to a child, robbery, aggravated battery to a senior citizen, those are not eligible for detainment. A person would have to be released without bond. Is that correct?

PRESIDENT HARMON:

Senator Sims.

SENATOR SIMS:

Senator McClure, I -- I know that you are -- you said you're not a judge, maybe you aspire to the judiciary, but as -- as I mentioned early on in my comments, under this -- under this -- under this bill that a judge has the ability to make those determinations. The -- we are -- this -- this bill would allow for us to give that -- the judge that power and allow -- allow them to make those -- those discussions -- make those decisions.

PRESIDENT HARMON:

Senator McClure.

SENATOR McCLURE:

...Mr. President. Actually, Senator Sims, it does not. It says that the defendant may get a pretrial release -- release only if and goes through -- so it's -- it's -- it's -- it's limiting language; it's not -- it doesn't allow for the judge to have great discretion there. And so, you know, that's just not what's in the

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bill. Mr. President, to the bill.

PRESIDENT HARMON:

To the bill, Senator.

SENATOR McCLURE:

So we are just recovering from one of the worst years our State has ever seen when it comes to violence and criminal activity. Okay? We have seen -- just in Chicago alone in the last year, murders and shootings were up by fifty percent. We have - the most recent numbers from the FBI - we've got four of the top fifty most violent cities in the country: Chicago, Rockford, Springfield, and Peoria. The fact that we are sitting here at -- you know, after -- very, very early in this morning and trying to do whatever we can to make sure that people charged with horrendous crimes can get out of jail without having to post bond, can get out of jail without the proper monitoring that's in place to keep people safe, and it's almost unbelievable except for the fact that we've been doing things like this for many years. It's one of the reasons why this State is such a mess. One of the big issues that is very detrimental to this, and -- and concerns me the most, is the fact that Cook County established some bail reforms. And I'm not going to get into them, because we've already discussed a little bit of what has been happening in Cook County, but since that time -- since those were enacted, for those people that were released with their bail reform program, there was a forty-five percent increase out of those that committed new offenses and thirty-three percent of those offenses were violent offenses. When the Chicago Tribune estimated as to how many murders were caused by this in just the first fifteen months, they found twenty-one new murders that occurred because of this. And

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I want you to keep this in mind: In Chicago, right now, this year only forty-five percent of the murders were solved. For a shooting, in 2018, one in twenty shootings are solved. So we don't even know the true extent of this. We just know that people there are really suffering, particularly in the poor neighborhoods and the neighborhoods where a lot of African Americans and Latinos live. And, you know, one of those cases that occurred was a situation where, in 2019, a gang member murdered someone and that -- an eighteen-year-old testified against that gang member. That person was sent away. And guess what? That brave young man was murdered for five thousand dollars in the streets - paid off by the person who was in prison - for that. That's why it's just a slight bit disturbing that, witness intimidation, you cannot hold a person for that. You can't detain a person for witness intimidation. You can't hold 'em on bail; they have to be released. Now, we've -- we've looked at what's happening in other states when they've done this sort of a thing. California - we know how conservative California is, right? When California implemented bail -- the removal of cash bail, the legislature passed it; the Governor signed it; it was so bad for that area that the people of the state voted that down by thirteen percentage points. It was a -- it was a recall by referendum on that bill. That's how bad it was. One of the typical places that is mentioned by many is New Jersey. And you'll hear many advocates for no cash bail say, "Well, New Jersey, look what's happening there." New Jersey still has cash bail. If you don't show up for court or if you commit new offenses, you can -- they can put cash bail on you and you can go back into detention. New Jersey has GPS electronic monitoring. They've got twenty-four-hour monitoring. We don't

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even have GPS monitoring in this State, let alone twenty-four-hour monitoring of these people when they're released. They send text messages, emails, and calls to people if they've -- if they've got court coming up. They've got an incredible electronic system that is in place. But even with all that in place, there was an eleven percent increase in defendants charged with new crimes; there was a decrease in those that showed up for court. And, you know, it's -- it's -- you know, this sort of thing should not be done in the waning hours of a lame-duck Session. We should have had committee hearings. We should've allowed people to testify. We should have done this right. Now I could talk all night about this and I could talk about cases that I've had where, with these standards, these people would not be held in detention. I've -- I've seen in real life people die because they were released by a judge. And a judge, by the way, at this moment can release a person, if they choose to, without -- without bail. But, listen, I know that you care about the community. I know everybody in this building cares about this community and this State and nobody wants crime to happen. But the fact of the matter is, is that we can come together and do this right. I agree with you that -- that we -- we shouldn't -- cash bail should not be a detriment to a person getting out of -- of -- of jail on -- on pretrial release, but it's the dangerous people. It's the people that kill witnesses. It's the people that are getting caught in the crosshairs of some of the worst violence that we have seen in our State's entire history, and those are the people that I come to stand up for and that's who I stood up for as a prosecutor. And we're not sticking up for these people right now, unfortunately. And it scares me for our State and it scares me for our communities. And so I'd ask for people to vote

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No. Thank you.

PRESIDENT HARMON:

Thank you, Senator. Senator Barickman, for what purpose do you seek recognition?

SENATOR BARICKMAN:

Thank you, Mr. President. To the bill.

PRESIDENT HARMON:

To the bill, Senator.

SENATOR BARICKMAN:

I -- I, first, want to offer my appreciation to the bill sponsor for his work on this. We're on opposite sides of this issue ultimately, but I appreciate the tremendous amount of work that my friend on the other side of the aisle has put into this bill, including his efforts to present it in very unique and unfortunate circumstances the other day. So thank you, Senator Sims, for your work on this. I've thought a lot about this legislation as we came into this lame-duck Session, because there's been a lot of public conversation around the country about the acts of violence that have occurred on -- on men and women around the country, and particularly men from minority communities, who have suffered at the hands of abuse from individuals charged by our communities to keep our communities safe. And those actions have sparked a -- a national dialogue that has led, in Illinois, to the conversation that we're having on the Senate Floor here today. I want you all to know that, from this side of the aisle, we agree with the notion that there are reforms that are important and necessary to be made in all of the communities that exist around our State. We -- we share in the goal in bringing some of those reforms to law. But I think the resistance that has been

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discussed over just the last many hours, which consist of the last two or three days, really strikes to the manner in which this piece of legislation has come about here for a vote this morning. The process matters and what reforms we make and how we make those reforms matter. Many of our constituents are going to read about legislation that consisted of more than seven hundred pages that was debated at 4:30 a.m., and they're going to read, watch, and listen to those news reports about this legislation and immediately cast suspicion about what's being done in the eleventh hour of this lame-duck Session, and they're going to be suspicious. They're going to be suspicious when they hear the -- the comments made by my colleague Senator McClure just now, when he said -- when he -- when he spoke about the difficulty any of us might have to read such a comprehensive and complex bill for which we've had very limited time to read and digest and consider the ramifications that it may have on our criminal justice system. Just earlier today, we had this very instance play out in a very real manner, in the way in which the Illinois State Police processes FOID cards. And the fact that that legislation was rushed in the manner that it was led to a very, I believe, unintentional result that only surfaced as a result of a thorough debate and resulted in the bill being taken out of the record so that it could be fixed, thankfully, before it became law and created chaos. That was a bill that dealt with FOID cards. This is a legislation that deals with the manner in which our communities are kept safe by the men and women who are charged with keeping them safe. Our charge as legislators, and we hear this throughout the year from Members of both sides of the aisle, that we are here to represent our communities and that we are here to make sure that our communities

