

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FOURTH GENERAL ASSEMBLY**

**123RD LEGISLATIVE DAY**

**REGULAR & PERFUNCTORY SESSION**

**TUESDAY, APRIL 25, 2006**

**1:15 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
123rd Legislative Day**

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[April 25, 2006]

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The House met pursuant to adjournment.

Representative Turner in the chair.

Prayer by Doorkeeper of the House Lee A. Crawford, Pastor of the Cathedral of Praise Christian Center in Springfield, IL.

Representative Chavez 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:

102 present. (ROLL CALL 1)

By unanimous consent, Representatives Black, Richard Bradley, Chapa LaVia, Colvin, Coulson, Currie, Daniels, Dunn, Jones, Lindner, Lyons, Osmond, Patterson, Pihos, Rita and Yarbrough were excused from attendance.

### LETTER OF TRANSMITTAL

April 25, 2006

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

Dear Clerk Mahoney:

Please be advised that I am extending the Final Action Deadline to April 30, 2006, for the following Senate Bills:

**SENATE BILLS 630, 1216, 2049 and 2654.**

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

April 26, 2006

Mark Mahoney  
Clerk of the House  
402 Statehouse  
Springfield, IL 62706

Dear Clerk of the House:

On April 25, 2006, I voted in the negative on HJR 121, due to a malfunction of my voting switch. I then informed the Speaker on the record that my intent was to vote Yes on HJR 121.

I would like the record to reflect that I intended to vote YES on HJR 121.

Sincerely,  
s/Daniel P. Brady  
State Representative

### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Saviano will replace Representative Black in the Committee on Rules on April 24, 2006.

Representative Beaubien will replace Representative Black in the Committee on Rules on April 25, 2006.

### REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 24, 2006, reported the same back with the following recommendations:

#### LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 2 to SENATE BILL 279.  
Amendment No. 1 to HOUSE JOINT RESOLUTION 115.

#### LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Agriculture & Conservation: HOUSE RESOLUTION 1184.  
Elementary & Secondary Education: SENATE JOINT RESOLUTION 87.  
Higher Education: SENATE JOINT RESOLUTION 88.  
Human Services: HOUSE RESOLUTIONS 1181 and 1222; HOUSE AMENDMENT No. 3 to SENATE BILL 2328.  
International Trade & Commerce: HOUSE RESOLUTION 1179.  
Judiciary I - Civil Law: SENATE BILL 1216; Motion to Concur with SENATE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 4676.  
Judiciary II - Criminal Law: HOUSE RESOLUTIONS 1197, 1210 and 1223; SENATE BILL 630.  
Local Government: SENATE BILL 2654.  
Registration and Regulation: HOUSE RESOLUTION 1177.  
State Government Administration: HOUSE RESOLUTION 1194.

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 Saviano(R) (replacing Black) |
| Y Hannig,Gary(D)                 | A Hassert,Brent(R)             |
| Y Turner,Arthur(D)               |                                |

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

#### LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Elementary & Secondary Education: SENATE BILL 861.  
Local Government: SENATE BILL 2049.

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 Beaubien(R) (replacing Black) |
|----------------------------------|---------------------------------|

Y Hannig,Gary(D)  
Y Turner,Arthur(D)

A Hassert,Brent(R)

### **MOTIONS SUBMITTED**

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

#### **MOTION**

Pursuant to Rule 58(a), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 4180 and advance to the order of appropriate order of business.

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

#### **MOTION**

Pursuant to Rule 58(a), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 4163 and advance to the order of appropriate order of business.

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

#### **MOTION**

Pursuant to Rule 58(a), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 4211 and advance to the order of appropriate order of business.

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

#### **MOTION**

Pursuant to Rule 60(b), I move to table SENATE BILL 2884.

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

#### **MOTION**

Pursuant to Rule 58(a), I move to discharge the Committee on Rules from further consideration of House Amendment No. 2 to HOUSE BILL 1815 and advance to the order of Second Reading - Standard Debate.

### **FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for SENATE BILLS 304, as amended, and 2310.

### **BALANCED BUDGET NOTE SUPPLIED**

A Balanced Budget Note has been supplied for SENATE BILL 1625, as amended.

### **REQUEST FOR FISCAL NOTE**

Representative Black requested that a Fiscal Note be supplied for HOUSE BILL 1815, as amended.

### REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Black requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 1815, as amended.

### REQUEST FOR PENSION NOTE

Representative Black requested that a Pension Note be supplied for HOUSE BILL 1815, as amended.

### REQUEST FOR STATE DEBT IMPACT NOTE

Representative Black requested that a State Debt Impact Note be supplied for HOUSE BILL 1815, as amended.

### RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

#### HOUSE RESOLUTION 1230

Offered by Representative Granberg:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request the Department of Commerce and Economic Opportunity to conduct a feasibility study to implement a downstate golf trail to maximize economic development downstate; and be it further

RESOLVED, That a copy of this resolution be delivered to the Director of Commerce and Economic Opportunity.

#### HOUSE RESOLUTION 1233

Offered by Representative Bill Mitchell:

WHEREAS, Medical schedule reports from the Department of Healthcare and Family Services state that as of April 7, 2006 nearly \$1.5 billion dollars in unpaid Medicaid claims are pending; and

WHEREAS, Because Illinois is so far behind on paying Medicaid bills, doctors, pharmacies, hospitals, and other medical providers are faced with the decision to limit care provided to Medicaid-covered individuals or find ways to remain economically viable such as securing loans and exhausting lines of credit; and

WHEREAS, The amount of unpaid Medicaid bills at the end of FY 2006 is expected to continue to grow to a total of \$1.8 billion, representing the highest level of unpaid Medicaid bills ever pushed off by the State of Illinois into the next fiscal year; and

WHEREAS, The payment cycle for Medicaid providers is expected to grow to an average of 79 days by the end of FY 2006, and the cycle for non-expedited providers will be considerably higher considering that some providers are promised payments based on a 30-day payment cycle; and

WHEREAS, The FY 2006 budget under-funded pensions by \$1.2 billion compared to the funding schedule established by the 1995 Pension Funding Law; and

WHEREAS, Estimates indicate that the FY 2007 budget will under-fund pensions by another \$1.1 billion, bringing the two-year pension diversion to a total of \$2.3 billion; and

WHEREAS, Even though \$2.3 billion in funding has been diverted from the funding of pensions, the Medicaid payment cycle and bills on hand at the end of the fiscal year have increased for FY 2006 and in the proposed budget for FY 2007; and

WHEREAS, At the same time that Medicaid bills go unpaid and pensions go under-funded, recent budgets have contained funding for member initiatives and special add-on projects benefiting only a small portion of the State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that until sufficient funding is appropriated to bring the Medicaid payments cycle down to an average of 30 days and pensions are funded based on a funding schedule consistent with the guidelines of the original 1995 Pension Funding Law, future budgets should not contain appropriations for member initiatives or special add-on projects benefiting only a small portion of the State; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Governor of the State of Illinois.

#### HOUSE RESOLUTION 1235

Offered by Representative Feigenholtz:

WHEREAS, October 16th is National Feral Cat Day (NFCD), a day dedicated to educating communities about Trap-Neuter-Return (TNR), the only humane, effective, and cost-effective means of reducing stray and feral cat populations; and

WHEREAS, TNR stops the cycle of breeding, ends the killing of healthy animals, and reduces complaints about and costs associated with feral cats; and

WHEREAS, Scientific evidence and experience in the United States and other countries demonstrates that non-lethal TNR, accompanied by ongoing feral cat colony management, is the only way to reduce feral cat populations in the long-term; and

WHEREAS, Caring individuals and groups are effectively applying TNR to feral cat colonies all across Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we endorse non-lethal Trap-Neuter-Return (TNR), when accompanied by ongoing feral cat management, as the most effective, humane method of reducing feral cat populations in Illinois; and be it further

RESOLVED, That we recognize October 16, 2006, National Feral Cat Day, and we encourage all citizens to support Trap-Neuter-Return for feral cats throughout the State of Illinois.

#### HOUSE JOINT RESOLUTION 125

Offered by Representative Yarbrough:

WHEREAS, Section 603 of Jefferson's Manual of the Rules of the United States House of Representatives allows federal impeachment proceedings to be initiated by joint resolution of a state legislature; and

WHEREAS, President Bush has publicly admitted to ordering the National Security Agency to violate provisions of the 1978 Foreign Intelligence Surveillance Act, a felony, specifically authorizing the Agency to spy on American citizens without warrant; and

WHEREAS, Evidence suggests that President Bush authorized violation of the Torture Convention of the Geneva Conventions, a treaty regarded a supreme law by the United States Constitution; and

WHEREAS, The Bush Administration has held American citizens and citizens of other nations as prisoners of war without charge or trial; and

WHEREAS, Evidence suggests that the Bush Administration has manipulated intelligence for the purpose of initiating a war against the sovereign nation of Iraq, resulting in the deaths of large numbers of Iraqi civilians and causing the United States to incur loss of life, diminished security and billions of dollars in unnecessary expenses; and

WHEREAS, The Bush Administration leaked classified national secrets to further a political agenda, exposing an unknown number of covert U. S. intelligence agents to potential harm and retribution while simultaneously refusing to investigate the matter; and

WHEREAS, The Republican-controlled Congress has declined to fully investigate these charges to date; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the General Assembly of the State of Illinois has good cause to submit charges to the U. S. House of Representatives



under Section 603 that the President of the United States has willfully violated his Oath of Office to preserve, protect and defend the Constitution of the United States; and be it further

RESOLVED, That George W. Bush, if found guilty of the charges contained herein, should be removed from office and disqualified to hold any other office in the United States.

