

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-THIRD GENERAL ASSEMBLY**

**122ND LEGISLATIVE DAY**

**TUESDAY, MAY 4, 2004**

**1:00 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES**  
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The House met pursuant to adjournment.

Representative Turner in the chair.

Prayer by Pastor Joe Meyer with the First Assembly of God in Marengo, IL.

Representative Osmond led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

118 present. (ROLL CALL 1)

### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Fritchey replaced Representative McKeon in the Committee on Executive on April 28, 2004.

Representative Scully replaced Representative Jones in the Committee on Executive on April 28, 2004.

Representative Madigan replaced Representative Hannig in the Committee on Revenue on April 29, 2004.

Representative Lang replaced Representative Turner in the Committee on Rules for today only.

Representative Eileen Lyons replaced Representative Aguilar in the Committee on Health Care Availability Access on April 27, 2004.

Representative Beaubien replaced Representative Winters in the Committee on Commerce & Business Development on April 28, 2004.

Representative Eileen Lyons replaced Representative Schmitz in the Committee on Elementary & Secondary Education on April 27, 2004.

Representative Pihos replaced Representative Watson in the Committee on Elementary & Secondary Education on April 27, 2004.

Representative Brady replaced Representative Bellock in the Committee on Labor on April 28, 2004.

Representative Meyer replaced Representative Beaubien in the Committee on Revenue on April 29, 2004.

Representative Poe replaced Representative Lindner in the Committee on State Government Administration on May 3, 2004.

### LETTER OF TRANSMITTAL

April 30, 2004

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Committee and/or Third Reading Deadline to May 31, 2004 for the following House Bills and Senate Bills:

**House Bills: 3974, 4015, 4224, 4439, 4883, 4895, 4975, 5000, 5252, 5492, 5736, 5789, 5818, 5892, 6078, 6200, 6354, 6556 and 6846.**

**Senate Bills: 948, 984, 1006, 1400, 2165, 2227, 2238, 2243, 2247, 2252, 2278, 2349, 2432, 2447, 2499, 2517, 2525, 2528, 2559, 2579, 2653, 2724, 2794, 2799, 2844, 2880, 2887, 2924, 2926, 2982, 3004 and 3021.**

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

[May 4, 2004]

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

May 4, 2004

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Third Reading Deadline to May 31, 2004 for the following House Bills:

**House Bills: 5662 and 5385.**

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

May 4, 2004

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Committee and/or Third Reading Deadline to May 31, 2004 for the following House Bill and Senate Bills:

**House Bill: 4030 and Senate Bills: 37, 728, 1920, 1936.**

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

#### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "approved for consideration" and be placed on the order of Third Reading-- Short Debate: HOUSE BILL 5385.

That the bill be reported "approved for consideration" and be placed on the order of Second Reading--  
Short Debate: HOUSE BILLS 5662.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:  
HOUSE RESOLUTION 840.

That the bill be reported "approved for consideration" and be placed on the order of Second Reading--  
Short Debate: SENATE BILLS 1553 and 1604.

The committee roll call vote on the foregoing Legislative Measures is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Currie, Barbara(D), Chairperson

Y Black, William(R)

Y Hannig, Gary(D)

A Hassert, Brent(R), Republican Spokesperson

Y Turner, Arthur(D) (Lang)

### COMMITTEE ON RULES REFERRALS

Representative Currie, Chairperson of the Committee on Rules, reported the following legislative measures and/or joint action motions have been assigned as follows:

Consumer Protection: HOUSE BILL 6556.

Elementary & Secondary Education: SENATE BILLS 86, 2349 and 2528.

Human Services: SENATE BILLS 2794, 2880 and 2926.

Judiciary I - Civil Law: SENATE BILL 2274.

Judiciary II - Criminal Law: SENATE BILLS 132, 2653 and 2799.

Local Government: HOUSE AMENDMENT No. 1 to HOUSE BILL 5492.

Revenue: SENATE BILL 2924.

State Government Administration: SENATE BILLS 2401 and 3207; HOUSE AMENDMENT No. 1 to SENATE BILL 2215 and HOUSE AMENDMENT No. 1 to HOUSE BILL 5252.

Veterans Affairs: SENATE BILL 2844.

Revenue: SENATE BILLS 31, 35, 37, 833, 1920, 1936, 1938, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2216, 2218, 2219, 2220, 2235, 3195 and 3196.

### COMMITTEE ON RULES REASSIGNMENTS

Representative Currie, from the Committee on Rules, reassigned the following legislation:

SENATE BILLS 2252 and 2254 were recalled from the Committee on Executive and reassigned to the Committee on Registration & Regulation.

### RE-REFERRED TO THE COMMITTEE ON RULES

The following bills were re-referred to the Committee on Rules pursuant to Rule 19(a) HOUSE BILLS 3962, 4492, 4501, 4564, 4881, 5021, 5041, 5042, 5045, 5298, 5307, 5327, 5329, 5364, 5370, 5385, 5416, 5417, 5633, 5636, 5637, 5757, 5831, 5856, 5870, 5940, 5945, 5960, 5995, 6013, 6017, 6024, 6044, 6057, 6058, 6064, 6077, 6137, 6220, 6235, 6253, 6289, 6299, 6355, 6366, 6394, 6401, 6415, 6418, 6423, 6426, 6435, 6436, 6437, 6577, 6848, 6866, 6869 and 7019; SENATE BILLS 2250, 2253, 2254, 2299, 2379, 2398, 2471, 2552, 2626, 2678, 2682, 2704, 2718, 2861 and 3026.

### MOTIONS SUBMITTED

Representative Black submitted the following written motion, which was placed on the order of Motions:

#### MOTION

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 7298 and advance to the order of Second Reading - Standard Debate.



### **HOUSING AFFORDABILITY IMPACT NOTES SUPPLIED**

Housing Affordability Impact Notes have been supplied for SENATE BILLS 2112, as amended, 2122, 2215, as amended, and 2339.

### **JUDICIAL NOTES SUPPLIED**

Judicial Notes have been supplied for SENATE BILLS 2112, as amended, and 2215, as amended.

### **FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILL 5000, as amended, and SENATE BILLS 2447, and 3083.

### **STATE DEBT IMPACT NOTES SUPPLIED**

State Debt Impact Notes have been supplied for SENATE BILLS 2112, as amended, and 2215, as amended.

### **PENSION NOTES SUPPLIED**

Pension Notes have been supplied for SENATE BILLS 2112, as amended, and 2215, as amended.

### **REQUEST FOR STATE MANDATES FISCAL NOTE**

Representative Hassert requested that a State Mandates Fiscal Note be supplied for SENATE BILL 2236.

### **REQUEST FOR PENSION NOTE**

Representative Hassert requested that a Pension Note be supplied for SENATE BILL 2236.

### **REPORT FROM STANDING COMMITTEES**

Representative Molaro, Chairperson, from the Committee on Revenue to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 1 to HOUSE BILL 5736.

The committee roll call vote on Amendment No. 1 to House Bill 5736 is as follows:

6, Yeas; 0, Nays; 0, Answering Present.

Y Molaro,Robert(D), Chairperson  
 Y Biggins,Bob(R)  
 A Hannig,Gary(D)  
 Y Pankau,Carole(R)  
 A Turner,Arthur(D)

Y Beaubien,Mark(R), Republican Spokesperson  
 A Currie,Barbara(D), Vice-Chairperson  
 Y Lang,Lou(D)  
 Y Sullivan,Ed(R)

### **CHANGE OF SPONSORSHIP**

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Miller asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 5329.

### INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered printed and placed in the Committee on Rules:

- HOUSE BILL 7297. Introduced by Representative Rose, AN ACT concerning mass transit.
- HOUSE BILL 7298. Introduced by Representative Black, AN ACT concerning procurement.

### SENATE BILLS ON FIRST READING

Having been printed, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 3325, 3326, 3327, 3328, 3329, 3330, 3331, 3332, 3333, 3335, 3336, 3337, 3338, 3339, 3340, 3341, 3342, 3343, 3344, 3350, 3351, 3352, 3353, 3354, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3364, 3365, 3366, 3367, 3368 and 3369.

### ACTION ON MOTIONS

Representative Currie moved to recommit SENATE BILLS 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2216, 2218, 2219, 2220, 2235, 3195 and 3196 to the Committee on Rules. The motion prevailed.

### SENATE BILLS ON SECOND READING

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 2106.

SENATE BILL 2112. Having been printed, was taken up and read by title a second time. The following amendment was offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2112 by replacing everything after the enacting clause with the following:

"Section 5. The Economic Development Area Tax Increment Allocation Act is amended by changing Section 6 as follows:

(20 ILCS 620/6) (from Ch. 67 1/2, par. 1006)

Sec. 6. Filing with county clerk; certification of initial equalized assessed value.

(a) The municipality shall file a certified copy of any ordinance authorizing tax increment allocation financing for an economic development project area with the county clerk, and the county clerk shall immediately thereafter determine (1) the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code, which value shall be the "initial equalized assessed value" of each such piece of property, and (2) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code, and shall certify such amount as the "total initial equalized assessed value" of the taxable real property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an

economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within that taxing district for the purpose of computing the rate per cent of tax to be extended upon taxable property within that taxing district, shall in every year that tax increment allocation financing is in effect ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in such area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of allocating taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the economic development project area, terminating the economic development project area, and terminating the use of tax increment allocation financing for the economic development project area. This Act shall not be construed as relieving property owners within an economic development project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 88-670, eff. 12-2-94.)

Section 10. The Property Tax Code is amended by changing Sections 14-15, 15-10, 15-170, 15-172, 15-175, 15-180, and 20-178 and by adding Section 15-176 as follows:

(35 ILCS 200/14-15)

Sec. 14-15. Certificate of error; counties of 3,000,000 or more.

(a) In counties with 3,000,000 or more inhabitants, if, after the assessment is certified pursuant to Section 16-150, but subject to the limitations of subsection (c) of this Section, the county assessor discovers an error or mistake in the assessment, the assessor shall execute a certificate setting forth the nature and cause of the error. The certificate when endorsed by the county assessor, or when endorsed by the county assessor and board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) where the certificate is executed for any assessment which was the subject of a complaint filed in the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) for the tax year for which the certificate is issued, may, either be certified according to the procedure authorized by this Section or be presented and received in evidence in any court of competent jurisdiction. Certification is authorized, at the discretion of the county assessor, for: (1) certificates of error allowing homestead exemptions pursuant to Sections 15-170, 15-172, ~~and 15-175~~, and 15-176; (2) certificates of error on residential property of 6 units or less; (3) certificates of error allowing exemption of the property pursuant to Section 14-25; and (4) other certificates of error reducing assessed value by less than \$100,000. Any certificate of error not certified shall be presented to the court. The county assessor shall develop reasonable procedures for the filing and processing of certificates of error. Prior to the certification or presentation to the court, the county assessor or his or her designee shall execute and include in the certificate of error a statement attesting that all procedural requirements pertaining to the issuance of the certificate of error have been met and that in fact an error exists. When so introduced in evidence such certificate shall become a part of the court records, and shall not be removed from the files except upon the order of the court.

Certificates of error that will be presented to the court shall be filed as an objection in the application for judgment and order of sale for the year in relation to which the certificate is made or as an amendment to the objection under subsection (b). Certificates of error that are to be certified according to the procedure authorized by this Section need not be presented to the court as an objection or an amendment under subsection (b). The State's Attorney of the county in which the property is situated shall mail a copy of any final judgment entered by the court regarding any certificate of error to the taxpayer of record for the year in question.

Any unpaid taxes after the entry of the final judgment by the court or certification on certificates issued under this Section may be included in a special tax sale, provided that an advertisement is published and a notice is mailed to the person in whose name the taxes were last assessed, in a form and manner substantially similar to the advertisement and notice required under Sections 21-110 and 21-135. The advertisement and sale shall be subject to all provisions of law regulating the annual advertisement and sale of delinquent property, to the extent that those provisions may be made applicable.

A certificate of error certified under this Section shall be given effect by the county treasurer, who shall mark the tax books and, upon receipt of one of the following certificates from the county assessor or the county assessor and the board of review where the board of review is required to endorse the certificate of error, shall issue refunds to the taxpayer accordingly:

"CERTIFICATION

I, ....., county assessor, hereby certify that the Certificates of Error set out on the attached list have been duly issued to correct an error or mistake in the assessment."

"CERTIFICATION

I, ....., county assessor, and we, ....., members of the board of review, hereby certify that the Certificates of Error set out on the attached list have been duly issued to correct an error or mistake in the assessment and that any certificates of error required to be endorsed by the board of review have been so endorsed."

The county treasurer has the power to mark the tax books to reflect the issuance of certificates of error certified according to the procedure authorized in this Section for certificates of error issued under Section 14-25 or certificates of error issued to and including 3 years after the date on which the annual judgment and order of sale for that tax year was first entered. The county treasurer has the power to issue refunds to the taxpayer as set forth above until all refunds authorized by this Section have been completed.

To the extent that the certificate of error obviates the liability for nonpayment of taxes, certification of a certificate of error according to the procedure authorized in this Section shall operate to vacate any judgment or forfeiture as to that year's taxes, and the warrant books and judgment books shall be marked to reflect that the judgment or forfeiture has been vacated.

(b) Nothing in subsection (a) of this Section shall be construed to prohibit the execution, endorsement, issuance, and adjudication of a certificate of error if (i) the annual judgment and order of sale for the tax year in question is reopened for further proceedings upon consent of the county collector and county assessor, represented by the State's Attorney, and (ii) a new final judgment is subsequently entered pursuant to the certificate. This subsection (b) shall be construed as declarative of existing law and not as a new enactment.

(c) No certificate of error, other than a certificate to establish an exemption under Section 14-25, shall be executed for any tax year more than 3 years after the date on which the annual judgment and order of sale for that tax year was first entered, except that during calendar years 1999 and 2000 a certificate of error may be executed for any tax year, provided that the error or mistake in the assessment was discovered no more than 3 years after the date on which the annual judgment and order of sale for that tax year was first entered.

(d) The time limitation of subsection (c) shall not apply to a certificate of error correcting an assessment to \$1, under Section 10-35, on a parcel that a subdivision or planned development has acquired by adverse possession, if during the tax year for which the certificate is executed the subdivision or planned development used the parcel as common area, as defined in Section 10-35, and if application for the certificate of error is made prior to December 1, 1997.