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are safe, and it doesn't matter whether we live in central Illinois, like myself, southern Illinois, like some of our colleagues, in the suburbs, or in the City of Chicago. I think we all share the belief that we are charged with ensuring that our communities are safe. The legislation that's before us, we -- we heard hours of testimony on Saturday - if I've got my days correct here - from numerous stakeholders who raised mountains of opposition to the proposal. To his credit, I know the -- the sponsor has worked probably throughout the night and days here to try to address many of those concerns, but many of them remain. Legislation that weakens the ability for our criminal justice system to -- and the -- and the ability it has with repeat offenders helps keep our communities safe when those repeat offenders aren't allowed as easily back into our communities. Senator McClure talked about the notion of a specific, real and present threat. This is a standard. This is a tool that judges will have to use when determining whether or not an individual should be released into their community when charged with a crime. That standard will be scrutinized by judges throughout the State. And as they analyze that standard and they apply it to crimes that have been committed, in certain circumstances, the risk exists that individuals will be released back into their communities when, in fact, they have a propensity to commit more crimes, thereby making our communities less safe. And there's very important -- when I say this is a complex piece of legislation, there's things that remain in this legislation that remain controversial, like the use of body cameras. Now, just a few years ago, I negotiated with now Attorney General Kwame Raoul on the body camera language that is, in fact, law today. We negotiated it. It was a bipartisan

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negotiation. I voted for it, and -- and I stand by that as good law that protects both law enforcement and the people in our communities who interact with them. This legislation takes body cameras the next step, mandating it on local communities. And while I certainly see the value in body -- the use of body cameras, the mere fact is that many communities are going to have to figure out how to handle the purchase of this new equipment, the storage of the data that this equipment houses, and how they'll reconcile that with budgets that, today, don't have enough revenues to meet the means of their communities. All these issues that I present are issues that we would like to work with you on to resolve, but at 4:30 in the morning, in a process that many feel has been rushed, the risk is that these unresolved issues can create chaos in the communities we represent and ultimately lead to our communities being less -- less safe. So I rise today to ask that the sponsor continue to work with us to resolve these measures. We commit to continuing to work with you. But our concern today over the fear that this legislation is going to put our communities at risk results in me asking and rising in opposition to the bill today. Thank you, Mr. President.

PRESIDENT HARMON:

Thank you, Senator. Senator Peters, are you seeking recognition? To the bill, Senator.

SENATOR PETERS:

So a little bit about me. I feel like everyone's heard my story a lot, but the key part of this story is that I'm adopted. And my biological mom was addicted to drugs and alcohol and I was forced into adoption, and I always say that the work that I do is about the idea that there -- I should've never been put up for

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adoption; that my biological mom gets the love and care that she needs. I grew up on the south side of Chicago, which, you know, when I was listening to the other side's testimony, it felt like fearmongering bingo, because it hit on every point that leads us to act out of fear. But what I can tell you is that I've been alive for thirty-five years and sometimes I'm scared to walk down the street. Maybe it's because of the fact that I'm worried about that police officer or maybe even a neighbor. But what I do know is that, for thirty-five years, we've been practicing the same policies over and over and over again and yet we're not seeing the numbers we need, whether it's the south side or it's southern Illinois. And what I can say is, when we look at this bill, particularly the Pretrial Fairness Act, I also grew up in a household with an abusive mother. I've seen abuse rampant in my life, and yet, when I see this bill, it is supported by domestic violence organizations who see this as a criminal justice reform that puts survivor safety first. When I look at this overall package, I think about the fact that we have a choice between - in the year 2020 - George Floyd or Kyle Rittenhouse, who got out on bond and went to a bar at the age of seventeen to {sic} Wisconsin. When I look to this bill and I see the fearmongering and I look at what 2020 has been, I think about the fact that Abraham Lincoln once said that "A house divided (against itself) cannot stand", and we use this quote all the time. A lot of people love to use this quote. What he was saying is that there's a choice to be made. In this situation, it was free your slave, but, right now, today, it's about whether we're going to be a whole State that invests in people or not. Because after thirty to forty years of seeing the same thing and having to live that myself and knowing

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that it's not doing the things -- I'll give you a key part here. A young -- I had my car parked before I came down here. I left two hours earlier from what would end up being a shooting at a hotel. And I say, here we are, doing the same thing over and over again and not seeing the results. Real public safety is, a, the investment in people, and say, b, it's not doing -- putting someone who can't afford to put food on their table in jail. It's not letting someone who's a survivor of domestic violence sit in that pain. Real public safety is for us to look at these reforms that are holistic, that say we invest in people and we don't lock up someone simply because they're poor, and we focus on those who are truly violent in our community. I urge a Yes vote because we've seen the results of the last forty years. We've seen what 2020 has been. We need to move beyond the idea of putting a yard sign in our yard to making policy that is actionable and transformative. I urge my colleagues, here in 2021, to help me win real safety and justice in my community. Thank you.

PRESIDENT HARMON:

Thank you, Senator. Senator Sims, to close.

SENATOR SIMS:

Thank you, Mr. President. Let me respond to a -- a couple of the items that were raised during debate. First, as it relates to the Pretrial Fairness Act, and the committee hearing that we held last week was referenced during -- during -- during debate, and what happened during that debate, there was a representative -- a member of the judiciary who participated in that discussion, talked about the changes that we were making and we are proposing and their role therein. So, for those of you who do not know, there is a commission that was sanctioned by the Illinois Supreme Court

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that talked about pretrial -- that talks about the pretrial process here in the State of Illinois. The Pretrial Fairness Act is a direct result of those discussions. So the very individuals that you're talking about who would make the decisions about the policies that we are -- that we are passing here today have been involved in those discussions, but, more importantly, have proposed and are working on the Pretrial Fairness Act. During that committee hearing, they also asked for us to give them more time to implement the changes we are making here today. So, to do that, we put -- we moved the implementation date out two years. So, you know, my colleague just mentioned the fear mongering. There are -- if -- if this were -- if -- if the floodgates were going to open for a lack of public safety, domestic violence advocates would not be for this bill. They are supportive because they understand this gives us the ability to do better. There was also the -- the action taken in California raised. Well, you know why California repealed their pretrial -- their repeal of -- of money bond? Because the advocates and the bail bondsmen both opposed it. So, of course, it was going to be overturned. That is not the case here. We are creating a system of pretrial services that gives our judiciary, the ones who are in the courtrooms, who have the best hold of the facts, the ability to make decisions about public safety in our communities. That's why we made a direct change, to ensure that they have -- they have the ability to make those decisions about public safety in the community. So that's number one. Two, you know, it's oftentimes that - and -- and it's ironic to me - when people talk about murderers and gun violence in the City of Chicago. Please do not lecture me about gun violence in the City of Chicago if you are not going to do