### **AGREED RESOLUTIONS**

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

#### **HOUSE RESOLUTION 1224**

Offered by Representative Currie:

Recognizes and commends Dr. Valluvan Jeevanandam, M.D., Professor of Surgery at the University of Chicago, for a life and career that has been devoted to helping people, many of whom were thought to be beyond help.

#### **HOUSE RESOLUTION 1225**

Offered by Representative Cultra:

Congratulates the village of Colfax on the occasion of its 125th anniversary.

#### **HOUSE RESOLUTION 1226**

Offered by Representative Ryg:

Mourns the death of John Brian Thatcher of Lakemoor.

#### **HOUSE RESOLUTION 1227**

Offered by Representative Verschoore:

Honors Janet Ruth (Akers) Bollheimer for her many years of service to the State as a devoted educator.

#### **HOUSE RESOLUTION 1228**

Offered by Representative Washington:

Congratulates Katherine Rothwell-Francis of Waukegan on the occasion of her retirement.

#### **HOUSE RESOLUTION 1229**

Offered by Representative Washington:

Congratulates Pastor Walstone Elisha Francis on the occasion of his 14th anniversary as pastor of Shiloh Baptist Church of Waukegan.

#### **HOUSE RESOLUTION 1231**

Offered by Representative Boland:

Honors the City of Silvis on its centennial.

#### **HOUSE RESOLUTION 1232**

Offered by Representative Granberg:

Congratulates the 2006 Mater Dei Catholic High School Hall of Honor recipients.

HOUSE RESOLUTION 1234

Offered by Representative Tryon:

Recognizes Dr. Santo L. Ruggero, M.D., for 40 years of service on the McHenry County Board of Health.

HOUSE RESOLUTION 1236

Offered by Representative Osterman:

Recognizes The Swedish American Museum Center for its many contributions to the Swedish American community.

**SUSPEND POSTING REQUIREMENTS**

Pursuant to Rule 25, Representative Hannig moved to suspend the posting requirements of Rule 21 in relation to SENATE BILLS 861, 2049 and 2654.

The motion prevailed.

**SENATE BILLS ON THIRD READING**

The following bills and any amendments adopted thereto were reproduced. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Mathias, SENATE BILL 94 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:

101, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 2)

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 Smith, SENATE BILL 623 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:

102, Yeas; 0, Nays; 0, 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 Black, SENATE BILL 624 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; 0, Nays; 5, 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 Moffitt, SENATE BILL 680 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:

101, Yeas; 0, Nays; 1, 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 Gordon, SENATE BILL 837 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:

102, 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 Younge, SENATE BILL 848 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; 8, Nays; 0, 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 Reitz, SENATE BILL 857 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:

60, Yeas; 42, 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 Mautino, SENATE BILL 916 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:

102, 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 Bellock, SENATE BILL 927 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:

101, 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 Howard, SENATE BILL 1001 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; 7, 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 Ramey, SENATE BILL 1088 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: 101, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

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 Phelps, SENATE BILL 1144 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: 101, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 13)

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 Collins, SENATE BILL 1145 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: 101, 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 Soto, SENATE BILL 2202 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: 101, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 15)

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 Colvin, SENATE BILL 2310 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: 101, 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.

### RECALLS

At the request of the principal sponsor, Representative Delgado, SENATE BILL 2328 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Giles, SENATE BILL 2796 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### SENATE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Granberg, SENATE BILL 3016 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:  
101, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 17)

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.

### HOUSE BILLS ON SECOND READING

HOUSE BILL 1815. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Jakobsson offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1815 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.663 and changing Section 8h as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The Pension Stabilization Fund.

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

(a) Except as provided in subsection (b), (c), (d), or (e), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, 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 (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. 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 estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, the Teacher Health Insurance Security Fund, the Reviewing Court Alternative Dispute Resolution Fund, ~~or~~ the Voters' Guide Fund, the Foreign Language Interpreter Fund, the Lawyers' Assistance Program Fund, the Supreme Court Federal Projects Fund, the Supreme Court Special State Projects Fund, ~~or~~ the Low-Level Radioactive Waste Facility Development and Operation Fund, or the Hospital Basic Services Preservation Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies. No transfers may be made under this Section from the Pet Population Control Fund. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Service Emergency Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor 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 Governor.