(e) The changes made by this amendatory Act of the 91st General Assembly apply to certificates of error issued before, on, and after the effective date of this amendatory Act of the 91st General Assembly. (Source: P.A. 90-4, eff. 3-7-97; 90-288, eff. 8-1-97; 90-655, eff. 7-30-98; 91-393, eff. 7-30-99; 91-686, eff. 1-26-00.)

(35 ILCS 200/15-10)

Sec. 15-10. Exempt property; procedures for certification. All property granted an exemption by the Department pursuant to the requirements of Section 15-5 and described in the Sections following Section 15-30 and preceding Section 16-5, to the extent therein limited, is exempt from taxation. In order to maintain that exempt status, the titleholder or the owner of the beneficial interest of any property that is exempt must file with the chief county assessment officer, on or before January 31 of each year (May 31 in the case of property exempted by Section 15-170), an affidavit stating whether there has been any change in the ownership or use of the property or the status of the owner-resident, or that a disabled veteran who qualifies under Section 15-165 owned and used the property as of January 1 of that year. The nature of any change shall be stated in the affidavit. Failure to file an affidavit shall, in the discretion of the assessment officer, constitute cause to terminate the exemption of that property, notwithstanding any other provision of this Code. Owners of 5 or more such exempt parcels within a county may file a single annual affidavit in lieu of an affidavit for each parcel. The assessment officer, upon request, shall furnish an affidavit form to the owners, in which the owner may state whether there has been any change in the ownership or use of the property or status of the owner or resident as of January 1 of that year. The owner of 5 or more exempt parcels shall list all the properties giving the same information for each parcel as required of owners who file individual affidavits.

However, titleholders or owners of the beneficial interest in any property exempted under any of the following provisions are not required to submit an annual filing under this Section:

- (1) Section 15-45 (burial grounds) in counties of less than 3,000,000 inhabitants and owned by a not-for-profit organization.
- (2) Section 15-40.
- (3) Section 15-50 (United States property).

If there is a change in use or ownership, however, notice must be filed pursuant to Section 15-20.

An application for homestead exemptions shall be filed as provided in Section 15-170 (senior citizens homestead exemption), Section 15-172 (senior citizens assessment freeze homestead exemption), and ~~Sections Section~~ 15-175 and 15-176 (general homestead exemption), respectively.

(Source: P.A. 92-333, eff. 8-10-01; 92-729, eff. 7-25-02.)

(35 ILCS 200/15-170)

Sec. 15-170. Senior Citizens Homestead Exemption. An annual homestead exemption limited, except as described here with relation to cooperatives or life care facilities, to a maximum reduction set forth below from the property's value, as equalized or assessed by the Department, is granted for property that is occupied as a residence by a person 65 years of age or older who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as a residence by a person 65 years or older who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. Before taxable year 2004, the ~~The~~ maximum reduction shall be \$2,500 in counties with 3,000,000 or more inhabitants and \$2,000 in all other counties. For taxable years 2004 and thereafter, the maximum reduction shall be \$3,000 in all counties. For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by a person 65 years of age or older who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For land improved with a life care facility, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by persons 65 years of age or older, irrespective of any legal, equitable, or leasehold interest in the facility, who are liable, under a contract with the owner or owners of record of the facility, for paying property taxes on the property. In a cooperative or a life care facility where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor. Under this Section and ~~Sections Section~~ 15-175 and 15-176, "life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act, with which the applicant for the homestead exemption has a life care contract as defined in that Act.

When a homestead exemption has been granted under this Section and the person qualifying subsequently becomes a resident of a facility licensed under the Nursing Home Care Act, the exemption shall continue so long as the residence continues to be occupied by the qualifying person's spouse if the spouse is 65 years of age or older, or if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

A person who will be 65 years of age during the current assessment year shall be eligible to apply for the homestead exemption during that assessment year. Application shall be made during the application period in effect for the county of his residence.

Beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the senior citizens homestead exemption under this Section must be granted a pro-rata exemption for the assessment year. The amount of the pro-rata exemption is the exemption allowed in the county under this Section divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a person eligible for the exemption under this Section. The chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption.

The assessor or chief county assessment officer may determine the eligibility of a life care facility to receive the benefits provided by this Section, by affidavit, application, visual inspection, questionnaire or other reasonable methods in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The assessor may request reasonable proof that the management firm has so credited the exemption.

The chief county assessment officer of each county with less than 3,000,000 inhabitants shall provide to

each person allowed a homestead exemption under this Section a form to designate any other person to receive a duplicate of any notice of delinquency in the payment of taxes assessed and levied under this Code on the property of the person receiving the exemption. The duplicate notice shall be in addition to the notice required to be provided to the person receiving the exemption, and shall be given in the manner required by this Code. The person filing the request for the duplicate notice shall pay a fee of \$5 to cover administrative costs to the supervisor of assessments, who shall then file the executed designation with the county collector. Notwithstanding any other provision of this Code to the contrary, the filing of such an executed designation requires the county collector to provide duplicate notices as indicated by the designation. A designation may be rescinded by the person who executed such designation at any time, in the manner and form required by the chief county assessment officer.

The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department.

In counties with less than 3,000,000 inhabitants, the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

In counties with less than 3,000,000 inhabitants, if the assessor or chief county assessment officer requires annual application for verification of eligibility for an exemption once granted under this Section, the application shall be mailed to the taxpayer.

The assessor or chief county assessment officer shall notify each person who qualifies for an exemption under this Section that the person may also qualify for deferral of real estate taxes under the Senior Citizens Real Estate Tax Deferral Act. The notice shall set forth the qualifications needed for deferral of real estate taxes, the address and telephone number of county collector, and a statement that applications for deferral of real estate taxes may be obtained from the county collector.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 92-196, eff. 1-1-02; 93-511, eff. 8-11-03.)

(35 ILCS 200/15-172)

Sec. 15-172. Senior Citizens Assessment Freeze Homestead Exemption.

(a) This Section may be cited as the Senior Citizens Assessment Freeze Homestead Exemption.

(b) As used in this Section:

"Applicant" means an individual who has filed an application under this Section.

"Base amount" means the base year equalized assessed value of the residence plus the first year's equalized assessed value of any added improvements which increased the assessed value of the residence after the base year.

"Base year" means the taxable year prior to the taxable year for which the applicant first qualifies and applies for the exemption provided that in the prior taxable year the property was improved with a permanent structure that was occupied as a residence by the applicant who was liable for paying real property taxes on the property and who was either (i) an owner of record of the property or had legal or equitable interest in the property as evidenced by a written instrument or (ii) had a legal or equitable interest as a lessee in the parcel of property that was single family residence. If in any subsequent taxable year for which the applicant applies and qualifies for the exemption the equalized assessed value of the residence is less than the equalized assessed value in the existing base year (provided that such equalized assessed value is not based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years), then that subsequent taxable year shall become the base year until a new base year is established under the terms of this paragraph. For taxable year 1999 only, the Chief County Assessment Officer shall review (i) all taxable years for which the applicant applied and qualified for the exemption and (ii) the existing base year. The assessment officer shall select as the new base year the year with the lowest equalized assessed value. An equalized assessed value that is based on an assessed value that results from a temporary irregularity in the property that reduces the assessed value for one or more taxable years shall not be considered the lowest equalized assessed value. The selected year shall be the base year for taxable year 1999 and thereafter until a new base year is established under the terms of this paragraph.

"Chief County Assessment Officer" means the County Assessor or Supervisor of Assessments of the county in which the property is located.

"Equalized assessed value" means the assessed value as equalized by the Illinois Department of

Revenue.

"Household" means the applicant, the spouse of the applicant, and all persons using the residence of the applicant as their principal place of residence.

"Household income" means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income" has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, except that, beginning in assessment year 2001, "income" does not include veteran's benefits.

"Internal Revenue Code of 1986" means the United States Internal Revenue Code of 1986 or any successor law or laws relating to federal income taxes in effect for the year preceding the taxable year.

"Life care facility that qualifies as a cooperative" means a facility as defined in Section 2 of the Life Care Facilities Act.

"Residence" means the principal dwelling place and appurtenant structures used for residential purposes in this State occupied on January 1 of the taxable year by a household and so much of the surrounding land, constituting the parcel upon which the dwelling place is situated, as is used for residential purposes. If the Chief County Assessment Officer has established a specific legal description for a portion of property constituting the residence, then that portion of property shall be deemed the residence for the purposes of this Section.

"Taxable year" means the calendar year during which ad valorem property taxes payable in the next succeeding year are levied.

(c) Beginning in taxable year 1994, a senior citizens assessment freeze homestead exemption is granted for real property that is improved with a permanent structure that is occupied as a residence by an applicant who (i) is 65 years of age or older during the taxable year, (ii) has a household income of \$35,000 or less prior to taxable year 1999, ~~or \$40,000 or less in taxable years year 1999 through 2003,~~ and \$45,000 or less in taxable year 2004 and thereafter, (iii) is liable for paying real property taxes on the property, and (iv) is an owner of record of the property or has a legal or equitable interest in the property as evidenced by a written instrument. This homestead exemption shall also apply to a leasehold interest in a parcel of property improved with a permanent structure that is a single family residence that is occupied as a residence by a person who (i) is 65 years of age or older during the taxable year, (ii) has a household income of \$35,000 or less prior to taxable year 1999, ~~or \$40,000 or less in taxable years year 1999 through 2003,~~ and \$45,000 or less in taxable year 2004 and thereafter, (iii) has a legal or equitable ownership interest in the property as lessee, and (iv) is liable for the payment of real property taxes on that property.

The amount of this exemption shall be the equalized assessed value of the residence in the taxable year for which application is made minus the base amount.

When the applicant is a surviving spouse of an applicant for a prior year for the same residence for which an exemption under this Section has been granted, the base year and base amount for that residence are the same as for the applicant for the prior year.

Each year at the time the assessment books are certified to the County Clerk, the Board of Review or Board of Appeals shall give to the County Clerk a list of the assessed values of improvements on each parcel qualifying for this exemption that were added after the base year for this parcel and that increased the assessed value of the property.

In the case of land improved with an apartment building owned and operated as a cooperative or a building that is a life care facility that qualifies as a cooperative, the maximum reduction from the equalized assessed value of the property is limited to the sum of the reductions calculated for each unit occupied as a residence by a person or persons (i) 65 years of age or older, (ii) with a household income of \$35,000 or less prior to taxable year 1999, ~~or \$40,000 or less in taxable years year 1999 through 2003,~~ and \$45,000 or less in taxable year 2004 and thereafter, (iii) who is liable, by contract with the owner or owners of record, for paying real property taxes on the property, and (iv) who is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. In the instance of a cooperative where a homestead exemption has been granted under this Section, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to credit that savings to an owner who qualifies for the exemption is guilty of a Class B misdemeanor.

When a homestead exemption has been granted under this Section and an applicant then becomes a resident of a facility licensed under the Nursing Home Care Act, the exemption shall be granted in subsequent years so long as the residence (i) continues to be occupied by the qualified applicant's spouse or (ii) if remaining unoccupied, is still owned by the qualified applicant for the homestead exemption.

Beginning January 1, 1997, when an individual dies who would have qualified for an exemption under this Section, and the surviving spouse does not independently qualify for this exemption because of age, the exemption under this Section shall be granted to the surviving spouse for the taxable year preceding and the taxable year of the death, provided that, except for age, the surviving spouse meets all other qualifications for the granting of this exemption for those years.

When married persons maintain separate residences, the exemption provided for in this Section may be claimed by only one of such persons and for only one residence.

For taxable year 1994 only, in counties having less than 3,000,000 inhabitants, to receive the exemption, a person shall submit an application by February 15, 1995 to the Chief County Assessment Officer of the county in which the property is located. In counties having 3,000,000 or more inhabitants, for taxable year 1994 and all subsequent taxable years, to receive the exemption, a person may submit an application to the Chief County Assessment Officer of the county in which the property is located during such period as may be specified by the Chief County Assessment Officer. The Chief County Assessment Officer in counties of 3,000,000 or more inhabitants shall annually give notice of the application period by mail or by publication. In counties having less than 3,000,000 inhabitants, beginning with taxable year 1995 and thereafter, to receive the exemption, a person shall submit an application by July 1 of each taxable year to the Chief County Assessment Officer of the county in which the property is located. A county may, by ordinance, establish a date for submission of applications that is different than July 1. The applicant shall submit with the application an affidavit of the applicant's total household income, age, marital status (and if married the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall establish, by rule, a method for verifying the accuracy of affidavits filed by applicants under this Section. The applications shall be clearly marked as applications for the Senior Citizens Assessment Freeze Homestead Exemption.

Notwithstanding any other provision to the contrary, in counties having fewer than 3,000,000 inhabitants, if an applicant fails to file the application required by this Section in a timely manner and this failure to file is due to a mental or physical condition sufficiently severe so as to render the applicant incapable of filing the application in a timely manner, the Chief County Assessment Officer may extend the filing deadline for a period of 30 days after the applicant regains the capability to file the application, but in no case may the filing deadline be extended beyond 3 months of the original filing deadline. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner, and the date on which the applicant regained the capability to file the application.

Beginning January 1, 1998, notwithstanding any other provision to the contrary, in counties having fewer than 3,000,000 inhabitants, if an applicant fails to file the application required by this Section in a timely manner and this failure to file is due to a mental or physical condition sufficiently severe so as to render the applicant incapable of filing the application in a timely manner, the Chief County Assessment Officer may extend the filing deadline for a period of 3 months. In order to receive the extension provided in this paragraph, the applicant shall provide the Chief County Assessment Officer with a signed statement from the applicant's physician stating the nature and extent of the condition, and that, in the physician's opinion, the condition was so severe that it rendered the applicant incapable of filing the application in a timely manner.

In counties having less than 3,000,000 inhabitants, if an applicant was denied an exemption in taxable year 1994 and the denial occurred due to an error on the part of an assessment official, or his or her agent or employee, then beginning in taxable year 1997 the applicant's base year, for purposes of determining the amount of the exemption, shall be 1993 rather than 1994. In addition, in taxable year 1997, the applicant's exemption shall also include an amount equal to (i) the amount of any exemption denied to the applicant in taxable year 1995 as a result of using 1994, rather than 1993, as the base year, (ii) the amount of any exemption denied to the applicant in taxable year 1996 as a result of using 1994, rather than 1993, as the base year, and (iii) the amount of the exemption erroneously denied for taxable year 1994.

For purposes of this Section, a person who will be 65 years of age during the current taxable year shall be eligible to apply for the homestead exemption during that taxable year. Application shall be made during the application period in effect for the county of his or her residence.