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anything to help us. If you are not going to do the -- the job to help us stop gun violence in the City of Chicago, please don't lecture me about that. Because I have seen young Black men killed in the City of Chicago. I have seen young Black women killed in the City of Chicago. But, when it's time to get illegal guns off the streets, you will not stand up to the NRA and help us get those guns off the street. So please don't lecture me about what is going on in the City of Chicago. You know -- and, often, I don't get emotional on this Floor - many of you know me - but when it comes to the -- the violence that is happening in marginalized and poor communities across this State, stand up and be counted. My friends on the other side of the aisle always like to talk about Illinois' favorite son, Abraham Lincoln, the Party of Lincoln. Well, Abraham Lincoln once said, "put your feet in the right place, then stand firm." We are standing firm. We are fundamentally changing the way that we do criminal justice in this State. We are fundamentally changing the way that we -- that law enforcement and -- and communities interact. We are fundamentally changing it. This is a -- this is a -- you're right, my -- my -- my good friend on the other side of the aisle, you are absolutely right: This is a complex piece of legislation. It is bold. It is transformational. It is supposed to be. The people of Illinois sent us here. They sent us here to do better by them, not by ourselves. This bill is not about who we are; it is the -- about the Illinois that we strive to be! Giving everyone the same opportunity, no matter where you live, no matter what you look like, no matter what your zip code is, giving you the same opportunity - a system of justice that -- that looks the same no matter what! I ask, my friends, stand with me. You -- you want

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to help address the violence that's going -- that is going on in our community. The -- the violence is not -- it -- the criminal justice system sits at the end of all of the other failures that we have done. That's why you have those four pillars that we've talked about, be it education or health care or economics. The criminal justice system sits at the end of all of those failures. Because if we can invest in people in those other ones, they'd never get to us. But when they do get to us in the criminal justice system, we must do all that we can to make them whole. We have a correctional system that is not correcting anything. This is the time to correct all of those behaviors, to give individuals a chance, to make sure that we are doing all that we can through our criminal justice policy to make our communities truly safe. Mr. President, with that, I'd ask for an Aye vote.

PRESIDENT HARMON:

The question is, shall House Bill 3653 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator Oberweis.

SENATOR OBERWEIS:

No.

PRESIDENT HARMON:

Senator Oberweis votes No. Have all voted who wish? Have

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all voted who wish? Take the record. On that question, there are 32 voting Aye, 23 voting No, none voting Present. And House Bill 3653, having received the required constitutional majority, is declared passed. Continuing on the Calendar on page 4, House Bill 3840. Senator Hunter seeks leave of the Body to return House Bill 3840 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, House Bill 3840. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Hunter.

PRESIDENT HARMON:

Senator Hunter, on your amendment.

SENATOR HUNTER:

I wish to move the amendment and explain it on 2nd -- on... (inaudible)...

PRESIDENT HARMON:

Senator Hunter moves for the adoption of Floor Amendment No. 3 to House Bill 3840. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment's adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDENT HARMON:

3rd Reading. Now on 3rd Reading, House Bill 3840. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3840.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT HARMON:

Senator Hunter, on the bill.

SENATOR HUNTER:

Thank you very much, Mr. President. Good morning, colleagues. It is the intent of this Act to improve the health outcomes of Black residents in Illinois by radically reforming the State's health and human services system. Numerous studies have shown racism is the root of various health inequities experienced by Black Americans. Still, in 2021, as we endure a global pandemic, Illinois health and human services systems continue to perpetuate these health inequities, including Black women are six times as likely to die from a pregnancy-related cause compared to white women. Cardiovascular disease, for example, is the leading cause of death among Black State residents. For every one hundred thousand people, two hundred and twenty-four Black Illinoisans die of cardiovascular disease compared to one hundred and fifty-eight white Illinoisans. A Black person's life expectancy on average is less, compared to a white person's life expectancy. When comparing life expectancy in Chicago's Austin neighborhood to the Chicago Loop, there's a difference of eleven years between Black life expectancy and white - seventy-one years - and white life expectancy, eighty -- eighty-two years. All together, the above mentioned only begins to capture a portion of a larger system of racial injustices and inequities. It is imperative that the General Assembly and the people of Illinois recognize racism as a core fault of the current health and human services system so that we can begin to repair it. Therefore, the Illinois Legislative Black Caucus, as informed by the joint health and human services

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pillar subject to {sic} (matter) hearings, seeks to remedy a -- a fraction of this broken system by addressing the following areas in this packet. The Health and Human Services Act addresses eight key areas: access to health (care), hospital closures, managed care organization reform, community health worker certification, maternal and infant mortality, mental health and substance abuse treatment, hospital reform, and medical implicit bias. This measure creates the Medicaid Managed Care Oversight Commission to evaluate the effectiveness of Illinois' managed care program. It requires HFS to impose financial penalties on any managed care organization that is found to be noncompliant with any provisions of the State contract based on the findings. Some of the areas in here. The Commission is required to review managed care performance in the following areas: data on health outcomes of Medicaid managed care members; current care coordination and case management efforts and make recommendations on expanding care coordination on addition -- on additional population -- to additional populations with a focus on the social determinants of health; the appropriateness of metrics used in the Pay-for-Performance programs; managed care performance in meeting diversity contract goals and the use of funds dedicated to meeting such goals, including, but not limited to, BEP contracting requirements; the effectiveness of claim -- claims processing to medical providers; the adequacy of Medicaid managed care network and member access to health care services. This Act also creates a Medicaid Business Opportunity Commission within HFS to develop a program to support and grow minority, women, and persons with disability owned businesses. In terms of -- well, some of the changes that we've made in this measure: We've removed the MCO

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sunset provision in its entirety. In terms of the hospital moratorium, we removed the original moratorium language and replaces it to allow the Health Facilities and Services Review to grant sixty days for -- from pervious -- for previous applicants and -- and for future applications through the pandemic. Safety-net hospital -- well -- well, it removes provisions requiring safety-net hospitals to be held harmless against pass-through payment reductions, removes the provisions requiring a contract termination if MCOs are unable to meet women- and minority-owned business contracting requirements. Instead, the amendment will create a Medicaid Business Opportunity Commission that I mentioned earlier. Child trauma counseling - it removes the original language requiring child trauma counseling at no cost and replaces it with a requirement for day care and classroom training on early childhood social emotional learning, infant and child -- early childhood mental health -- health, early childhood trauma, and adverse childhood experiences. In terms of MCO accountability -- well, that -- those are mostly the -- the main factors and removed - we removed all dollar amounts to make it subject to appropriation. I will, at this time, entertain any kind of questions that you may have.

PRESIDENT HARMON:

Thank you, Senator. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you -- thank you, Mr. President. Questions of the sponsor.

PRESIDENT HARMON:

Sponsor indicates that she'll yield. Senator Syverson.

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SENATOR SYVERSON:

Thank you, Senator. I know the -- it's early in the morning and we've just had a chance to start to go through this two-hundred-and-thirty-page bill, so we haven't had a chance to go through everything on it, but just to -- a couple questions that maybe just will help on explanations on, and not in any particular order. But the -- the portion that's talking about the -- the -- the -- the -- the immunity issue: If they -- if an individual shows up that's out on supervised release or out on parole and -- and shows up overdosing and with drugs, and the fact that they are -- that they have an immunity means that they're not going to be able to get -- they're not going to be pushed into or required to get help, which is just going to endanger them and make it worse or potentially endanger others, including their family. What was the rationale behind not wanting -- you know, those individuals that are already in those situations, to give them immunity so they can come in, get taken care of, and then just be released again and not get the help that they need?

PRESIDENT HARMON:

Senator Hunter.

SENATOR HUNTER:

Okay, so it does reduce the stigma, sir, from getting -- for them getting help.

PRESIDENT HARMON:

Senator Syverson.

SENATOR SYVERSON:

Excuse me, can you -- help me again with that?

PRESIDENT HARMON:

Senator Hunter.

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SENATOR HUNTER:

It reduces the stigma for them getting help.

PRESIDENT HARMON:

Senator Syverson.

SENATOR SYVERSON:

Well, I'm not sure how it releases the stigma, because it's just -- we're taking an individual that is already on supervised release or parole and if they're -- if they're caught with drugs, these people should be getting help and not just released back to the public. If we care about these individuals, we're going to want to get them help. And if they're already on supervised release or already on parole, to let them back out without getting help or having part of it, I guess that's a concern for us. I know we took out the DCFS part, which is also a little bit of a concern because these individuals, obviously, if they're out on parole and they're having a problem with drugs, the fact that their children are going to be unsafe -- potentially unsafe is a concern. But, in this case, again, how are these people going to get help if they're not -- if they're not being brought into the court system where they can get the help that they need?

PRESIDENT HARMON:

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. Senator Syverson, these protections are needed so that people, people who our afraid to report an overdose due to fear of legal consequences -- the current law still -- still leaves many people at risk. Numerous Illinoisans have been prosecuted for drug -- drug crimes when they have reported an overdose. People have been arrested. Some have

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been paroled -- some -- some of them has had their parole violated {sic} and even been charged with homicide. Some of these prosecutions have -- have been high profile and have been caused by chilling effects that has discouraged reporting overdoses. So we must restore people's trust that they can report an overdose in good faith and remain protected. From a racial equity lens, it is critical to report -- to protect Black Illinoisans who report an overdose. They are more likely to face legal consequences in general and must be provided protection to incur -- to -- to encourage the reporting of life-threatening emergencies.

PRESIDENT HARMON:

Senator Syverson.

SENATOR SYVERSON:

I'll move on, but in these cases, I don't think it's reporting. These are people already hospitalized for the drug overdose and they have the drugs with them, and I guess that's -- again, that's a concern that -- that they're able to be just stabilized and then sent back out without getting the help that they need or even looking into protecting their families. Our goal ought to be in protecting the children first. But, let's move to some of the cost of some of the programs that are in here. At a time when the hospitals are -- are struggling right now with trying to find enough staff due to COVID, there's a -- it looks like a plethora of new mandated training programs that they have to take -- they have to be involved with, which, again, at a time when they're -- the ones that are healthy are working overtime, and so I think the timing of having these -- these -- many new mandated programs is going to be not only a hardship for doctors and nurses and staff, but, financially, it's going to be a hardship

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for all these facilities as well. But, in here, we've got a couple of new programs: These community health care workers, which, according to the Department, is estimated at somewhere between one to three billion dollars, and then we have the -- the psych hospitals and the -- the -- the doula home visits - another fifty-five million. Now, I know, some of this, we say "subject to appropriations", but the community health care workers, the term says "subject to available funding {sic} (funding availability)". I've never heard that phrase in twenty-five years, and I don't know, why does it say "subject to funding" as opposed to "subject to appropriations"? Because from a funding standpoint, there's twenty billion dollars in that budget; there's funding there for it. So can you explain to me what the difference is between those two terms?

PRESIDENT HARMON:

Senator Hunter.

SENATOR HUNTER:

Senator Syverson, it means the same thing. You can call it that -- whatever it states in here, but it's subject to appropriation. It means the same thing.

PRESIDENT HARMON:

Senator Syverson.

SENATOR HUNTER:

And the term -- and the terms...

PRESIDENT HARMON:

Hunter.

SENATOR HUNTER:

...of certification -- we removed the certification factor. So, therefore, the cost, that one to two billion dollars that's

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connected to certification, we took that out. So now it's subject to appropriation.

PRESIDENT HARMON:

Senator Syverson.

SENATOR SYVERSON:

Okay, 'cause my concern is, the -- the -- HFS has twenty billion dollars in lump sums, so how do they make that decision, knowing that they have those funds there, which programs end up getting funded by that? And, again, I guess, they are -- like I say, the concern is when it says "subject to (funding) availability". The drafters of this clearly knew we've always used "subject to appropriations", and so this was -- the rest of the bill talks about "subject to appropriations", just this part alone says "subject to (funding) availability". That's an intentional termination -- term difference. And I guess I'm a little confused as why that term would be used and, again, because the Department already has those grants available, who determines which funds get fund -- which programs get funded under this?

PRESIDENT HARMON:

Senator Hunter.

SENATOR HUNTER:

Senator Syverson, we simply used the Department's language. So this is what they called it and so that's what we're using, sir.

PRESIDENT HARMON:

Senator Syverson.

SENATOR SYVERSON:

I'll just wrap it up with this. Again -- and I'm sorry we haven't had a chance to go through the -- the entire bill since we

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just -- since we've just received it. I appreciate you're -- what you're trying to do. Some of the concepts in here clearly make sense. The concern I have is just the timing of all these new mandates as well as the potential costs that are being incurred at a time when we're already struggling. And so I would ask, at least from this side, that we look at voting No until -- until such time we can get, you know, a better understanding on some of these issues and if they're all subject to appropriations and there's not a hurry of why we need to do this at 5 o'clock in the morning. If it's not something that's going to be funded right now, then let's worry about that in the future when we have time to look at it and -- and not do something, like I say, at this -- at this last minute, especially with the current budget crisis that we're in right now. So -- so I appreciate -- again, Senator, I appreciate your -- your work on this, and many of these things I think are things that are good to look at in the future when we have funding and we've taken care of the budget crisis and, again, once we're past the COVID and when the health care workers actually have time to take a look at these issues. Thank you for your time, and thank you, Mr. President.

PRESIDENT HARMON:

Thank you, Senator. Senator Hunter, to close.

SENATOR HUNTER:

Thank you, Mr. President. Black lives truly matter. Their right to quality health care must not be inhibited. It is our responsibility as elected officials to create laws that create an enriched, lasting impact on the communities we represent. This legislation does just that and there is no better time to enact it than now. I'd like to thank my many colleagues who have stood

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with us, the ones who have participated in all of the hearings that we've had, including the work group meetings that we've had over the summer and late fall, all of the advocacy organizations, and especially our wonderful staff - Patricia Rodriguez, Aaron -- Aaron Holmes, Halie Owens - for putting in so many hours to make all the necessary changes to get us to this point. You guys are amazing. And I would ask for an Aye vote. Thank you very much.

PRESIDENT HARMON:

The question is, shall House Bill 3840 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

No.

PRESIDENT HARMON:

Senator Oberweis votes No. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, 18 voting No, none voting Present. And House Bill 3840, having received the required constitutional majority, is declared passed. The Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please report to the Well of the Senate? Will all members of the Committee on Assignments please

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report to the Well of the Senate? (at ease) Mr. Secretary,
Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Hollman, Clerk.

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

Senate Bill 558.

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

House Amendments 2, 3, 4, and 5 to Senate Bill 558.

Passed the House, as amended, January 13th, 2021. John W. Hollman, Clerk of the House.

PRESIDENT HARMON:

Thank you, Mr. Secretary. Committee Reports, please.

SECRETARY ANDERSON:

Senator Lightford, Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendments 1, 2, and 3 to Senate Bill 1480, Motion to Concur with House Amendments 1 and 2 to Senate Bill 1608, Motion to Concur with House Amendments 2, 3, and 4 to Senate Bill 1792, Motion to Concur with House Amendments 1 and 2 to Senate Bill 1980.