The Chief County Assessment Officer may determine the eligibility of a life care facility that qualifies as a cooperative to receive the benefits provided by this Section by use of an affidavit, application, visual inspection, questionnaire, or other reasonable method in order to insure that the tax savings resulting from



the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The Chief County Assessment Officer may request reasonable proof that the management firm has so credited that exemption.

Except as provided in this Section, all information received by the chief county assessment officer or the Department from applications filed under this Section, or from any investigation conducted under the provisions of this Section, shall be confidential, except for official purposes or pursuant to official procedures for collection of any State or local tax or enforcement of any civil or criminal penalty or sanction imposed by this Act or by any statute or ordinance imposing a State or local tax. Any person who divulges any such information in any manner, except in accordance with a proper judicial order, is guilty of a Class A misdemeanor.

Nothing contained in this Section shall prevent the Director or chief county assessment officer from publishing or making available reasonable statistics concerning the operation of the exemption contained in this Section in which the contents of claims are grouped into aggregates in such a way that information contained in any individual claim shall not be disclosed.

(d) Each Chief County Assessment Officer shall annually publish a notice of availability of the exemption provided under this Section. The notice shall be published at least 60 days but no more than 75 days prior to the date on which the application must be submitted to the Chief County Assessment Officer of the county in which the property is located. The notice shall appear in a newspaper of general circulation in the county.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 90-14, eff. 7-1-97; 90-204, eff. 7-25-97; 90-523, eff. 11-13-97; 90-524, eff. 1-1-98; 90-531, eff. 1-1-98; 90-655, eff. 7-30-98; 91-45, eff. 6-30-99; 91-56, eff. 6-30-99; 91-819, eff. 6-13-00.)

(35 ILCS 200/15-175)

Sec. 15-175. General homestead exemption. Except as provided in Section 15-176, homestead property is entitled to an annual homestead exemption limited, except as described here with relation to cooperatives, to a reduction in the equalized assessed value of homestead property equal to the increase in equalized assessed value for the current assessment year above the equalized assessed value of the property for 1977, up to the maximum reduction set forth below. If however, the 1977 equalized assessed value upon which taxes were paid is subsequently determined by local assessing officials, the Property Tax Appeal Board, or a court to have been excessive, the equalized assessed value which should have been placed on the property for 1977 shall be used to determine the amount of the exemption.

Except as provided in Section 15-176, the maximum reduction before taxable year 2004 shall be \$4,500 in counties with 3,000,000 or more inhabitants and \$3,500 in all other counties. Except as provided in Section 15-176, for taxable years 2004 and thereafter, the maximum reduction shall be \$5,000 in all counties. If a county has elected to subject itself to the provisions of Section 15-176 as provided in subsection (k) of that Section, then, for the first taxable year only after the provisions of Section 15-176 no longer apply, for owners (i) who have not been granted a senior citizens assessment freeze homestead exemption under Section 15-172 for the taxable year and (ii) whose qualified property has an assessed valuation that has increased by more than 20% over the previous assessed valuation of the property, there shall be an additional exemption of \$5,000 for owners with a household income of \$30,000 or less. For purposes of this paragraph, "household income" has the meaning set forth in this Section 15-175.

In counties with fewer than 3,000,000 inhabitants, if, based on the most recent assessment, the equalized assessed value of the homestead property for the current assessment year is greater than the equalized assessed value of the property for 1977, the owner of the property shall automatically receive the exemption granted under this Section in an amount equal to the increase over the 1977 assessment up to the maximum reduction set forth in this Section.

If in any assessment year beginning with the 2000 assessment year, homestead property has a pro-rata valuation under Section 9-180 resulting in an increase in the assessed valuation, a reduction in equalized assessed valuation equal to the increase in equalized assessed value of the property for the year of the pro-rata valuation above the equalized assessed value of the property for 1977 shall be applied to the property on a proportionate basis for the period the property qualified as homestead property during the assessment year. The maximum proportionate homestead exemption shall not exceed the maximum homestead exemption allowed in the county under this Section divided by 365 and multiplied by the number of days the property qualified as homestead property.

"Homestead property" under this Section includes residential property that is occupied by its owner or owners as his or their principal dwelling place, or that is a leasehold interest on which a single family

residence is situated, which is occupied as a residence by a person who has an ownership interest therein, legal or equitable or as a lessee, and on which the person is liable for the payment of property taxes. For land improved with an apartment building owned and operated as a cooperative or a building which is a life care facility as defined in Section 15-170 and considered to be a cooperative under Section 15-170, the maximum reduction from the equalized assessed value shall be limited to the increase in the value above the equalized assessed value of the property for 1977, up to the maximum reduction set forth above, multiplied by the number of apartments or units occupied by a person or persons who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For purposes of this Section, the term "life care facility" has the meaning stated in Section 15-170.

"Household", as used in this Section, means the owner, the spouse of the owner, and all persons using the residence of the owner as their principal place of residence.

"Household income", as used in this Section, means the combined income of the members of a household for the calendar year preceding the taxable year.

"Income", as used in this Section, has the same meaning as provided in Section 3.07 of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, except that "income" does not include veteran's benefits.

In a cooperative where a homestead exemption has been granted, the cooperative association or its management firm shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor.

Where married persons maintain and reside in separate residences qualifying as homestead property, each residence shall receive 50% of the total reduction in equalized assessed valuation provided by this Section.

In all counties with more than 3,000,000 inhabitants, the assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption and the amount of the exemption by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department, provided that the taxpayer applying for an additional general exemption under this Section shall submit to the chief county assessment officer an application with an affidavit of the applicant's total household income, age, marital status (and, if married, the name and address of the applicant's spouse, if known), and principal dwelling place of members of the household on January 1 of the taxable year. The Department shall issue guidelines establishing a method for verifying the accuracy of the affidavits filed by applicants under this paragraph. The applications shall be clearly marked as applications for the Additional General Homestead Exemption.

In counties with fewer than 3,000,000 inhabitants, in the event of a sale of homestead property the homestead exemption shall remain in effect for the remainder of the assessment year of the sale. The assessor or chief county assessment officer may require the new owner of the property to apply for the homestead exemption for the following assessment year.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 90-368, eff. 1-1-98; 90-552, eff. 12-12-97; 90-655, eff. 7-30-98; 91-346, eff. 7-29-99.)

(35 ILCS 200/15-176 new)

Sec. 15-176. Alternative general homestead exemption.

(a) For the assessment years as determined under subsection (j), in any county that has elected, by an ordinance in accordance with subsection (k), to be subject to the provisions of this Section in lieu of the provisions of Section 15-175, homestead property is entitled to an annual homestead exemption equal to a reduction in the property's equalized assessed value calculated as provided in this Section.

(b) As used in this Section:

(1) "Assessor" means the supervisor of assessments or the chief county assessment officer of each county.

(2) "Adjusted homestead value" means the lesser of the following values:

(A) The property's base homestead value increased by 7% for each tax year after the base year through and including the current tax year, or, if the property is sold or ownership is otherwise transferred, the property's base homestead value increased by 7% for each tax year after the year of the sale or transfer through and including the current tax year. The increase by 7% each year is an increase by 7% over the prior year.

(B) The property's equalized assessed value for the current tax year minus (i) \$4,500 in Cook

County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter.

(3) "Base homestead value".

(A) Except as provided in subdivision ((b)(3)(B), "base homestead value" means the equalized assessed value of the property for the base year prior to exemptions, minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter, provided that it was assessed for that year as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property for that year. Except as provided in subdivision (b)(3)(B), if the property did not have a residential equalized assessed value for the base year, then "base homestead value" means the base homestead value established by the assessor under subsection (c).

(B) If the property is sold or ownership is otherwise transferred, other than sales or transfers between spouses or between a parent and a child, "base homestead value" means the equalized assessed value of the property at the time of the sale or transfer prior to exemptions, minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter, provided that it was assessed as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property.

(3.5) "Base year" means (i) tax year 2002 in Cook County or (ii) tax year 2002 or 2003 in all other counties in accordance with the designation made by the county as provided in subsection (k).

(4) "Current tax year" means the tax year for which the exemption under this Section is being applied.

(5) "Equalized assessed value" means the property's assessed value as equalized by the Department.

(6) "Homestead" or "homestead property" means:

(A) Residential property that as of January 1 of the tax year is occupied by its owner or owners as his, her, or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, that is occupied as a residence by a person who has a legal or equitable interest therein evidenced by a written instrument, as an owner or as a lessee, and on which the person is liable for the payment of property taxes. Residential units in an apartment building owned and operated as a cooperative, or as a life care facility, which are occupied by persons who hold a legal or equitable interest in the cooperative apartment building or life care facility as owners or lessees, and who are liable by contract for the payment of property taxes, shall be included within this definition of homestead property.

(B) A homestead includes the dwelling place, appurtenant structures, and so much of the surrounding land constituting the parcel on which the dwelling place is situated as is used for residential purposes. If the assessor has established a specific legal description for a portion of property constituting the homestead, then the homestead shall be limited to the property within that description.

(7) "Life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act.

(c) If the property did not have a residential equalized assessed value for the base year as provided in subdivision (b)(3)(A) of this Section, then the assessor shall first determine an initial value for the property by comparison with assessed values for the base year of other properties having physical and economic characteristics similar to those of the subject property, so that the initial value is uniform in relation to assessed values of those other properties for the base year. The product of the initial value multiplied by the equalized factor for the base year for homestead properties in that county, less (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter, is the base homestead value.

For any tax year for which the assessor determines or adjusts an initial value and hence a base homestead value under this subsection (c), the initial value shall be subject to review by the same procedures applicable to assessed values established under this Code for that tax year.

(d) The base homestead value shall remain constant, except that the assessor may revise it under the following circumstances:

(1) If the equalized assessed value of a homestead property for the current tax year is less than the previous base homestead value for that property, then the current equalized assessed value (provided it is not based on a reduced assessed value resulting from a temporary irregularity in the property) shall become the base homestead value in subsequent tax years.

(2) For any year in which new buildings, structures, or other improvements are constructed on the homestead property that would increase its assessed value, the assessor shall adjust the base homestead

value as provided in subsection (c) of this Section with due regard to the value added by the new improvements.

(3) If the property is sold or ownership is otherwise transferred, the base homestead value of the property shall be adjusted as provided in subdivision (b)(3)(B). This item (3) does not apply to sales or transfers between spouses or between a parent and a child.

(e) The amount of the exemption under this Section is the equalized assessed value of the homestead property for the current tax year, minus the adjusted homestead value, with the following exceptions:

(1) The exemption under this Section shall not exceed \$20,000 for any taxable year.

(2) In the case of homestead property that also qualifies for the exemption under Section 15-172, the property is entitled to the exemption under this Section, limited to the amount of (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter.

(f) In the case of an apartment building owned and operated as a cooperative, or as a life care facility, that contains residential units that qualify as homestead property under this Section, the maximum cumulative exemption amount attributed to the entire building or facility shall not exceed the sum of the exemptions calculated for each qualified residential unit. The cooperative association, management firm, or other person or entity that manages or controls the cooperative apartment building or life care facility shall credit the exemption attributable to each residential unit only to the apportioned tax liability of the owner or other person responsible for payment of taxes as to that unit. Any person who willfully refuses to so credit the exemption is guilty of a Class B misdemeanor.

(g) When married persons maintain separate residences, the exemption provided under this Section shall be claimed by only one such person and for only one residence.

(h) In the event of a sale or other transfer in ownership of the homestead property, the exemption under this Section shall remain in effect for the remainder of the tax year in which the sale or transfer occurs, but (other than for sales or transfers between spouses or between a parent and a child) shall be calculated using the new base homestead value as provided in subdivision (b)(3)(B). The assessor may require the new owner of the property to apply for the exemption in the following year.

(i) The assessor may determine whether property qualifies as a homestead under this Section by application, visual inspection, questionnaire, or other reasonable methods. Each year, at the time the assessment books are certified to the county clerk by the board of review, the assessor shall furnish to the county clerk a list of the properties qualified for the homestead exemption under this Section. The list shall note the base homestead value of each property to be used in the calculation of the exemption for the current tax year.

(j) In counties with 3,000,000 or more inhabitants, the provisions of this Section apply as follows:

(1) If the general assessment year for the property is 2003, this Section applies for assessment years 2003, 2004, and 2005. Thereafter, the provisions of Section 15-175 apply.

(2) If the general assessment year for the property is 2004, this Section applies for assessment years 2004, 2005, and 2006. Thereafter, the provisions of Section 15-175 apply.

(3) If the general assessment year for the property is 2005, this Section applies for assessment years 2005, 2006, and 2007. Thereafter, the provisions of Section 15-175 apply.

In counties with less than 3,000,000 inhabitants, this Section applies for assessment years (i) 2003, 2004, and 2005 if 2002 is the designated base year or (ii) 2004, 2005, and 2006 if 2003 is the designated base year. Thereafter, the provisions of Section 15-175 apply.

(k) To be subject to the provisions of this Section in lieu of Section 15-175, a county must adopt an ordinance to subject itself to the provisions of this Section within 6 months after the effective date of this amendatory Act of the 93rd General Assembly. In a county other than Cook County, the ordinance must designate either tax year 2002 or tax year 2003 as the base year.

(l) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(35 ILCS 200/15-180)

Sec. 15-180. Homestead improvements. Homestead properties that have been improved and residential structures on homestead property that have been rebuilt following a catastrophic event are entitled to a homestead improvement exemption, limited to \$30,000 per year through December 31, 1997, and \$45,000 beginning January 1, 1998 and through December 31, 2003, and \$75,000 per year for that homestead property beginning January 1, 2004 and thereafter, in fair cash value, when that property is owned and used exclusively for a residential purpose and upon demonstration that a proposed increase in assessed value is attributable solely to a new improvement of an existing structure or the rebuilding of a residential structure following a catastrophic event. To be eligible for an exemption under this Section after a catastrophic

event, the residential structure must be rebuilt within 2 years after the catastrophic event. The exemption for rebuilt structures under this Section applies to the increase in value of the rebuilt structure over the value of the structure before the catastrophic event. The amount of the exemption shall be limited to the fair cash value added by the new improvement or rebuilding and shall continue for 4 years from the date the improvement or rebuilding is completed and occupied, or until the next following general assessment of that property, whichever is later.