Signed, Senator Kimberly Lightford, Chairperson.

PRESIDENT HARMON:

Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 5, masquerading as No. 3, has been distributed to the Members' desks. On that Calendar is the Order of Secretary's Desk,

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Concurrences, and at the top of the order, Senate Bill 1480. Senator Belt, you have a motion to concur. Do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2, and 3 to Senate Bill 1480.

Signed by Senator Belt.

PRESIDENT HARMON:

Senator Belt, on your motion.

SENATOR BELT:

Thank you, Mr. President. I concur to -- with the motion of House Amendment 1, 2, and 3. Executive Summary as Amended: Prohibits an employer -- prohibits an employer from disqualifying or taking an adverse action against an employee based on his or her conviction record unless there is a substantial relationship between the employment and the criminal offense of -- of {sic} (or) the granting or continuing of employment would involve an unreasonable risk; requires corporations to submit the employment -- employment data from the EEO-1 form to the Illinois Secretary of State, who must publish this data; and, third, prohibits the State of Illinois from contracting with a private business with more than one hundred employees that does not have equal pay certificate. Mr. President, I will take any questions or concerns.

PRESIDENT HARMON:

Thank you, Senator. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDENT HARMON:

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The sponsor indicates that he'll yield. Senator Righter.

SENATOR RIGHTER:

Thank you very much, Mr. President. Senator Belt, you and I had a conversation in a subject-matter hearing in Senate Executive Committee, what seems like a week ago, on this -- this bill or some form of this bill and we discussed the topic of "substantial relationship". I want to explore that a little bit. First, is there any conviction that the job applicant could have suffered that is not subject to this rule?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator, are you asking me for a specific offense that would make them immune from this rule?

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

Yes. I mean, what I'm asking is, is there any offense or class of offenses for which this bill would say, you know what, that's such a bad conviction, we're not going to make the employer go through the whole substantial relationship thing? Is there anything?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

No, sir.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

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Fair enough. So let's talk about substantial relationship. What -- what does that mean? So when this bill, if it passes and it becomes law and we get calls later from employers and they say, "Okay, what's the substantial relationship thing mean?", what are we going to tell our constituents back home?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator, "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.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

So let me give you a -- a -- a hypothetical and tell me if you think, as the sponsor of the bill, this would qualify as a substantial relationship. I run a day care and I am interviewing someone who, I discover later, has a conviction for aggravated criminal sexual assault. The victim was an adult. Is that a substantial relationship?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator Righter, based off what you gave me, I would -- I would agree that that would be a substantial relationship.

PRESIDENT HARMON:

Senator Righter.

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SENATOR RIGHTER:

I own a car dealership and I am interviewing for a salesman's position and I discover that the applicant has a felony conviction for theft. Is that a substantial relationship?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator Righter, I don't know about that one. That one I don't know. But let me just say this, this is a guide for a complete, thorough background interview process. It's -- it's -- it's put in place to encourage employers or employers' agents - HR or whomever - not to judge an applicant or employee just based on their record alone. It does not mandate you hire anyone. It just -- it's -- it's a -- it's a guide for a more compassionate interview, in the hopes that if you interview a person, there may be mitigating circumstances that that person can explain to you. For instance, in my other life as a probation officer, I had a kid, a -- a eighteen-year-old, who shoplifted. He stole Pampers and milk. Now, if -- based on -- the -- the -- the -- the purpose of this legislation, if I were to look at his arrest record, just merely off the fact that he had a retail theft under one fifty and had an adverse impact based off that -- off of his arrest record, I never would under -- I -- I would just kick it to the side. What -- what this legislation is saying, have -- have a conversation, interview him, sit him down, and then those mitigating circumstances may make me see that this is a good person who did a bad thing and I may still -- may hire him. I may not. But it's the -- it's the idea of not just judging a book by its cover.

PRESIDENT HARMON:

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Senator Righter.

SENATOR RIGHTER:

To the -- to the gentleman's motion, if I might, Mr. President.

PRESIDENT HARMON:

...the motion, Senator.

SENATOR RIGHTER:

Thank you. And thank you very much, Senator, for the responses. You know, Ladies and Gentlemen, that -- that -- that last answer that you just heard from the sponsor, it -- it does, it sounds good, and -- and I -- I -- I like the idea of that. Hey, let's sit down and have a thorough conversation and not judge someone just by what we see perhaps on a criminal history. But that's not what the bill does. Okay? The bill doesn't encourage employers to sit down and really get to know the applicant well so maybe we can get past the criminal sexual assault or the retail theft or whatever it might be. It's another hurdle for an employer to overcome in a State that sets hurdle after hurdle after hurdle for employers at a time when how many businesses are going out of business, at a time when record number -- record number of people are unemployed - but, don't worry, IDES is on the case. This could not be a worse time to send the message to Illinois employers that, here, we have something else for you to do. We have some more requirements for you. We understand it's your capital and it's your business and it's your livelihood at stake, but, here, this is what we think you should do, and if you have to wind up defending yourself -- which this bill takes employers down that road. If the applicant disagrees with the substantial relationship judgment that the employer has made, the employer's the one on the defense

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of that. Is that the message you want to send to your small business owners in Illinois right now? It can't possibly be the message you want to send to small employers right now. Senator, my concern is, if something like this becomes law, more people are going to lose job opportunities, because there's going to be fewer job opportunities in the State - and that's the adverse consequence of this bill. For that reason, I would urge a No vote. Thank you, Mr. President.

PRESIDENT HARMON:

Thank you. Senator Belt, to close.

SENATOR BELT:

Thank you, Mr. President. This legislation really does encourage, gives you a guide to -- the employment process, and it says don't judge a book by its cover, sit down and individualize -- have an individualized assessment of each person that comes through your door looking for employment. It doesn't say -- or it doesn't mandate that you have to hire 'em. It just says, you know, these are the -- these are the protocols, these are the steps that we suggest you go through. And with -- with the way that we are with people looking for work, I just think it's a really worthwhile endeavor to engage in. And with that being said, I would -- I would ask for support and all Aye votes for the legislation.

PRESIDENT HARMON:

Thank you, Senator. The question is, shall Senate Bill 1480 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate.

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Senator McGuire.

SENATOR McGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

No.

PRESIDENT HARMON:

Senator Oberweis votes No. Senator Crowe, Landek, Bennett, Loughran Cappel, Glowiak Hilton, Stadelman, Tom Cullerton, Joyce, Morrison, Murphy, Muñoz, Plummer, Stewart, or Rose, please come to the Floor to vote. Take the record. On that question, there are 31 voting Aye, 15 voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2, and 3 to Senate Bill 1480, and the bill is declared passed. Continuing on the Calendar. Senate Bill 1608. Senator Belt. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1608.

Signed by Senator Belt.

PRESIDENT HARMON:

Senator Belt, on your motion.

SENATOR BELT:

Thank you, Mr. President. 1608 -- is a concurrence. I agree with the House Floor Amendment No. 2. Senate Bill 1608, as amended by House Amendment 3 {sic}, is part of the Illinois Legislative Black Caucus economic equity agenda. The bill provides for changes to the BEP program, contract goals, access to funds, and creates

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the Commission on Equity and Inclusion. Mr. President, this legislation really looks to bolster and encourages more minority, women, and persons with disability being in the public space in procurement with the State of Illinois. It looks to create a Commission on Inclusion to watch and make sure that we're hitting those benchmarks. It lays out aspirational goals, goals to -- by which companies can aspire to in -- in hiring, again, minorities, women, and persons with disabilities. I will yield to -- yield the Floor and -- and -- and take questions, concerns, or suggestions.

PRESIDENT HARMON:

Is there any discussion? Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDENT HARMON:

Sponsor indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Belt, can you explain in some detail the -- the Commission on Exclusion {sic} and what authority the commission would have with regards to procurement?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator Righter, the Commission on Inclusion would be a commission of seven individuals, with a chair, and their main purpose would be to be the guardians or the watchdog of State agencies and university systems to make sure that these entities are actually doing what is set out in statute relative to minority

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participation, hitting of those aspirational goals or -- or really putting their best foot forward, that State agencies/university systems are being transparent, turning in reports. And so these are the -- the -- the tasks that the Commission on Inclusion would be doing.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

Senator, does the -- does -- in the bill, does the commission have legal -- is there any legal authority in here for a commission -- for the commission to block a planned procurement by a university?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator Righter, they can't block it. They have the same type of structure as the Procurement Policy Board. And with a three-fifths vote -- they can review it, and with a three-fifths vote, they can make suggestions and -- and things of that nature. But they just can't unilaterally block anything.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

So what -- is there -- is there criteria in the bill that the commission would have to meet in order to - and I'm not -- I -- I guess I'm not sure what word to put on this if it's not block the procurement - I mean, make a -- you used the phrase "make a suggestion". I would guess that language is not in the bill. What -- what is it that the commission is doing then? And what's the

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criteria they have to follow?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

...Righter, they -- they have the power to review; they have the power to approve, along with the Ethics Commission and approval of CPOs - procurement officers. And so, in terms of the rest of your questioning, which I forgot -- what was it? Yeah -- and so -- yeah, they're -- they're able to do evaluations; they're able to do, you know, reviews. You know, they have the -- they're an oversight commission. They're put in place to make sure that State agencies and our procurement and -- and -- that we're hitting or at least, in a good-faith effort, trying to hit the aspirational goals that -- that are set forth. They're a extra set of eyes. You know, previous General Assemblies have done a phenomenal job of putting in language to bolster and improve -- or encourage procurement for minorities, for women, and for persons with disabilities, and we're coming nowhere near those goals, even as we speak today. Twenty percent aspirational goals - twenty percent, the floor level - we're nowhere near that, and we haven't been. And so the -- the initial duty lies with CMS, but -- but we're a long way off from there. And so instead of -- the definition of insanity is doing the same thing, hoping for a different outcome. And so this came about because it's our -- a last-ditch effort to try to get those numbers up. You know, when -- when -- if we're -- if we're succeeding in getting more minorities into the State space of procurement, African Americans will hire more African Americans; more Latinos will hire more Latinos. Those things are transformational. Those things will

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change lives and families and -- and create avenues for -- bigger -- bigger, wider avenues for more middle come -- middle-income, middle-class families to come. But as it stands right now, we're nowhere near that. And so I don't know what else you could do. The General Assembly put -- put forth these Public Acts, saying put your best foot forward, try in good-faith effort, and years later we're nowhere near it. It says turn in reports - let's be transparent, let's turn in reports to see what we're doing - every six months. We're -- we -- we don't even get reports. And so this is our last-ditch effort to try to increase the -- the -- the procurement, the public spend, with minorities, with women, and with persons of color -- I mean persons with disabilities.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Belt, I'm looking at pages 72 and 73 of the motion {sic} and, at the bottom of page 72, it talks about a recommendation made by the commission, like a recommendation with regards to a specific procurement. Within seven days, the recommendation must be delivered to the chief procurement officer and Executive Ethics Commission; then the subcontractor has fifteen calendar days to provide a written response; and then, if you look -- look to the bottom of that Section - so on page 73, lines 7 through 10 - there's a reference to a hearing. The question I have is -- I mean, that sounds like that's certainly, at least, a slowdown of the process - I think you would agree with that; that if there's a question, that the commission has a three-fifths vote and say, "Wait a second. We're not sure this is a real effort to meet the aspirational goals, so

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we're going to review the contract. We're going to make a suggestion, or a proposal." The question I have for you, in lines 7 through 10 on page 73, where it refers to a hearing to be held, tell me what that hearing is, who conducts it, and what the possible outcomes are from a hearing like that on one of these contracts?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator Righter, as I -- as I -- I think I said earlier when we were discussing the commission, they have oversight, they can make recommendations, and so what that would be is a notice of a hearing, similar to the Procurement Board - a notice of a hearing. They will look at the mitigating factors to see if that particular agency -- entity made a good-faith effort to hit those aspirational goals in -- relative to minorities, women, and persons with disabilities, and then there would be some type of determination based off the findings.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

Okay, so let's talk about that. So there will be some kind of determination made. Could one of those determinations be that the contract has to be rebid or something within the contract has to be changed in order to satisfy the commission and what may be its belief that this particular contract doesn't go far enough in trying to meet the aspirational goals? And again, Senator Belt, the -- the point of my question is, I'm trying to find what the authority -- the actual authority the commission has? How far can

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it go in -- in -- in altering the procurement process?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Senator Righter, they would be able to make those recommendations to the SPRs and the CPOs, in -- in the hopes of -- of remedying -- remedying whatever the issue is, in the hopes of increasing or coming to some level of understanding of what the expectation or the expectations are relative to the goals, aspiration -- BEP aspirational goals, and -- and go from there. It's -- it's designed to encourage and bolster minority participation, and so that's really what the commission is all about. They're -- they're doing a -- a -- a -- a task originally for -- for CMS alone to do, as the -- as the chief procurement -- procurement officer for the State. But, for whatever reason, as I alluded to before, this is something that we're falling dreadfully, dreadfully short of. And so, again, this is our -- this is the legislation put forth to say, "Hey, look, let's put another pair of eyes on this." Because, Senator Righter, if you come from -- have a district like I have, where if you were to google the top ten poor cities in Illinois, I think my Senate district would be the only one of all the Senate districts in Illinois with three of the top ten. Put that right next to a -- a large Hispanic community -- community. And so you see, when I -- whenever I go back to my district, I'm seeing these opportunities for minorities, I'm seeing the opportunities for women, I'm seeing the opportunities for persons with disabilities. I'm seeing that these people aren't engaged in the State procurement process like they -- like they should be on the -- on

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the university level, on a State level. We're just not seeing it. And at the end of the day, previous General Assemblies have done the work and put it in the public -- made a Public Act, put it in the statute to say, "Hey, look, these are the goals that we want you to meet; these are the goals that we want you to go for", and, for whatever reason, it's not being -- nowhere near following -- following the protocol. Our State agencies are -- if you look at CMS and IDOT, they're dropping the ball big-time. And so this is a way, unfortunately, to put an extra set of eyes to try to help that situation, to try to remedy that situation, and try to get us to where we're trying to get to. And that's all we're trying to do.

PRESIDENT HARMON:

Senator Righter. No? Senator Belt, to close.

SENATOR BELT:

Mr. President, as Senator Righter and I debated the tenets of the -- the legislation, I think it became obvious what the intent of the legislation is. It's really to increase, to encourage, and to bolster participation, minority participation, in the State space, in the procurement space in State agencies and -- and the university systems. And -- and -- and I think we need that. I think we need -- I think Illinois needs it. I think it -- it -- it makes for a better, a more robust economy when everyone takes part in -- or have their piece of the pie. And with that being said, I would ask for all support and all Aye votes on this bill. Thank you.