A proclamation of disaster by the President of the United States or Governor of the State of Illinois is not a prerequisite to the classification of an occurrence as a catastrophic event under this Section. A "catastrophic event" may include an occurrence of widespread or severe damage or loss of property resulting from any catastrophic cause including but not limited to fire, including arson (provided the fire was not caused by the willful action of an owner or resident of the property), flood, earthquake, wind, storm, explosion, or extended periods of severe inclement weather. In the case of a residential structure affected by flooding, the structure shall not be eligible for this homestead improvement exemption unless it is located within a local jurisdiction which is participating in the National Flood Insurance Program.

In counties of less than 3,000,000 inhabitants, in addition to the notice requirement under Section 12-30, a supervisor of assessments, county assessor, or township or multi-township assessor responsible for adding an assessable improvement to a residential property's assessment shall either notify a taxpayer whose assessment has been changed since the last preceding assessment that he or she may be eligible for the exemption provided under this Section or shall grant the exemption automatically.

Beginning January 1, 1999, in counties of 3,000,000 or more inhabitants, an application for a homestead improvement exemption for a residential structure that has been rebuilt following a catastrophic event must be submitted to the Chief County Assessment Officer with a valuation complaint and a copy of the building permit to rebuild the structure. The Chief County Assessment Officer may require additional documentation which must be provided by the applicant.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 89-595, eff. 1-1-97; 89-690, eff. 6-1-97; 90-14, eff. 7-1-97; 90-186, eff. 7-24-97; 90-655, eff. 7-30-98; 90-704, eff. 8-7-98.)

(35 ILCS 200/20-178)

Sec. 20-178. Certificate of error; refund; interest. When the county collector makes any refunds due on certificates of error issued under Sections 14-15 through 14-25 that have been either certified or adjudicated, the county collector shall pay the taxpayer interest on the amount of the refund at the rate of 0.5% per month.

No interest shall be due under this Section for any time prior to 60 days after the effective date of this amendatory Act of the 91st General Assembly. For certificates of error issued prior to the effective date of this amendatory Act of the 91st General Assembly, the county collector shall pay the taxpayer interest from 60 days after the effective date of this amendatory Act of the 91st General Assembly until the date the refund is paid. For certificates of error issued on or after the effective date of this amendatory Act of the 91st General Assembly, interest shall be paid from 60 days after the certificate of error is issued by the chief county assessment officer to the date the refund is made. To cover the cost of interest, the county collector shall proportionately reduce the distribution of taxes collected for each taxing district in which the property is situated.

This Section shall not apply to any certificate of error granting a homestead exemption under Section 15-170, 15-172, ~~or 15-175~~ or 15-176.

(Source: P.A. 91-393, eff. 7-30-99.)

Section 13. The Longtime Owner-Occupant Property Tax Relief Act is amended by changing Section 20 as follows:

(35 ILCS 250/20)

Sec. 20. Conditions of deferral or exemption.

(a) Any deferral or exemption of payment of an increase in real property taxes granted under this Act shall be limited to real property that meets both of the following conditions:

(1) The property is owned and occupied by a longtime owner-occupant.

(2) The property is the principal residence and domicile of the longtime owner-occupant.

The corporate authorities of a county, by ordinance or resolution, may impose additional criteria for qualifying for a deferral or exemption under this Act including, but not limited to, (i) requiring the owner-occupant to have owned and occupied the same dwelling place as principal residence and domicile for a period of more than 10 years, (ii) establishing age criteria for eligibility of an owner-occupant, and

(iii) establishing income criteria for eligibility of an owner-occupant. A deferral or exemption, or combination thereof, under an ordinance or resolution adopted pursuant to this Act, may not exceed \$20,000 in equalized assessed value per tax year.

(b) No penalties or interest shall accrue on the portion of any deferral granted under this Act.

(c) Except as provided in subsection (d) of Section 15, school districts and municipalities within a county to which this Act applies may determine whether financial need, age, or both, of the longtime owner-occupant shall be used to determine eligibility.

(Source: P.A. 90-648, eff. 7-24-98.)

Section 15. The County Economic Development Project Area Property Tax Allocation Act is amended by changing Section 6 as follows:

(55 ILCS 85/6) (from Ch. 34, par. 7006)

Sec. 6. Filing with county clerk; certification of initial equalized assessed value.

(a) The county shall file a certified copy of any ordinance authorizing property tax allocation financing for an economic development project area with the county clerk, and the county clerk shall immediately thereafter determine (1) the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code, which value shall be the "initial equalized assessed value" of each such piece of property, and (2) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code. Upon receiving written notice from the Department of its approval and certification of such economic development project area, the county clerk shall immediately certify such amount as the "total initial equalized assessed value" of the taxable property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within that taxing district for the purpose of computing the rate percent of tax to be extended upon taxable property within the taxing district, shall in every year that property tax allocation financing is in effect ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in such area. The rate percent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate percent of tax is extended to all other taxable property in the taxing district. The method of allocating taxes established under this Section shall terminate when the county adopts an ordinance dissolving the special tax allocation fund for the economic development project area. This Act shall not be construed as relieving property owners within an economic development project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 88-670, eff. 12-2-94.)

Section 20. The County Economic Development Project Area Tax Increment Allocation Act of 1991 is amended by changing Section 45 as follows:

(55 ILCS 90/45) (from Ch. 34, par. 8045)

Sec. 45. Filing with county clerk; certification of initial equalized assessed value.

(a) A county that has by ordinance approved an economic development plan, established an economic development project area, and adopted tax increment allocation financing for that area shall file certified copies of the ordinance or ordinances with the county clerk. Upon receiving the ordinance or ordinances, the county clerk shall immediately determine (i) the most recently ascertained equalized assessed value of each lot, block, tract, or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code (that value being the "initial equalized assessed value" of each such piece of property) and (ii) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within the economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~ and 15-176 of the Property Tax Code, and shall certify that amount as the "total initial equalized assessed value" of the taxable real

property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within the taxing district for the purpose of computing the rate per cent of tax to be extended upon taxable property within the taxing district shall, in every year that tax increment allocation financing is in effect, ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in the area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the county adopts an ordinance dissolving the special tax allocation fund for the economic development project area. This Act shall not be construed as relieving property owners within an economic development project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 87-1; 88-670, eff. 12-2-94.)

Section 25. The Illinois Municipal Code is amended by changing Sections 11-74.4-8, 11-74.4-9, and 11-74.6-40 as follows:

(65 ILCS 5/11-74.4-8) (from Ch. 24, par. 11-74.4-8)

Sec. 11-74.4-8. Tax increment allocation financing. A municipality may not adopt tax increment financing in a redevelopment project area after the effective date of this amendatory Act of 1997 that will encompass an area that is currently included in an enterprise zone created under the Illinois Enterprise Zone Act unless that municipality, pursuant to Section 5.4 of the Illinois Enterprise Zone Act, amends the enterprise zone designating ordinance to limit the eligibility for tax abatements as provided in Section 5.4.1 of the Illinois Enterprise Zone Act. A municipality, at the time a redevelopment project area is designated, may adopt tax increment allocation financing by passing an ordinance providing that the ad valorem taxes, if any, arising from the levies upon taxable real property in such redevelopment project area by taxing districts and tax rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 each year after the effective date of the ordinance until redevelopment project costs and all municipal obligations financing redevelopment project costs incurred under this Division have been paid shall be divided as follows:

(a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the redevelopment project area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(b) Except from a tax levied by a township to retire bonds issued to satisfy court-ordered damages, that portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the project area shall be allocated to and when collected shall be paid to the municipal treasurer who shall deposit said taxes into a special fund called the special tax allocation fund of the municipality for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof. In any county with a population of 3,000,000 or more that has adopted a procedure for collecting taxes that provides for one or more of the installments of the taxes to be billed and collected on an estimated basis, the municipal treasurer shall be paid for deposit in the special tax allocation fund of the municipality, from the taxes collected from estimated bills issued for property in the redevelopment project area, the difference between the amount actually collected from each taxable lot, block, tract, or parcel of real property within the redevelopment project area and an amount determined by multiplying the rate at which taxes were last extended against the taxable lot, block, track, or parcel of real property in the manner provided in subsection (c) of Section 11-74.4-9 by the initial equalized assessed value of the property divided by the number of installments in which real estate taxes are billed and collected within the county; provided that the payments on or before December 31, 1999 to a municipal treasurer shall be made only if each of the following conditions are met:

(1) The total equalized assessed value of the redevelopment project area as last determined was not less than 175% of the total initial equalized assessed value.

(2) Not more than 50% of the total equalized assessed value of the redevelopment

project area as last determined is attributable to a piece of property assigned a single real estate index number.

(3) The municipal clerk has certified to the county clerk that the municipality has issued its obligations to which there has been pledged the incremental property taxes of the redevelopment project area or taxes levied and collected on any or all property in the municipality or the full faith and credit of the municipality to pay or secure payment for all or a portion of the redevelopment project costs. The certification shall be filed annually no later than September 1 for the estimated taxes to be distributed in the following year; however, for the year 1992 the certification shall be made at any time on or before March 31, 1992.

(4) The municipality has not requested that the total initial equalized assessed value of real property be adjusted as provided in subsection (b) of Section 11-74.4-9.

The conditions of paragraphs (1) through (4) do not apply after December 31, 1999 to payments to a municipal treasurer made by a county with 3,000,000 or more inhabitants that has adopted an estimated billing procedure for collecting taxes. If a county that has adopted the estimated billing procedure makes an erroneous overpayment of tax revenue to the municipal treasurer, then the county may seek a refund of that overpayment. The county shall send the municipal treasurer a notice of liability for the overpayment on or before the mailing date of the next real estate tax bill within the county. The refund shall be limited to the amount of the overpayment.

It is the intent of this Division that after the effective date of this amendatory Act of 1988 a municipality's own ad valorem tax arising from levies on taxable real property be included in the determination of incremental revenue in the manner provided in paragraph (c) of Section 11-74.4-9. If the municipality does not extend such a tax, it shall annually deposit in the municipality's Special Tax Increment Fund an amount equal to 10% of the total contributions to the fund from all other taxing districts in that year. The annual 10% deposit required by this paragraph shall be limited to the actual amount of municipally produced incremental tax revenues available to the municipality from taxpayers located in the redevelopment project area in that year if: (a) the plan for the area restricts the use of the property primarily to industrial purposes, (b) the municipality establishing the redevelopment project area is a home-rule community with a 1990 population of between 25,000 and 50,000, (c) the municipality is wholly located within a county with a 1990 population of over 750,000 and (d) the redevelopment project area was established by the municipality prior to June 1, 1990. This payment shall be in lieu of a contribution of ad valorem taxes on real property. If no such payment is made, any redevelopment project area of the municipality shall be dissolved.

If a municipality has adopted tax increment allocation financing by ordinance and the County Clerk thereafter certifies the "total initial equalized assessed value as adjusted" of the taxable real property within such redevelopment project area in the manner provided in paragraph (b) of Section 11-74.4-9, each year after the date of the certification of the total initial equalized assessed value as adjusted until redevelopment project costs and all municipal obligations financing redevelopment project costs have been paid the ad valorem taxes, if any, arising from the levies upon the taxable real property in such redevelopment project area by taxing districts and tax rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 shall be divided as follows:

(1) That portion of the taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or "current equalized assessed value as adjusted" or the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property existing at the time tax increment financing was adopted, minus the total current homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code in the redevelopment project area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(2) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the redevelopment project area, over and above the initial equalized assessed value of each property existing at the time tax increment financing was adopted, minus the total current homestead exemptions pertaining to each piece of property provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code in the redevelopment project area, shall be allocated to and when collected shall be paid to the municipal Treasurer, who shall deposit said taxes into a special fund called the special tax allocation fund of the municipality for the purpose of paying redevelopment project costs and obligations incurred in the payment thereof.



The municipality may pledge in the ordinance the funds in and to be deposited in the special tax allocation fund for the payment of such costs and obligations. No part of the current equalized assessed valuation of each property in the redevelopment project area attributable to any increase above the total initial equalized assessed value, or the total initial equalized assessed value as adjusted, of such properties shall be used in calculating the general State school aid formula, provided for in Section 18-8 of the School Code, until such time as all redevelopment project costs have been paid as provided for in this Section.

Whenever a municipality issues bonds for the purpose of financing redevelopment project costs, such municipality may provide by ordinance for the appointment of a trustee, which may be any trust company within the State, and for the establishment of such funds or accounts to be maintained by such trustee as the municipality shall deem necessary to provide for the security and payment of the bonds. If such municipality provides for the appointment of a trustee, such trustee shall be considered the assignee of any payments assigned by the municipality pursuant to such ordinance and this Section. Any amounts paid to such trustee as assignee shall be deposited in the funds or accounts established pursuant to such trust agreement, and shall be held by such trustee in trust for the benefit of the holders of the bonds, and such holders shall have a lien on and a security interest in such funds or accounts so long as the bonds remain outstanding and unpaid. Upon retirement of the bonds, the trustee shall pay over any excess amounts held to the municipality for deposit in the special tax allocation fund.

When such redevelopment projects costs, including without limitation all municipal obligations financing redevelopment project costs incurred under this Division, have been paid, all surplus funds then remaining in the special tax allocation fund shall be distributed by being paid by the municipal treasurer to the Department of Revenue, the municipality and the county collector; first to the Department of Revenue and the municipality in direct proportion to the tax incremental revenue received from the State and the municipality, but not to exceed the total incremental revenue received from the State or the municipality less any annual surplus distribution of incremental revenue previously made; with any remaining funds to be paid to the County Collector who shall immediately thereafter pay said funds to the taxing districts in the redevelopment project area in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Upon the payment of all redevelopment project costs, the retirement of obligations, the distribution of any excess monies pursuant to this Section, and final closing of the books and records of the redevelopment project area, the municipality shall adopt an ordinance dissolving the special tax allocation fund for the redevelopment project area and terminating the designation of the redevelopment project area as a redevelopment project area. Title to real or personal property and public improvements acquired by or for the municipality as a result of the redevelopment project and plan shall vest in the municipality when acquired and shall continue to be held by the municipality after the redevelopment project area has been terminated. Municipalities shall notify affected taxing districts prior to November 1 if the redevelopment project area is to be terminated by December 31 of that same year. If a municipality extends estimated dates of completion of a redevelopment project and retirement of obligations to finance a redevelopment project, as allowed by this amendatory Act of 1993, that extension shall not extend the property tax increment allocation financing authorized by this Section. Thereafter the rates of the taxing districts shall be extended and taxes levied, collected and distributed in the manner applicable in the absence of the adoption of tax increment allocation financing.