PRESIDENT HARMON:

Thank you, Senator. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1608. All in favor

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will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Thank you, Mr. President. Yes.

PRESIDENT HARMON:

Senator McGuire votes Aye. Senator Oberweis.

SENATOR OBERWEIS:

No.

PRESIDENT HARMON:

Senator Oberweis votes No. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 voting Aye, 15 voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1608, and the bill is declared passed. Senate Bill 1792. Senator Belt. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 2, 3, and 4 to Senate Bill 1792.

Signed by Senator Belt.

PRESIDENT HARMON:

Senator Belt, on your motion.

SENATOR BELT:

Thank you, Mr. President. Senate Bill 1792, as amended by the House, is part of the Black Caucus economic equity pillar. This bill is an important first step in addressing centuries of

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systemic racism that has plagued our community -- communities long enough. This bill does the following: Number one, it directs the Department of Agriculture to conduct a disparity study examining racial and economic disparities associated with farm ownership and farm operations; number two, it creates the Cannabis Equity Commission, which will work to ensure that the equity goals detained {sic} in the Cannabis Regulation and Tax Act are met; number three, it directs DCEO to conduct a disparity study to evaluate whether there exists discrimination in State beauty supply industry; and, most importantly, the bill caps interest rates of small loans, like title and payday loans, at thirty-six percent. This bill passed the House 110 to 0 with vocal support from the House Republicans, and I ask for an Aye vote.

PRESIDENT HARMON:

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDENT HARMON:

The sponsor indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Belt, good to talk to you again. I -- the -- I want to talk to you about one provision of the bill, and it has to do with the thirty-six percent rate cap, because I -- I -- I am concerned that this is -- and I think -- unfortunately, I think the House vote is an example of this, and that is, this is the issue that people look out and say, "Wow, thirty-six percent, that's completely outrageous", and don't take enough of a deep dive into the credit issues that are involved and those who -- who need access to that credit. There are many citizens, not just in

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Illinois, but all across the country, who don't necessarily have the credit rating that would allow them to go to the top-shelf lending institutions and borrow money, but, nevertheless, have a cash need or a capital need - may be short term; it may have --- it may be to put a -- a -- put a new roof on the house or repair a car or something like that - people who are not -- obviously, not of enormous economic wealth here, but they need access to some measure of capital for some period of time. My question is, are you concerned about the unintended consequences of this bill in this regard: The industry that provides the -- the credit, albeit at a higher interest rate because the -- the -- because of the credit risk, if those go away, then where do these individuals, who are still going to have a need for that capital, where do they go?

PRESIDENT HARMON:

Senator Belt.

SENATOR BELT:

Mr. President, I am going to defer to Senator Collins to answer the Senator's question.

PRESIDENT HARMON:

Senator Collins.

SENATOR COLLINS:

Thank you, Senator Belt. And I'm so glad that our colleague on the other side inquired about this access to need. No one would be more concerned about the constituents I serve and them being able to have access to credit, but, as we know, the vast majority of consumers need cash, not credit. In the early days of the pandemic, when consumers received the twelve hundred stimulus and the enhanced unemployment benefits, they stopped turning to payday

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and title lenders. But, in addition, more and more institutions offer loans at or below thirty-six percent APR. Matter of fact, in seventeen states, they have passed the cap of thirty-six percent APR and lower. But, let me just say, when we started this negotiation, it was just a consumer protection piece of legislation. But I'm so proud today to say this is a historic piece of legislation, because the largest provider of unsecured personal loans in the United States has joined with me. The Marketplace Lending Association strongly supports the cap at thirty-six percent. So, now, it is an industry and consumer piece of legislation. So you said, "Where will they go?" Well, they can go to a community development financial institution, like Capital Good Food {sic}, Self-Help Credit Union. And, matter of fact, I'm glad you mentioned some examples of where people might have needs. So let me just tell you what the Capital Good Fund offers, and this particular fund, they basically offer one-on-one financial and health coaching and personal loans of three hundred dollars to twenty-five thousand to residents of Rhode Island, Delaware, Florida, Massachusetts, Texas, and Illinois for a variety of their needs. Emergency loans - they offer emergency loans from three hundred to five hundred dollars at ten percent APR. For crisis relief loans, they offer loans from three hundred dollars to one thousand and five hundred at a five percent APR. For immigration loans of two thousand to twenty thousand, they offer a fifteen percent APR. For a car loan, they offer from six thousand to twenty-five thousand at seven and a half to 17.99 APR. Not only the Capital Good Fund, we also have other online lenders, one called LendingClub, Avant, Funding Circle, and other members of the Marketplace Lending Association. They all adhere to

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responsible lending standards that include charging at or below thirty-six percent. We also have banks. Matter of fact, the Bank of America is launching a low-cost product allowing customers to borrow up to five hundred dollars for a five-dollar flat fee regardless of the loan amount. Then there's also installment loan lenders like OneMain Financial, the largest installment lender in the country, offers loans under thirty-six percent APR. So consumers do better in states with rate caps, and they do have access to credit.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

Senator Collins, that -- that's -- that's interesting and useful information, which begs the question: If there is another option for credit, like you just laid out, then why do you need to set the cap on the interest rate? Aren't the consumers just going to go to the place where they can borrow money at the lesser interest rate? I mean, what -- what happens then is that the entities that may be charging in excess of thirty percent are -- one of two things are going to happen: They're either going to go out of business or they're going to offer the loans at a lower interest rate in -- which would be great - that's the market at work. So why do you need to put the cap in place if -- if you've already got a place where they can go?

PRESIDENT HARMON:

Senator Collins.

SENATOR COLLINS:

Because most people are not aware of these existing entities that are there to help. And, matter of fact, in the Executive

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Committee, a Mr. Steve Brubaker indicated, if you put this thirty-six percent APR in, "we will die; we will lose our business". So, yes, they will lose their business if they continue to charge ninety-nine percent predatory interest rate.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

How will capping the interest rate like this make more consumers aware of the options that you have laid out? What's the connection between those two?

PRESIDENT HARMON:

Senator Collins.

SENATOR COLLINS:

The connection is, with these entities now offering -- or with the ability to offer thirty-six percent, they would engage in communication, financial literacy, outreach, and promotion of the programs that they offer. Ninety-nine percent is predatory. How many of you want to get a credit card, maybe from Macy's or Neiman Marcus, at eighty percent, ninety-nine percent? This is preying on certain communities. It's really targeting. That's all it is. It's -- it's a remake -- a rebirth of redlining, housing covenants, and all the other ills that have decimated my community. And what we're trying to do is ensure that they have an opportunity to build economic stability. What these harms do at ninety-nine percent, it leads people into bankruptcy, they lose their jobs, they lose their homes. That is unacceptable.

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

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To the motion, if I might.