Nothing in this Section shall be construed as relieving property in such redevelopment project areas from being assessed as provided in the Property Tax Code or as relieving owners of such property from paying a uniform rate of taxes, as required by Section 4 of Article 9 of the Illinois Constitution.

(Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03.)

(65 ILCS 5/11-74.4-9) (from Ch. 24, par. 11-74.4-9)

Sec. 11-74.4-9. Equalized assessed value of property.

(a) If a municipality by ordinance provides for tax increment allocation financing pursuant to Section 11-74.4-8, the county clerk immediately thereafter shall determine (1) the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within such redevelopment project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code, which value shall be the "initial equalized assessed value" of each such piece of property, and (2) the total equalized assessed value of all taxable real property within such redevelopment project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property

Tax Code, and shall certify such amount as the "total initial equalized assessed value" of the taxable real property within such project area.

(b) In reference to any municipality which has adopted tax increment financing after January 1, 1978, and in respect to which the county clerk has certified the "total initial equalized assessed value" of the property in the redevelopment area, the municipality may thereafter request the clerk in writing to adjust the initial equalized value of all taxable real property within the redevelopment project area by deducting therefrom the exemptions provided for by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code applicable to each lot, block, tract or parcel of real property within such redevelopment project area. The county clerk shall immediately after the written request to adjust the total initial equalized value is received determine the total homestead exemptions in the redevelopment project area provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code by adding together the homestead exemptions provided by said Sections on each lot, block, tract or parcel of real property within such redevelopment project area and then shall deduct the total of said exemptions from the total initial equalized assessed value. The county clerk shall then promptly certify such amount as the "total initial equalized assessed value as adjusted" of the taxable real property within such redevelopment project area.

(c) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in such area, then in respect to every taxing district containing a redevelopment project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within such district for the purpose of computing the rate per cent of tax to be extended upon taxable property within such district, shall in every year that tax increment allocation financing is in effect ascertain the amount of value of taxable property in a redevelopment project area by including in such amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in such area, except that after he has certified the "total initial equalized assessed value as adjusted" he shall in the year of said certification if tax rates have not been extended and in every year thereafter that tax increment allocation financing is in effect ascertain the amount of value of taxable property in a redevelopment project area by including in such amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value as adjusted" of all taxable real property in such area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the redevelopment project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the redevelopment project area. This Division shall not be construed as relieving property owners within a redevelopment project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 88-670, eff. 12-2-94.)

(65 ILCS 5/11-74.6-40)

Sec. 11-74.6-40. Equalized assessed value determination; property tax extension.

(a) If a municipality by ordinance provides for tax increment allocation financing under Section 11-74.6-35, the county clerk immediately thereafter:

(1) shall determine the initial equalized assessed value of each parcel of real property in the redevelopment project area, which is the most recently established equalized assessed value of each lot, block, tract or parcel of taxable real property within the redevelopment project area, minus the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code; and

(2) shall certify to the municipality the total initial equalized assessed value of all taxable real property within the redevelopment project area.

(b) Any municipality that has established a vacant industrial buildings conservation area may, by ordinance passed after the adoption of tax increment allocation financing, provide that the county clerk immediately thereafter shall again determine:

(1) the updated initial equalized assessed value of each lot, block, tract or parcel of real property, which is the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within the vacant industrial buildings conservation area; and

(2) the total updated initial equalized assessed value of all taxable real property within the redevelopment project area, which is the total of the updated initial equalized assessed value of all taxable real property within the vacant industrial buildings conservation area.

The county clerk shall certify to the municipality the total updated initial equalized assessed value of all taxable real property within the industrial buildings conservation area.

(c) After the county clerk has certified the total initial equalized assessed value or the total updated initial equalized assessed value of the taxable real property in the area, for each taxing district in which a redevelopment project area is situated, the county clerk or any other official required by law to determine the amount of the equalized assessed value of all taxable property within the district for the purpose of computing the percentage rate of tax to be extended upon taxable property within the district, shall in every year that tax increment allocation financing is in effect determine the total equalized assessed value of taxable property in a redevelopment project area by including in that amount the lower of the current equalized assessed value or the certified total initial equalized assessed value or, if the total of updated equalized assessed value has been certified, the total updated initial equalized assessed value of all taxable real property in the redevelopment project area. After he has certified the total initial equalized assessed value he shall in the year of that certification, if tax rates have not been extended, and in every subsequent year that tax increment allocation financing is in effect, determine the amount of equalized assessed value of taxable property in a redevelopment project area by including in that amount the lower of the current total equalized assessed value or the certified total initial equalized assessed value or, if the total of updated initial equalized assessed values have been certified, the total updated initial equalized assessed value of all taxable real property in the redevelopment project area.

(d) The percentage rate of tax determined shall be extended on the current equalized assessed value of all property in the redevelopment project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the redevelopment project area. This Law shall not be construed as relieving property owners within a redevelopment project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 88-537; 88-670, eff. 12-2-94.)

Section 30. The Economic Development Project Area Tax Increment Allocation Act of 1995 is amended by changing Section 45 as follows:

(65 ILCS 110/45)

Sec. 45. Filing with county clerk; certification of initial equalized assessed value.

(a) A municipality that has by ordinance approved an economic development plan, established an economic development project area, and adopted tax increment allocation financing for that area shall file certified copies of the ordinance or ordinances with the county clerk. Upon receiving the ordinance or ordinances, the county clerk shall immediately determine (i) the most recently ascertained equalized assessed value of each lot, block, tract, or parcel of real property within the economic development project area from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code (that value being the "initial equalized assessed value" of each such piece of property) and (ii) the total equalized assessed value of all taxable real property within the economic development project area by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within the economic development project area, from which shall be deducted the homestead exemptions provided by Sections 15-170, ~~and 15-175~~, and 15-176 of the Property Tax Code, and shall certify that amount as the "total initial equalized assessed value" of the taxable real property within the economic development project area.

(b) After the county clerk has certified the "total initial equalized assessed value" of the taxable real property in the economic development project area, then in respect to every taxing district containing an economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within the taxing district for the purpose of computing the rate per cent of tax to be extended upon taxable property within the taxing district shall, in every year that tax increment allocation financing is in effect, ascertain the amount of value of taxable property in an economic development project area by including in that amount the lower of the current equalized assessed value or the certified "total initial equalized assessed value" of all taxable real property in the area. The rate per cent of tax determined shall be extended to the current equalized assessed value of all property in the economic development project area in the same manner as the rate per cent of tax is extended to all other taxable property in the taxing district. The method of extending taxes established under this Section shall terminate when the municipality adopts an ordinance dissolving the special tax allocation fund for the economic development project area. This Act shall not be construed as relieving owners or lessees of property within an economic development project area from paying a uniform rate of taxes upon the current equalized assessed value of their taxable property as provided in the Property Tax Code.

(Source: P.A. 89-176, eff. 1-1-96.)

Section 35. The School Code is amended by changing Section 18-8.05 as follows:

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9, 18-10, and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is \$4,225. For the 1999-2000 school year, the Foundation Level of support is \$4,325. For the 2000-2001 school year, the Foundation Level of support is \$4,425.

(3) For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is \$4,560.

(4) For the 2003-2004 school year and each school year thereafter, the Foundation Level of support is \$4,810 or such greater amount as may be established by law by the General Assembly.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of \$218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon

certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code (i) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter and (ii) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. The county clerk of any county that is or was subject to the alternative general homestead exemption provisions of Section 15-176 of the Property Tax Code shall annually calculate and certify to the Department of

Revenue for each school district all homestead exemption amounts under Section 15-176 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of \$30,000 or less. It is the intent of this paragraph that if the general homestead exemption for a parcel of property is determined under Section 15-176 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than \$30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).

"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.



"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed \$14,000,000. Claims shall be prorated if they exceed \$14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for supplemental general State aid based upon the concentration level of children from low-income households within the school district. Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section. If the appropriation in any fiscal year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for

purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be \$800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be \$1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be \$1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be \$1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to \$1,243, \$1,600, and \$2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be \$1,273, \$1,640, and \$2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be \$355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be \$675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be \$1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be \$1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be \$1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be \$2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be \$355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be \$294.25 added to the product of \$2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the 2005-2006 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than \$261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

(d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(I) General State Aid for Newly Configured School Districts.

(1) For a new school district formed by combining property included totally within 2 or more previously existing school districts, for its first year of existence the general State aid and supplemental general State aid calculated under this Section shall be computed for the new district and for the previously existing districts for which property is totally included within the new district. If the computation on the basis of the previously existing districts is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the new district.

(2) For a school district which annexes all of the territory of one or more entire other school districts, for the first year during which the change of boundaries attributable to such annexation becomes effective for all purposes as determined under Section 7-9 or 7A-8, the general State aid and supplemental general State aid calculated under this Section shall be computed for the annexing district as constituted after the annexation and for the annexing and each annexed district as constituted prior to the annexation; and if the computation on the basis of the annexing and annexed districts as constituted prior to the annexation is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the annexing school district as constituted upon such annexation.

(3) For 2 or more school districts which annex all of the territory of one or more entire other school districts, and for 2 or more community unit districts which result upon the division (pursuant to petition under Section 11A-2) of one or more other unit school districts into 2 or more parts and which together include all of the parts into which such other unit school district or districts are so divided, for the first year during which the change of boundaries attributable to such annexation or division becomes effective for all purposes as determined under Section 7-9 or 11A-10, as the case may be, the general State aid and supplemental general State aid calculated under this Section shall be computed for each annexing or resulting district as constituted after the annexation or division and for each annexing and annexed district, or for each resulting and divided district, as constituted prior to the annexation or division; and if the aggregate of the general State aid and supplemental general State aid as so computed for the annexing or resulting districts as constituted after the annexation or division is less than the aggregate of the general State aid and supplemental general State aid as so computed for the annexing and annexed districts, or for the resulting and divided districts, as constituted prior to the annexation or division, then a supplementary payment equal to the difference shall be made and allocated between or among the annexing or resulting districts, as constituted upon such annexation or division, for the first 4 years of their existence. The total difference payment shall be allocated between or among the annexing or resulting districts in the same ratio as the pupil enrollment from that portion of the annexed or divided district or districts which is annexed to or included in each such annexing or resulting district bears to the total pupil enrollment from the entire annexed or divided district or districts, as such pupil enrollment is determined for the school year last ending prior to the date when the change of boundaries attributable to the annexation or division becomes

effective for all purposes. The amount of the total difference payment and the amount thereof to be allocated to the annexing or resulting districts shall be computed by the State Board of Education on the basis of pupil enrollment and other data which shall be certified to the State Board of Education, on forms which it shall provide for that purpose, by the regional superintendent of schools for each educational service region in which the annexing and annexed districts, or resulting and divided districts are located.

(3.5) Claims for financial assistance under this subsection (I) shall not be recomputed except as expressly provided under this Section.

(4) Any supplementary payment made under this subsection (I) shall be treated as separate from all other payments made pursuant to this Section.

(J) Supplementary Grants in Aid.

(1) Notwithstanding any other provisions of this Section, the amount of the aggregate general State aid in combination with supplemental general State aid under this Section for which each school district is eligible shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-98 school year, pursuant to the provisions of that Section as it was then in effect. If a school district qualifies to receive a supplementary payment made under this subsection (J), the amount of the aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A laboratory school may not have more than 1,000 students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article

34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636, eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

Section 40. The Criminal Code of 1961 is amended by changing Section 17A-1 as follows:

(720 ILCS 5/17A-1) (from Ch. 38, par. 17A-1)

Sec. 17A-1. Persons under deportation order; ineligible for benefits. An individual against whom a United States Immigration Judge has issued an order of deportation which has been affirmed by the Board

of Immigration Review, as well as an individual who appeals such an order pending appeal, under paragraph 19 of Section 241(a) of the Immigration and Nationality Act relating to persecution of others on account of race, religion, national origin or political opinion under the direction of or in association with the Nazi government of Germany or its allies, shall be ineligible for the following benefits authorized by State law:

(a) The homestead ~~exemptions~~ ~~exemption~~ and homestead improvement exemption under Sections 15-170, 15-175, 15-176, and 15-180 of the Property Tax Code.

(b) Grants under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

(c) The double income tax exemption conferred upon persons 65 years of age or older by Section 204 of the Illinois Income Tax Act.

(d) Grants provided by the Department on Aging.

(e) Reductions in vehicle registration fees under Section 3-806.3 of the Illinois Vehicle Code.

(f) Free fishing and reduced fishing license fees under Sections 20-5 and 20-40 of the Fish and Aquatic Life Code.

(g) Tuition free courses for senior citizens under the Senior Citizen Courses Act.

(h) Any benefits under the Illinois Public Aid Code.

(Source: P.A. 87-895; 88-670, eff. 12-2-94.)

Section 90. The State Mandates Act is amended by adding Section 8.28 as follows:

(30 ILCS 805/8.28 new)

Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by the Senior Citizens Assessment Freeze Homestead Exemption under Section 15-172 of the Property Tax Code, the General Homestead Exemption under Section 15-175 of the Property Tax Code, the alternative General Homestead Exemption under Section 15-176 of the Property Tax Code, the Homestead Improvements Exemption under Section 15-180 of the Property Tax Code, and by this amendatory Act of the 93rd General Assembly.

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

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2122 and 2140.

SENATE BILL 2145. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2145 on page 3, by replacing lines 5 through 13 with the following:

"(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 2158. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2158 as follows:

on page 1, by replacing line 5 with the following:

"changing Sections 11-74.4-3 and 11-74.4-4 as follows:"; and

on page 42, immediately below line 1, by inserting the following:

"(65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)

Sec. 11-74.4-4. Municipal powers and duties; redevelopment project areas. A municipality may:

(a) The changes made by this amendatory Act of the 91st General Assembly do not apply to a municipality that, (i) before the effective date of this amendatory Act of the 91st General Assembly, has adopted an ordinance or resolution fixing a time and place for a public hearing under Section 11-74.4-5 or (ii) before July 1, 1999, has adopted an ordinance or resolution providing for a feasibility study under Section 11-74.4-4.1, but has not yet adopted an ordinance approving redevelopment plans and redevelopment projects or designating redevelopment project areas under this Section, until after that municipality adopts an ordinance approving redevelopment plans and redevelopment projects or designating redevelopment project areas under this Section; thereafter the changes made by this amendatory Act of the 91st General Assembly apply to the same extent that they apply to redevelopment plans and redevelopment projects that were approved and redevelopment projects that were designated before the effective date of this amendatory Act of the 91st General Assembly.

By ordinance introduced in the governing body of the municipality within 14 to 90 days from the completion of the hearing specified in Section 11-74.4-5 approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to notice and hearing required by this Act. No redevelopment project area shall be designated unless a plan and project are approved prior to the designation of such area and such area shall include only those contiguous parcels of real property and improvements thereon substantially benefited by the proposed redevelopment project improvements. Upon adoption of the ordinances, the municipality shall forthwith transmit to the county clerk of the county or counties within which the redevelopment project area is located a certified copy of the ordinances, a legal description of the redevelopment project area, a map of the redevelopment project area, identification of the year that the county clerk shall use for determining the total initial equalized assessed value of the redevelopment project area consistent with subsection (a) of Section 11-74.4-9, and a list of the parcel or tax identification number of each parcel of property included in the redevelopment project area.

(b) Make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plan and project. Contract provisions concerning loan repayment obligations in contracts ~~Contracts~~ entered into on or after the effective date of this amendatory Act of the 93rd General Assembly shall terminate no later than the last to occur of the estimated dates of completion of the redevelopment project and retirement of the obligations issued to finance redevelopment project costs as required by item (3) of subsection (n) of Section 11-74.4-3. Payments received under contracts entered into by the municipality prior to the effective date of this amendatory Act of the 93rd General Assembly that are received after the redevelopment project area has been terminated by municipal ordinance shall be deposited into a special fund of the municipality to be used for other community redevelopment needs within the redevelopment project area.

(c) Within a redevelopment project area, acquire by purchase, donation, lease or eminent domain; own, convey, lease, mortgage or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project. No conveyance, lease, mortgage, disposition of land or other property owned by a municipality, or agreement relating to the development of such municipal property shall be made except upon the adoption of an ordinance by the corporate authorities of the municipality. Furthermore, no conveyance, lease, mortgage, or other disposition of land owned by a municipality or agreement relating to the development of such municipal property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. The procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids.

(d) Within a redevelopment project area, clear any area by demolition or removal of any existing buildings and structures.

(e) Within a redevelopment project area, renovate or rehabilitate or construct any structure or building, as permitted under this Act.

(f) Install, repair, construct, reconstruct or relocate streets, utilities and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan.

(g) Within a redevelopment project area, fix, charge and collect fees, rents and charges for the use of any building or property owned or leased by it or any part thereof, or facility therein.

(h) Accept grants, guarantees and donations of property, labor, or other things of value from a public or



private source for use within a project redevelopment area.

(i) Acquire and construct public facilities within a redevelopment project area, as permitted under this Act.

(j) Incur project redevelopment costs and reimburse developers who incur redevelopment project costs authorized by a redevelopment agreement; provided, however, that on and after the effective date of this amendatory Act of the 91st General Assembly, no municipality shall incur redevelopment project costs (except for planning costs and any other eligible costs authorized by municipal ordinance or resolution that are subsequently included in the redevelopment plan for the area and are incurred by the municipality after the ordinance or resolution is adopted) that are not consistent with the program for accomplishing the objectives of the redevelopment plan as included in that plan and approved by the municipality until the municipality has amended the redevelopment plan as provided elsewhere in this Act.

(k) Create a commission of not less than 5 or more than 15 persons to be appointed by the mayor or president of the municipality with the consent of the majority of the governing board of the municipality. Members of a commission appointed after the effective date of this amendatory Act of 1987 shall be appointed for initial terms of 1, 2, 3, 4 and 5 years, respectively, in such numbers as to provide that the terms of not more than 1/3 of all such members shall expire in any one year. Their successors shall be appointed for a term of 5 years. The commission, subject to approval of the corporate authorities may exercise the powers enumerated in this Section. The commission shall also have the power to hold the public hearings required by this division and make recommendations to the corporate authorities concerning the adoption of redevelopment plans, redevelopment projects and designation of redevelopment project areas.

(l) Make payment in lieu of taxes or a portion thereof to taxing districts. If payments in lieu of taxes or a portion thereof are made to taxing districts, those payments shall be made to all districts within a project redevelopment area on a basis which is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment project area.

(m) Exercise any and all other powers necessary to effectuate the purposes of this Act.

(n) If any member of the corporate authority, a member of a commission established pursuant to Section 11-74.4-4(k) of this Act, or an employee or consultant of the municipality involved in the planning and preparation of a redevelopment plan, or project for a redevelopment project area or proposed redevelopment project area, as defined in Sections 11-74.4-3(i) through (k) of this Act, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates and terms and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the corporate authorities and entered upon the minute books of the corporate authorities. If an individual holds such an interest then that individual shall refrain from any further official involvement in regard to such redevelopment plan, project or area, from voting on any matter pertaining to such redevelopment plan, project or area, or communicating with other members concerning corporate authorities, commission or employees concerning any matter pertaining to said redevelopment plan, project or area. Furthermore, no such member or employee shall acquire of any interest direct, or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan, project or area or (b) first public notice of such plan, project or area pursuant to Section 11-74.4-6 of this Division, whichever occurs first. For the purposes of this subsection, a property interest acquired in a single parcel of property by a member of the corporate authority, which property is used exclusively as the member's primary residence, shall not be deemed to constitute an interest in any property included in a redevelopment area or proposed redevelopment area that was established before December 31, 1989, but the member must disclose the acquisition to the municipal clerk under the provisions of this subsection. For the purposes of this subsection, a month-to-month leasehold interest in a single parcel of property by a member of the corporate authority shall not be deemed to constitute an interest in any property included in any redevelopment area or proposed redevelopment area, but the member must disclose the interest to the municipal clerk under the provisions of this subsection.

(o) Create a Tax Increment Economic Development Advisory Committee to be appointed by the Mayor or President of the municipality with the consent of the majority of the governing board of the municipality, the members of which Committee shall be appointed for initial terms of 1, 2, 3, 4 and 5 years respectively, in such numbers as to provide that the terms of not more than 1/3 of all such members shall expire in any one year. Their successors shall be appointed for a term of 5 years. The Committee shall have none of the powers enumerated in this Section. The Committee shall serve in an advisory capacity only. The Committee may advise the governing Board of the municipality and other municipal officials regarding

development issues and opportunities within the redevelopment project area or the area within the State Sales Tax Boundary. The Committee may also promote and publicize development opportunities in the redevelopment project area or the area within the State Sales Tax Boundary.

(p) Municipalities may jointly undertake and perform redevelopment plans and projects and utilize the provisions of the Act wherever they have contiguous redevelopment project areas or they determine to adopt tax increment financing with respect to a redevelopment project area which includes contiguous real property within the boundaries of the municipalities, and in doing so, they may, by agreement between municipalities, issue obligations, separately or jointly, and expend revenues received under the Act for eligible expenses anywhere within contiguous redevelopment project areas or as otherwise permitted in the Act.

(q) Utilize revenues, other than State sales tax increment revenues, received under this Act from one redevelopment project area for eligible costs in another redevelopment project area that is either contiguous to, or is separated only by a public right of way from, the redevelopment project area from which the revenues are received. Utilize tax increment revenues for eligible costs that are received from a redevelopment project area created under the Industrial Jobs Recovery Law that is either contiguous to, or is separated only by a public right of way from, the redevelopment project area created under this Act which initially receives these revenues. Utilize revenues, other than State sales tax increment revenues, by transferring or loaning such revenues to a redevelopment project area created under the Industrial Jobs Recovery Law that is either contiguous to, or separated only by a public right of way from the redevelopment project area that initially produced and received those revenues; and, if the redevelopment project area (i) was established before the effective date of this amendatory Act of the 91st General Assembly and (ii) is located within a municipality with a population of more than 100,000, utilize revenues or proceeds of obligations authorized by Section 11-74.4-7 of this Act, other than use or occupation tax revenues, to pay for any redevelopment project costs as defined by subsection (q) of Section 11-74.4-3 to the extent that the redevelopment project costs involve public property that is either contiguous to, or separated only by a public right of way from, a redevelopment project area whether or not redevelopment project costs or the source of payment for the costs are specifically set forth in the redevelopment plan for the redevelopment project area.

(r) If no redevelopment project has been initiated in a redevelopment project area within 7 years after the area was designated by ordinance under subsection (a), the municipality shall adopt an ordinance repealing the area's designation as a redevelopment project area; provided, however, that if an area received its designation more than 3 years before the effective date of this amendatory Act of 1994 and no redevelopment project has been initiated within 4 years after the effective date of this amendatory Act of 1994, the municipality shall adopt an ordinance repealing its designation as a redevelopment project area. Initiation of a redevelopment project shall be evidenced by either a signed redevelopment agreement or expenditures on eligible redevelopment project costs associated with a redevelopment project. (Source: P.A. 92-16, eff. 6-28-01; 93-298, eff. 7-23-03.)".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2166, 2196, 2201 and 2270.

SENATE BILL 2290. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and printed:

AMENDMENT NO.   1  . Amend Senate Bill 2290 by deleting line 32 on page 24 through line 3 on page 28.

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2360 and 2362.

SENATE BILL 2367. Having been printed, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Human Services, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2367 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-4 as follows:  
(305 ILCS 5/5-4) (from Ch. 23, par. 5-4)

Sec. 5-4. Amount and nature of medical assistance. The amount and nature of medical assistance shall be determined by the county departments ~~County Departments~~ in accordance with the standards, rules, and regulations of the Illinois Department of Public Aid, with due regard to the requirements and conditions in each case, including contributions available from legally responsible relatives. However, the amount and nature of such medical assistance shall not be affected by the payment of any grant under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act. The amount and nature of medical assistance shall not be affected by the receipt of donations or benefits from fundraisers in cases of serious illness, as long as neither the person nor members of the person's family have actual control over the donations or benefits or the disbursement of the donations or benefits.

In determining the income and assets available to the institutionalized spouse and to the community spouse, the Illinois Department of Public Aid shall follow the procedures established by federal law. The community spouse resource allowance shall be established and maintained at the maximum level permitted pursuant to Section 1924(f)(2) of the Social Security Act, as now or hereafter amended, or an amount set after a fair hearing, whichever is greater. The monthly maintenance allowance for the community spouse shall be established and maintained at the maximum level permitted pursuant to Section 1924(d)(3)(C) of the Social Security Act, as now or hereafter amended. Subject to the approval of the Secretary of the United States Department of Health and Human Services, the provisions of this Section shall be extended to persons who but for the provision of home or community-based services under Section 4.02 of the Illinois Act on the Aging, would require the level of care provided in an institution, as is provided for in federal law.

The Department of Human Services shall notify in writing each institutionalized spouse who is a recipient of medical assistance under this Article, and each such person's community spouse, of the changes in treatment of income and resources, including provisions for protecting income for a community spouse and permitting the transfer of resources to a community spouse, required by enactment of the federal Medicare Catastrophic Coverage Act of 1988 (Public Law 100-360). The notification shall be in language likely to be easily understood by those persons. The Department of Human Services also shall reassess the amount of medical assistance for which each such recipient is eligible as a result of the enactment of that federal Act, whether or not a recipient requests such a reassessment.

(Source: P.A. 90-655, eff. 7-30-98; 91-676, eff. 12-23-99.)

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

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was held on the order of Second Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2370, 2374 and 2386.

SENATE BILL 2411. Having been printed, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2411 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following

conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused railyards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and

structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village or incorporated town.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any



municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of \$500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the

time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

- (A) an itemized list of estimated redevelopment project costs;
- (B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;
- (C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;
- (D) the sources of funds to pay costs;
- (E) the nature and term of the obligations to be issued;
- (F) the most recent equalized assessed valuation of the redevelopment project area;
- (G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;
- (H) a commitment to fair employment practices and an affirmative action plan;
- (I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and
- (J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

- (1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.
- (2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.
- (3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

- (A) if the ordinance was adopted before January 15, 1981, or

- (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
- (C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
- (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
- (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
- (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
- (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or
- (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or
- (I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or
- (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or
- (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or
- (L) if the ordinance was adopted in September 1988 by Sauk Village, or
- (M) if the ordinance was adopted in October 1993 by Sauk Village, or
- (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
- (O) if the ordinance was adopted in March 1991 by the City of Centreville, or
- (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis,  
or
- (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
- (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
- (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
- (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or
- (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
- (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
- (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
- (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville,  
or
- (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
- (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
- (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
- (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or -
- (CC) if the ordinance was adopted on September 21, 1998 by the City of Waukegan.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were

authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita Tuition Charge of less than \$5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita Tuition Charge of less than \$5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita Tuition Charge of less than \$5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than \$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in

housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimburseable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of



the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624, eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium

of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a

municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on September 21, 1998 by the City of Waukegan and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624, eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03.)

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

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2424 and 2448.

SENATE BILL 2495. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2495 on page 3, line 11, by replacing "(18 U.S.C. 922(g)98)." with "(18 U.S.C. 922(g)(8) and (9))." on page 5, line 18, by replacing "(18 U.S.C. 922(g)(8)(9)." with "(18 U.S.C. 922(g)(8) and (9))."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2577 and 2630.

SENATE BILL 2635. Having been printed, was taken up and read by title a second time.  
The following amendments were offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2635 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 27-25, 27-40, 27-45, and 27-75 as follows:

(35 ILCS 200/27-25)

Sec. 27-25. Form of hearing notice. Taxes may be levied or imposed by the municipality or county in the special service area at a rate or amount of tax sufficient to produce revenues required to provide the special services. Prior to the first levy of taxes in the special service area, notice shall be given and a hearing shall be held under the provisions of Sections 27-30 and 27-35. For purposes of this Section the notice shall include:

(a) The time and place of hearing;

(b) The boundaries of the area by legal description and, where possible, by street location ~~where possible~~;

(c) The permanent tax index number of each parcel located within the area;

(d) The nature of the proposed special services to be provided within the special service area;

(e) ~~(e)~~ A notification that all interested persons, including all persons owning taxable real property located within the special service area, will be given an opportunity to be heard at the hearing regarding the tax levy and an opportunity to file objections to the amount of the tax levy if the tax is a tax upon property; and

(f) ~~(d)~~ The maximum rate of taxes to be extended within the special service area in any year and the ~~may include~~ a maximum number of years taxes will be levied if a maximum number of years is to be established.