PRESIDENT HARMON:

To the motion.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Collins, thank you for that, although I'm -- as I'm sure you're aware, your district is not the only district that has individuals who are not wealthy and -- and sometimes have to go to what we might consider alternative lenders in order to access credit, including some of the entities that we're talking about here and the witness that you referred to earlier represents. It seems to me that this bill represents putting out of business or potentially putting out of business a group in an industry that will go out of business at one point or another if they don't lower their interest rates. I mean, I -- I don't think it's the right approach to say, "Well, there's an option over here, so we're going to put in place a State law that drives this group out of business and that way the consumers will go where we want them to go." The market will figure that out. And I -- I -- I guess I would be very cautious about assuming that all, or even the lion's share, of the people who access credit through some of these institutions are just being duped. In fact, my experience with my constituents who utilize these -- these places would be different than that; that they -- they -- they use those because, yeah, they can't go to the community bank and they have a short-term cash need, and that's the way they do it. And if they can find a entity that can loan them the money or look at their credit history a different way or loan them money at a lower interest rate, then that's where they'll go. And that's the way the market is supposed to work. Thank you, Mr. President.

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PRESIDENT HARMON:

Thank you, Senator. Senator Belt, to close. Oh, Senator Collins, you want to speak? Senator Collins.

SENATOR COLLINS:

I'm sorry. I just want to address that just for a minute. If you're saying, if the cap at thirty-six percent will put the business out of business, I would say, a thirty-six percent cap, it will stop the crime of usury, but it will not interfere with their ability to profit, because we're not -- we won't put you out of business if you come down to thirty-six percent. As these other entities indicate, they're able to do business at thirty-six percent cap. So, before -- well, I'll let him close.

PRESIDENT HARMON:

Senator Belt, do you wish to close?

SENATOR BELT:

Thank you, Mr. President. I -- I -- I think Senator Collins did a phenomenal job in espousing the reasons why we should put a cap on -- on at thirty-six percent. It -- it happens to be the same percentage the federal government uses with military and their families, so... And the idea that if I went into your establishment with -- and took out a hundred-dollar loan and you made -- the moment I took it out, you -- it was thirty-six dollars and I had to pay you back one hundred and thirty-six dollars, I think speaks volumes. That's just for a hundred dollars. So, with all that being said, I -- I would ask for support for this bill and I would ask for Aye votes. Thank you.

PRESIDENT HARMON:

Thank you, Senator. The question is, shall the Senate concur in House Amendments 2, 3, and 4 to Senate Bill 1792. All those in

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favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis. (remote audio bleed-through)

SENATOR OBERWEIS:

Yes.

PRESIDENT HARMON:

Senator Oberweis votes Yes. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, 9 voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 2, 3, and 4 to Senate Bill 1792, and the bill is declared passed. The last bill on our Supplemental Calendar, Senate Bill 1980. Senator Belt, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1980.

Signed by Senator Belt.

PRESIDENT HARMON:

Senator Belt, on your motion.

SENATOR BELT:

Thank you. Thank you, Mr. President. I -- yes, I concur

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with House Amendment 1 and 2. The motion to concur on Senate Bill 1980, again, is a part of the Illinois Black Caucus economic equity pillar and it seeks to provide individuals with criminal background records the same opportunity to access public housing uniformly across the State. It creates the same framework for individualized assessments and requires public housing authorities to consider all mitigating factors. It also amends The Property Tax Code to provide the eighty-dollar fee paid by tax purchasers in none -- is none -- nonrefundable. Mr. President, this -- this bill is -- similar to the one we debated earlier on employment checks. It just creates a more compassionate rental experience. It -- it -- it allows the -- the person who is seeking public housing or rental -- the managing agency to explore all circumstances, all mitigating circumstances, before denying access. It takes into account all prohibitive felonies. It takes in -- into account all federal statutes that prohibit a person with a felony, a -- a -- a -- a prohibitive felony or a criminal background from -- from living in public housing if there's a federal law that exists to stop it. It just really says, before you say no -- if there's nothing in place, before you say no. The individualized plan, again - sit down, talk to me. Maybe there's mitigating circumstances there where I -- where I could overcome and be allowed to rent. And so, with that being said, I will open up questions -- or I'll take questions.

PRESIDENT HARMON:

Thank you, Senator Belt. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

To the gentleman's motion, if I might.

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PRESIDENT HARMON:

To the motion, Senator.

SENATOR RIGHTER:

Senator Belt, I simply wanted to rise to tell you that I am embracing this motion wholeheartedly and I am encouraging all of my colleagues to do the same thing.

PRESIDENT HARMON:

Senator Belt, to close.

SENATOR BELT:

All -- all Aye votes. Thank you.

PRESIDENT HARMON:

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1980. All in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Senators Anderson, Aquino, Barickman, Belt, Bennett, Bush, Castro, Collins, Crowe, and Cullerton, please come to the Floor to vote. For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR McGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

SENATOR OBERWEIS:

Yes.

PRESIDENT HARMON:

Senator Oberweis votes Yes. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does

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concur in House Amendments 1 and 2 to Senate Bill 1980, and the bill is declared passed. For our last bill of the evening, if you could turn to page 3 of your printed Calendar, near the top of the page, on the Order of House Bills 3rd Reading, is House Bill 570. Senator Righter, would you wish to proceed?

SENATOR RIGHTER:

I do. Thank you.

PRESIDENT HARMON:

Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 570.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT HARMON:

Senator Righter, on your bill.

SENATOR RIGHTER:

Thank you very much, Mr. President, Ladies and Gentlemen of the Chamber. Many of you, I'm sure, will remember from last spring when the House of Representatives, despite what I'm sure what it -- was its best efforts to be completely inclusive in getting all of the communities that need TIF extensions into the omnibus TIF extension bill, somehow left out a community in my district. This bill contains that community, another community from my district, and two outside of my community. So there are four TIF extensions in House Bill 570. I believe it passed the House unanimously. Be more than happy to answer any questions anyone has and would appreciate very much your support.

PRESIDENT HARMON:

Is there any discussion? Senator Anderson, for what purpose

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do you rise, realizing it's 6:25 in the morning?

SENATOR ANDERSON:

Question to the sponsor.

PRESIDENT HARMON:

Sponsor indicates he'll yield.

SENATOR ANDERSON:

Senator Righter, is this your last bill?

PRESIDENT HARMON:

Senator Righter.

SENATOR RIGHTER:

We don't know yet.

PRESIDENT HARMON:

Senator Anderson.

SENATOR ANDERSON:

The answer is yes, and good.

PRESIDENT HARMON:

Senator Righter, to close.

SENATOR RIGHTER:

Would appreciate an Aye vote very much, Mr. President. Thank you.

PRESIDENT HARMON:

Question is, shall House Bill 570 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? For those Senators voting remotely pursuant to the motion adopted by the Senate. Senator McGuire.

SENATOR MCGUIRE:

Yes.

PRESIDENT HARMON:

Senator McGuire votes Yes. Senator Oberweis.

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SENATOR OBERWEIS:

I vote No on TIF extensions.

PRESIDENT HARMON:

Senator Oberweis votes No on TIF extensions. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 voting Aye, 2 voting No, none voting Present. And House Bill 570, having -- none voting Present - that was the mask - none voting Present. House Bill 570 has received the required constitutional majority and is -- is declared passed. Senator Belt, for what purpose do you rise?

SENATOR BELT:

Mr. President, in regards to Senate Bill 1608, please let the record reflect that we -- I look forward to continuing work on this legislation with the Governor and his administration going forward.

PRESIDENT HARMON:

The record will so reflect your intent. There being no further business to come before the Senate, the Senate stands adjourned until 10:30 a.m. - 10:30 a.m. - on the 13th day of January 2021. The Senate stands adjourned. We'll see you in four hours.