After the first levy of taxes within the special service area, taxes may continue to be levied in subsequent years without the requirement of an additional public hearing if the tax rate does ~~, taxes may be extended against the special service area for the services specified without additional hearings. However, the taxes shall not exceed the rate specified in the notice for the original public hearing notice and if a maximum number of years is specified in the notice, the taxes are shall not be extended for a longer period than the number of years specified in the notice if a number of years is specified.~~ Tax rates may be increased and the period specified may be extended, if notice is given and new public hearings are held in accordance with Sections 27-30 and 27-35.

(Source: P.A. 82-640; 88-455.)

(35 ILCS 200/27-40)

Sec. 27-40. Boundaries of special service area. No lien shall be established against any real property in a special service area nor shall a special service area create a valid tax before a certified copy of an ordinance establishing or altering the boundaries of a special service area, containing a legal description of the territory of the area, the permanent tax index numbers of the parcels located within the territory of the area, an accurate map of the territory, a copy of the notice of the public hearing, and a description of the special services to be provided is filed for record in the office of the recorder in each county in which any part of the area is located. The ordinance must be recorded no later than 60 days after the date the ordinance was adopted. An ordinance establishing a special service area recorded beyond the 60 days is not valid. The requirement for recording within 60 days shall not apply to any establishment or alteration of the boundaries of a service area that occurred before September 23, 1991.

(Source: P.A. 90-218, eff. 7-25-97.)

(35 ILCS 200/27-45)

Sec. 27-45. Issuance of bonds. Bonds secured by the full faith and credit of the area included in the special service area may be issued for providing the special services. Bonds, when so issued, shall be

retired by the levy of taxes in addition to the taxes specified in Section 27-25 against all of the taxable real property included in the area as provided in the ordinance authorizing the issuance of the bonds or by the imposition of another tax within the special service area. The county clerk shall annually extend taxes against all of the taxable property situated in the county and contained in such special service area in amounts sufficient to pay maturing principal and interest of those bonds without limitation as to rate or amount and in addition to and in excess of any taxes that may now or hereafter be authorized to be levied by the municipality or county. Prior to the issuance of those bonds, notice shall be given and a hearing shall be held pursuant to the provisions of Sections 27-30 and 27-35. For purposes of this Section a notice shall include:

- (a) The time and place of hearing;
- (b) The boundaries of the area by legal description and, where possible, by street location ~~where possible~~;
- (c) The permanent tax index number of each parcel located within the area;
- (d) The nature of the special services to be provided within the proposed special service area;
- (e) If the special services are to be maintained other than by the municipality or the county after the life of the bonds, then a statement indicating who will be responsible for maintenance of the special services after the life of the bonds;

(f) ~~(e)~~ A notification that all interested persons, including all persons owning taxable property located within the special service area, will be given an opportunity to be heard at the hearing regarding the issuance of the bonds and an opportunity to file objections to the issuance of the bonds; and

(g) ~~(d)~~ The maximum amount of bonds proposed to be issued, the maximum period of time over which the bonds will be retired, and the maximum interest rate the bonds will bear.

The question of the creation of a special service area, the levy or imposition of a tax in the special service area and the issuance of bonds for providing special services may all be considered together at one hearing.

Any bonds issued shall not exceed the number of bonds, the interest rate and the period of extension set forth in the notice, unless an additional hearing is held. Bonds issued pursuant to this Article shall not be regarded as indebtedness of the municipality or county, as the case may be, for the purpose of any limitation imposed by any law.

(Source: P.A. 82-640; 88-455.)

(35 ILCS 200/27-75)

Sec. 27-75. Extension of tax levy. If a property tax is levied, the tax shall be extended by the county clerk in the special service area in the manner provided by Articles 1 through 26 of this Code based on equalized assessed values as established under Articles 1 through 26. The municipality or county shall file a certified copy of the ordinance creating the special service area, including an accurate map thereof, a copy of the public hearing notice, and a description of the special services to be provided, with the county clerk. The corporate authorities of the municipality or county may levy taxes in the special service area prior to the date the levy must be filed with the county clerk, for the same year in which the ordinance and map are filed with the county clerk. In addition, the corporate authorities shall file a certified copy of each ordinance levying taxes in the special service area on or before the last Tuesday of December of each year and shall file a certified copy of any ordinance authorizing the issuance of bonds and providing for a property tax levy in the area by December 31 of the year of the first levy.

In lieu of or in addition to an ad valorem property tax, a special tax may be levied and extended within the special service area on any other basis that provides a rational relationship between the amount of the tax levied against each lot, block, tract and parcel of land in the special service area and the special service benefit rendered. In that case, a special tax roll shall be prepared containing: (a) a description of the special services to be provided, (b) an explanation of the method of spreading the special tax, (c) ~~(b)~~ a list of lots, blocks, tracts and parcels of land in the special service area, and (d) ~~(c)~~ the amount assessed against each. The special tax roll shall be included in the ordinance establishing the special service area or in an amendment of the ordinance, and shall be filed with the county clerk for use in extending the tax. The lien and foreclosure remedies provided in Article 9 of the Illinois Municipal Code shall apply upon non-payment of the special tax.

As an alternative to an ad valorem tax based on the whole equalized assessed value of the property, the corporate authorities may provide for the ad valorem tax to be extended solely upon the equalized assessed value of the land in a special service area, without regard to improvements, if the equalized assessed value of the land in the special service area is at least 75% of the total of the whole equalized assessed value of property within the special service area at the time that it was established. If the corporate authorities

choose to provide for this method of taxation on the land value only, then each notice given in connection with the special service area must include a statement in substantially the following form: "The taxes to be extended shall be upon the equalized assessed value of the land in the proposed special service area, without regard to improvements."

(Source: P.A. 83-1245; 88-455.)

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

AMENDMENT NO. 2. Amend Senate Bill 2635 as follows:  
on page 1, line 20, after "service area", by inserting "and a statement as to whether the proposed special services are for new construction, maintenance, or other purposes"; and  
on page 3, line 23, after "service area", by inserting "and a statement as to whether the proposed special services are for new construction, maintenance, or other purposes".

There being no further amendments, the foregoing Amendments numbered 1 and 2 were adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 2654. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2654 on page 1, line 5, by replacing "5-6-4, and 5-8-4" with "and 5-6-4"; and  
by deleting lines 24 through 35 on page 24 and all of pages 25, 26, 27, and 28.

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2683 and 2690.

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 2731.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 2755.

SENATE BILL 2757. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2757 on page 2, line 16, after "Section 5.625", by inserting "and by changing Section 8h"; and  
on page 2, after line 19, by inserting the following:

"(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund. Notwithstanding any other State law to the contrary, the Director of the Governor's Office of Management and Budget may from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of 8% of the revenues to be deposited into the fund during that year or 25% of the beginning balance in the fund. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund for that fiscal year. This Section does not apply to any funds that are restricted

by federal law to a specific use or to any funds in the Motor Fuel Tax Fund, ~~or~~ the Hospital Provider Fund, or the Reviewing Court Alternative Dispute Resolution Fund. Notwithstanding any other provision of this Section, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed 5% of the revenues to be deposited into the fund during that year.

In determining the available balance in a fund, the Director of the Governor's Office of Management and Budget may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Director of the Governor's Office of Management and Budget.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04.); and

on page 3, by replacing lines 4 through 25 with the following:

"allowed for like services in the Supreme Court. All fees paid to or received by any such clerk shall be paid into the State treasury as required by Section 2 of "An Act in relation to the payment and disposition of moneys received by officers and employees of the State of Illinois by virtue of their office or employment", approved June 9, 1911, as amended, except that any filing fees designated by Supreme Court Rule for alternative dispute resolution programs in the reviewing courts as provided in the Reviewing Court Alternative Dispute Resolution Act shall, within one month after receipt, be remitted to the State Treasurer for deposit in the Reviewing Court Alternative Dispute Resolution Fund."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 2839.

SENATE BILL 2878. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2878 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Human Rights Act is amended by changing Section 10-101 and by adding Section 10-104 as follows:

(775 ILCS 5/10-101) (from Ch. 68, par. 10-101)

Sec. 10-101. Applicability. With the exception of Section 10-104, this Article shall apply solely to civil actions arising under Article 3 of this Act.

(Source: P.A. 86-910.)

(775 ILCS 5/10-104 new)

Sec. 10-104. Circuit Court Actions by the Illinois Attorney General.

(A) Standing, Venue, and Limitations on Actions.

(1) Whenever the Illinois Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern and practice of discrimination prohibited by this Act, the Illinois Attorney General may commence a civil action in the name of the People of the State of Illinois as parens patriae on behalf of persons within this State to enforce the provisions of this Act in any appropriate circuit court. Venue for the civil action shall be determined under Section 8-111(B)(6). The action shall be commenced no later than 2 years after the occurrence or the termination of an alleged civil rights violation or the breach of a conciliation agreement entered into under this Act, whichever occurs last, to obtain relief with respect to the alleged civil rights violation or breach.

(2) The Illinois Attorney General may commence a civil action under this subsection (A) whether or not a charge has been filed under Sections 7A-102 or 7B-102 and without regard to the status of any such charge; however, if the Department or local agency has obtained a conciliation or settlement agreement with the consent of an aggrieved party, no action may be filed under this subsection (A) by that aggrieved party with respect to the alleged civil rights violation practice which forms the basis for the complaint, except for the purpose of enforcing the terms of that conciliation or settlement agreement.



(B) Relief Which May Be Granted.

(1) In any civil action brought pursuant to subsection (A) of this Section, the Attorney General may obtain as a remedy equitable relief (including any permanent or preliminary injunction, temporary restraining order, or other order, including an order enjoining the defendant from engaging in the civil rights violation or ordering such action as may be appropriate) and actual and punitive damages for the aggrieved party to the extent the aggrieved party is entitled to those damages under this Act. In addition, the Attorney General may request and the court may impose a civil penalty to vindicate the public interest:

(a) in an amount not exceeding \$10,000 if the defendant has not been adjudged to have committed any prior civil rights violations under the provision of the Act which is the basis of the complaint;

(b) in an amount not exceeding \$25,000 if the defendant has been adjudged to have committed one other civil rights violation under the provision of the Act which is the basis of the complaint; or

(c) in an amount not exceeding \$50,000 if the defendant has been adjudged to have committed 2 or more civil rights violations under the provision of the Act which is the basis of the complaint.

Judgments obtained in actions brought by the Illinois Attorney General shall be binding on aggrieved parties unless those parties elect not to be bound by those judgments in accordance with subsection (C) of this Section.

(2) The court shall require that damages or other monetary relief awarded for injuries sustained by persons other than the State be paid to those persons to the extent they are identifiable and there is a practicable method for making the payment. The court shall direct that damages which cannot practicably be paid to injured individuals shall be paid to the State on such terms and conditions as in its discretion it determines will best serve the purposes of the Act.

(3) In any action in which monetary relief may be awarded for injuries sustained by a person other than the State, the court shall exclude from the amount of monetary relief awarded any amount of monetary relief: (a) which duplicates amounts that have been awarded for the same injury or (b) which is allocable to persons who have excluded their claims pursuant to this Section.

(4) A civil penalty imposed under paragraph (B)(1) or any damages directed by the court to be paid to the State under paragraph (B)(2) shall be deposited into the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund created under Section 7 of the Consumer Fraud and Deceptive Business Practices Act and shall be used as set forth in that Section.

(C) Notice and Election. In any action brought pursuant to this Section where the court deems it necessary, the Illinois Attorney General shall, at such times, in such manner, and with such content as the court may direct, cause notice to be given by publication or by other means determined by the court to accord notice to aggrieved parties who may be bound by the court's judgment in the Illinois Attorney General's action. Any aggrieved party who alleges that he or she has been subjected to the unlawful practices described in the Illinois Attorney General's complaint may elect to exclude his or her claim from adjudication in such time and in such manner as the court in the notice directs.

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

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2900 and 2918.

SENATE BILL 2940. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2940 on page 2, lines 2 and 3, by deleting "waist circumference"; and on page 3, line 25, by deleting "waist circumference"; and on page 6, line 22, after "Code", by inserting "The data shall be de-identified and aggregated pursuant to rules promulgated by the Department to prevent disclosure of personal identifying information".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2946, 3014, 3091, 3107, 3109, 3166 and 3174.

SENATE BILL 3200. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Personnel & Pensions, adopted and printed:

AMENDMENT NO.   1  . Amend Senate Bill 3200 by replacing the title with the following:  
"AN ACT in relation to public employee benefits."; and  
by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 14-103.05 as follows:  
(40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)

Sec. 14-103.05. Employee.

(a) Any person employed by a Department who receives salary for personal services rendered to the Department on a warrant issued pursuant to a payroll voucher certified by a Department and drawn by the State Comptroller upon the State Treasurer, including an elected official described in subparagraph (d) of Section 14-104, shall become an employee for purpose of membership in the Retirement System on the first day of such employment.

A person entering service on or after January 1, 1972 and prior to January 1, 1984 shall become a member as a condition of employment and shall begin making contributions as of the first day of employment.

A person entering service on or after January 1, 1984 shall, upon completion of 6 months of continuous service which is not interrupted by a break of more than 2 months, become a member as a condition of employment. Contributions shall begin the first of the month after completion of the qualifying period.

The qualifying period of 6 months of service is not applicable to: (1) a person who has been granted credit for service in a position covered by the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, the General Assembly Retirement System, or the Judges Retirement System of Illinois unless that service has been forfeited under the laws of those systems; (2) a person entering service on or after July 1, 1991 in a noncovered position; or (3) a person to whom Section 14-108.2a or 14-108.2b applies.

(b) The term "employee" does not include the following:

(1) members of the State Legislature, and persons electing to become members of the General Assembly Retirement System pursuant to Section 2-105;

(2) incumbents of offices normally filled by vote of the people;

(3) except as otherwise provided in this Section, any person appointed by the Governor with the advice and consent of the Senate unless that person elects to participate in this system;

(3.1) any person serving as a commissioner of an ethics commission created under the State Officials and Employees Ethics Act unless that person elects to participate in this system with respect to that service as a commissioner;

(4) except as provided in Section 14-108.2 or 14-108.2c, any person who is covered or eligible to be covered by the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, or the Judges Retirement System of Illinois;

(5) an employee of a municipality or any other political subdivision of the State;

(6) any person who becomes an employee after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and whose wages or fringe benefits are paid in whole or in part by funds provided under such Act;

(7) enrollees of the Illinois Young Adult Conservation Corps program, administered by the Department of Natural Resources, authorized grantee pursuant to Title VIII of the "Comprehensive Employment and Training Act of 1973", 29 USC 993, as now or hereafter amended;

(8) enrollees and temporary staff of programs administered by the Department of Natural Resources under the Youth Conservation Corps Act of 1970;

(9) any person who is a member of any professional licensing or disciplinary board

created under an Act administered by the Department of Professional Regulation or a successor agency or created or re-created after the effective date of this amendatory Act of 1997, and who receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 (P.A. 84-1472) is not intended to effect any change in the status of such persons;

(10) any person who is a member of the Illinois Health Care Cost Containment Council, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 is not intended to effect any change in the status of such persons; or

(11) any person who is a member of the Oil and Gas Board created by Section 1.2 of the Illinois Oil and Gas Act, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher.

(Source: P.A. 92-14, eff. 6-28-01.)

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

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

### RECALLS

By unanimous consent, on motion of Representative Aguilar, SENATE BILL 2548 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

By unanimous consent, on motion of Representative Saviano, SENATE BILL 2382 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

By unanimous consent, on motion of Representative Reitz, HOUSE BILL 4883 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### HOUSE BILL ON SECOND READING

HOUSE BILL 6078. Having been read by title a second time on March 31, 2004, and held on the order of Second Reading, the same was again taken up.

Representative Pankau offered the following amendment and moved its adoption.

AMENDMENT NO.   1  . Amend House Bill 6078 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-685 as follows:

(20 ILCS 605/605-685 new)

Sec. 605-685. Business park certification program.

(a) The Department may establish and maintain a program devoted to encouraging the rapid establishment of businesses and employers in business parks by developing standards for the development, location, and maintenance of business parks in the State and by certifying business parks that meet or exceed those standards.

(b) The Department may advertise the program to encourage business park certification and business development and location in certified business parks.

Section 99. Effective date. This Act takes effect on January 1, 2005."

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

### HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were printed and laid upon the Members' desks. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Pankau, HOUSE BILL 6078 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 2)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

### SENATE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Lindner, SENATE BILL 1576 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 3, Nays; 2, Answering Present.  
(ROLL CALL 3)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Delgado, SENATE BILL 2134 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 1, Nays; 0, Answering Present.  
(ROLL CALL 4)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Monique Davis, SENATE BILL 2135 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 5)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Brauer, SENATE BILL 2151 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 6)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Grunloh, SENATE BILL 2156 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
112, Yeas; 4, Nays; 2, Answering Present.

(ROLL CALL 7)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Franks, SENATE BILL 2164 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 8)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Gordon, SENATE BILL 2167 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 9)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Coulson, SENATE BILL 2171 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 10)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Froehlich, SENATE BILL 2273 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
94, Yeas; 24, Nays; 0, Answering Present.

(ROLL CALL 11)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Winters, SENATE BILL 2320 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Grunloh, SENATE BILL 2327 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 13)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Feigenholtz, SENATE BILL 2335 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 14)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Reitz, SENATE BILL 2372 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 15)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Miller, SENATE BILL 2378 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 16)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Howard, SENATE BILL 2381 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 17)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Slone, SENATE BILL 2429 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 105, Yeas; 13, Nays; 0, Answering Present.

(ROLL CALL 18)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Holbrook, SENATE BILL 2442 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 19)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Holbrook, SENATE BILL 2444 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 20)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Brauer, SENATE BILL 2453 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 21)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

### **RECALL**

By unanimous consent, on motion of Representative Mendoza, SENATE BILL 2270 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### **SENATE BILLS ON THIRD READING**

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Reitz, SENATE BILL 2457 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 22)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Pritchard, SENATE BILL 2460 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 109, Yeas; 9, Nays; 0, Answering Present.

(ROLL CALL 23)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Moffitt, SENATE BILL 2480 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 24)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Froehlich, SENATE BILL 2502 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 25)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative McCarthy, SENATE BILL 2526 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 26)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

#### **ACTION ON MOTIONS**

Representative Eileen Lyons asked and obtained unanimous consent to table Senate Bill 2227. The motion prevailed.

#### **SENATE BILLS ON THIRD READING**

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Nekritz, SENATE BILL 2530 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 27)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Fritchey, SENATE BILL 2545 was taken up and read by title a third time.

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



118, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 28)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative Parke, SENATE BILL 2491 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 29)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

On motion of Representative May, SENATE BILL 2551 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 97, Yeas; 16, Nays; 4, Answering Present.  
(ROLL CALL 30)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

#### **RECALL**

By unanimous consent, on motion of Representative Feigenholtz, SENATE BILL 2424 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

#### **ACTION ON MOTIONS**

Pursuant to the motion submitted previously, Representative Washington moved to reconsider the vote by which HOUSE BILL 5736 passed.

And on that motion, a vote was taken resulting as follows:

115, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 31)

The motion prevailed.

#### **RECALL**

By unanimous consent, on motion of Representative Washington, HOUSE BILL 5736 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

#### **RESOLUTION**

Having been reported out of the Committee on Rules earlier today, HOUSE RESOLUTION 840 was taken up for consideration.

Representative Pihos moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

#### **SUSPEND POSTING REQUIREMENTS**

[May 4, 2004]

74

Pursuant to the motion submitted previously, Representative Currie moved to suspend the posting requirements in Rule 25 in relation to House Bill 6556 and Senate Bills 86, 132, 2252, 2254, 2274, 2349, 2401, 2528, 2653, 2794, 2799, 2844, 2880, 2924, 2926 and 3207.

The motion prevailed.

At the hour of 4:33 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, May 5, 2004, at 9:00 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 QUORUM ROLL CALL FOR ATTENDANCE

May 04, 2004

0 YEAS

0 NAYS

118 PRESENT

P Acevedo	P Delgado	P Kurtz	P Phelps
P Aguilar	P Dugan	P Lang	P Pihos
P Bailey	P Dunkin	P Leitch	P Poe
P Bassi	P Dunn	P Lindner	P Pritchard
P Beaubien	P Eddy	P Lyons, Eileen	P Reitz
P Bellock	P Feigenholtz	P Lyons, Joseph	P Rita
P Berrios	P Flider	P Mathias	P Rose
P Biggins	P Flowers	P Mautino	P Ryg
P Black	P Franks	P May	P Sacia
P Boland	P Fritchey	P McAuliffe	P Saviano
P Bost	P Froehlich	P McCarthy	P Schmitz
P Bradley, John	P Giles	P McGuire	P Scully
P Bradley, Richard	P Gordon	P McKeon	P Slone
P Brady	P Graham	P Mendoza	P Smith
P Brauer	P Granberg	P Meyer	P Sommer
P Brosnahan	P Grunloh	P Miller	P Soto
P Burke	P Hamos	P Millner	P Stephens
P Capparelli	P Hannig	P Mitchell, Bill	P Sullivan
P Chapa LaVia	P Hassert	P Mitchell, Jerry	P Tenhouse
P Churchill	P Hoffman	P Moffitt	P Turner
P Collins	P Holbrook	P Molaro	P Verschoore
P Colvin	P Howard	P Morrow	P Wait
P Coulson	P Hultgren	P Mulligan	P Washington
P Cross	P Jakobsson	P Munson	P Watson
P Cultra	P Jefferson	P Myers	P Winters
P Currie	P Jones	P Nekritz	P Yarbrough
P Daniels	P Joyce	P Osmond	P Younge
P Davis, Monique	P Kelly	P Osterman	P Mr. Speaker
P Davis, Steve	P Kosel	P Pankau	
P Davis, William	P Krause	P Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 6078  
 ECONOMIC DEVELOPMENT-TECH  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 1576  
 MUNI CD-ZONING-TELECOMMUNICTNS  
 THIRD READING  
 PASSED

May 04, 2004

113 YEAS

3 NAYS

2 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	P Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	P Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	N McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	N Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	N Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2134  
 CRIM CD-TRESPASS-THEATRE  
 THIRD READING  
 PASSED

May 04, 2004

117 YEAS

1 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
N Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2135  
 SCH CD-REDUCE CLASS SIZE-GRANT  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2151  
MUNI CD-INCORPORATION  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence



STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2156  
HUNTING HERITAGE PROTECTION  
THIRD READING  
PASSED

May 04, 2004

112 YEAS

4 NAYS

2 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	P Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	N McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	N Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
P Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	N Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	N Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2164  
 BOAT SAFETY-ACCIDENT REPORTS  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2167  
 CRIM CD-BRIBERY DRIVING PRIVIL  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2171  
DHS-GREAT START  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2273  
 RECREATIONAL TRAILS-FUND USE  
 THIRD READING  
 PASSED

May 04, 2004

94 YEAS

24 NAYS

0 PRESENT

Y Acevedo	Y Delgado	N Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	N Pihos
N Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	N Lyons, Eileen	Y Reitz
Y Bellock	N Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	N Ryg
Y Black	Y Franks	N May	Y Sacia
Y Boland	N Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
N Bradley, Richard	Y Gordon	N McKeon	Y Slone
N Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
N Brosnahan	Y Grunloh	N Miller	Y Soto
Y Burke	N Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
N Coulson	Y Hultgren	N Mulligan	N Washington
Y Cross	N Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
N Currie	Y Jones	N Nekritz	Y Yarbrough
Y Daniels	Y Joyce	N Osmond	Y Younge
Y Davis, Monique	N Kelly	N Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	N Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2320  
RENEWABLE ENERGY-UNIVERSITIES  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2327  
 VEH CD-MULTI-AXLE VEH WEIGHTS  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2335  
 IDPH-COMMUNITY HLTH CNTR GRANT  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2372  
 AG PRODUCTION CD-READABILITY  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2378  
CHILD CARE-UNSAFE PRODUCTS  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2381  
 NURSING-SCHOLARSHIP APPROP  
 THIRD READING  
 PASSED

May 04, 2004

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	A Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2429  
 VEH CD-BUMPER HEIGHT  
 THIRD READING  
 PASSED

May 04, 2004

105 YEAS

13 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	N Dunkin	N Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	N Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
N Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
N Bost	Y Froehlich	N McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
N Brady	Y Graham	Y Mendoza	Y Smith
N Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	N Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	N Tenhouse
Y Churchill	Y Hoffman	N Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
N Cultra	Y Jefferson	N Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2442  
 MUNI CD-VACATE STREET ALLEY  
 THIRD READING  
 PASSED

May 04, 2004

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	A Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2444  
SCH CD-MILITARY DEPENDENTS  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2453  
 VEH CD-GOLD STAR PLATES-FEE  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2457  
 WILDLIFE CD-DOG TRACKING  
 THIRD READING  
 PASSED

May 04, 2004

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	A Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2460  
 NATIVE AMERICAN GAMING COMPACT  
 THIRD READING  
 PASSED

May 04, 2004

109 YEAS

9 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
N Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	N McKeon	Y Slone
Y Brady	N Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	N Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	N Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	N Younge
N Davis, Monique	N Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
N Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2480  
 HWY CD-CONSTRUCT CONTRACTS  
 THIRD READING  
 PASSED

May 04, 2004

117 YEAS

0 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
P Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2502  
 VEH CD-COURT APPEARANCE  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2526  
MILITARY-PUBLICATION OF RIGHTS  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2530  
 DPT AGING-SR SRVCS-BEQUESTS  
 THIRD READING  
 PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2545  
CONSUMER FRAUD-INSURANCE-SSN  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2491  
INSURANCE-TECH  
THIRD READING  
PASSED

May 04, 2004

118 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	Y Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2551  
MERCURY REDUCTION ACT  
THIRD READING  
PASSED

May 04, 2004

97 YEAS

16 NAYS

4 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	Y Lindner	Y Pritchard
Y Beaubien	N Eddy	Y Lyons, Eileen	N Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	A Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
N Black	Y Franks	Y May	Y Sacia
Y Boland	N Fritchey	Y McAuliffe	Y Saviano
N Bost	Y Froehlich	N McCarthy	Y Schmitz
N Bradley, John	Y Giles	Y McGuire	Y Scully
P Bradley, Richard	Y Gordon	Y McKeon	Y Slone
P Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	N Sommer
N Brosnahan	Y Grunloh	N Miller	Y Soto
Y Burke	Y Hamos	Y Millner	N Stephens
P Capparelli	Y Hannig	N Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	N Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	P Morrow	Y Wait
Y Coulson	Y Hultgren	Y Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	N Watson
N Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	N Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence



STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5736  
MUNICIPAL GOVERNMENT-TECH  
MOTION #1  
MOTION TO RECONSIDER VOTE  
PREVAILED

May 04, 2004

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Kurtz	Y Phelps
Y Aguilar	Y Dugan	Y Lang	Y Pihos
Y Bailey	Y Dunkin	Y Leitch	Y Poe
Y Bassi	Y Dunn	A Lindner	Y Pritchard
Y Beaubien	Y Eddy	Y Lyons, Eileen	Y Reitz
Y Bellock	Y Feigenholtz	Y Lyons, Joseph	Y Rita
Y Berrios	Y Flider	Y Mathias	A Rose
Y Biggins	Y Flowers	Y Mautino	Y Ryg
Y Black	Y Franks	Y May	Y Sacia
Y Boland	Y Fritchey	Y McAuliffe	Y Saviano
Y Bost	Y Froehlich	Y McCarthy	Y Schmitz
Y Bradley, John	Y Giles	Y McGuire	Y Scully
Y Bradley, Richard	Y Gordon	Y McKeon	Y Slone
Y Brady	Y Graham	Y Mendoza	Y Smith
Y Brauer	Y Granberg	Y Meyer	Y Sommer
Y Brosnahan	Y Grunloh	Y Miller	Y Soto
Y Burke	Y Hamos	Y Millner	Y Stephens
Y Capparelli	Y Hannig	Y Mitchell, Bill	Y Sullivan
Y Chapa LaVia	Y Hassert	Y Mitchell, Jerry	Y Tenhouse
Y Churchill	Y Hoffman	Y Moffitt	Y Turner
Y Collins	Y Holbrook	Y Molaro	Y Verschoore
Y Colvin	Y Howard	Y Morrow	Y Wait
Y Coulson	Y Hultgren	A Mulligan	Y Washington
Y Cross	Y Jakobsson	Y Munson	Y Watson
Y Cultra	Y Jefferson	Y Myers	Y Winters
Y Currie	Y Jones	Y Nekritz	Y Yarbrough
Y Daniels	Y Joyce	Y Osmond	Y Younge
Y Davis, Monique	Y Kelly	Y Osterman	Y Mr. Speaker
Y Davis, Steve	Y Kosel	Y Pankau	
Y Davis, William	Y Krause	Y Parke	

E - Denotes Excused Absence