(b) This Section does not apply to: (i) the Ticket For The Cure Fund; ~~(ii) or to~~ any fund established under the Community Senior Services and Resources Act; or ~~(iii) (ii)~~ on or after January 1, 2006 (the effective date of Public Act 94-511) ~~this amendatory Act of the 94th General Assembly~~, the Child Labor and Day and Temporary Labor Enforcement Fund.

(c) This Section does not apply to the Demutualization Trust Fund established under the Uniform Disposition of Unclaimed Property Act.

~~(d) (e)~~ This Section does not apply to moneys set aside in the Illinois State Podiatric Disciplinary Fund for podiatric scholarships and residency programs under the Podiatric Scholarship and Residency Act.

(e) Subsection (a) does not apply to, and no transfer may be made under this Section from, the Pension Stabilization Fund.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff. 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

Section 10. The Budget Stabilization Act is amended by changing Sections 10 and 15 and adding Sections 20 and 25 as follows:

(30 ILCS 122/10)

Sec. 10. Budget limitations.

(a) In addition to Section 50-5 of the State Budget Law of the Civil Administrative Code of Illinois, the General Assembly's appropriations and transfers or diversions as required by law from general funds shall not exceed 99% ~~99.5%~~ of the estimated general funds revenues for the fiscal year when revenue estimates of the State's general funds revenues exceed the prior fiscal year's estimated general funds revenues by more than 4%.

(b) The General Assembly's appropriations and transfers or diversions as required by law from general funds shall not exceed 98% ~~99%~~ of the estimated general funds revenues for the fiscal year when revenue estimates of the State's general funds revenues exceed the prior fiscal year's estimated general funds revenues by more than 4% for 2 or more consecutive fiscal years.

(c) For the purpose of this Act, "estimated general funds revenues" include, for each budget year, all taxes, fees, and other revenues expected to be deposited into the State's general funds, including recurring transfers from other State funds into the general funds.

Year-over-year comparisons used to determine the percentage growth factor of estimated general funds revenues shall exclude the sum of the following: (i) expected revenues resulting from new taxes or fees or from tax or fee increases during the first year of the change, (ii) expected revenues resulting from one-time receipts or non-recurring transfers in, (iii) expected proceeds resulting from borrowing, and (iv) increases in federal grants that must be completely appropriated based on the terms of the grants.

(Source: P.A. 93-660, eff. 7-1-04.)

(30 ILCS 122/15)

Sec. 15. Transfers to Budget Stabilization Fund. In furtherance of the State's objective for the Budget Stabilization Fund to have resources representing 5% of the State's annual general funds revenues:

(a) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 99% ~~99.5%~~ of the estimated general funds revenues pursuant to subsection (a) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 0.5% ~~.5%~~ of the estimated general funds revenues to the Budget Stabilization Fund.

(b) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 98% ~~99%~~ of the estimated general funds revenues pursuant to subsection (b) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 1% of the estimated general funds revenues to the Budget Stabilization Fund.

(c) The Comptroller shall transfer 1/12 of the total amount to be transferred each fiscal year under this Section into the Budget Stabilization Fund on the first day of each month of that fiscal year or as soon thereafter as possible. The balance of the Budget Stabilization Fund shall not exceed 5% of the total of general funds revenues estimated for that fiscal year except as provided by subsection (d) of this Section.

(d) If the balance of the Budget Stabilization Fund exceeds 5% of the total general funds revenues estimated for that fiscal year, the additional transfers are not required unless there are outstanding liabilities under Section 25 of the State Finance Act from prior fiscal years. If there are such outstanding Section 25 liabilities, then the Comptroller shall continue to transfer 1/12 of the total amount identified for transfer to the Budget Stabilization Fund on the first day of each month of that fiscal year or as soon thereafter as possible to be reserved for those Section 25 liabilities. Nothing in this Act prohibits the General Assembly from appropriating additional moneys into the Budget Stabilization Fund.

(e) On or before August 31 of each fiscal year, the amount determined to be transferred to the Budget Stabilization Fund shall be reconciled to actual general funds revenues for that fiscal year. The final transfer for each fiscal year shall be adjusted so that the total amount transferred under this Section is equal to the percentage specified in subsection (a) or (b) of this Section ~~10 of this Act~~, as applicable, based on actual general funds revenues calculated consistently with subsection (c) of Section 10 of this Act for each fiscal year.

(f) For the fiscal year beginning July 1, 2006 and for each fiscal year thereafter, the budget proposal to the General Assembly shall identify liabilities incurred in a prior fiscal year under Section 25 of the State Finance Act and the budget proposal shall provide funding as allowable pursuant to subsection (d) of this Section, if applicable.

(Source: P.A. 93-660, eff. 7-1-04.)

(30 ILCS 122/20 new)

Sec. 20. Pension Stabilization Fund.

(a) The Pension Stabilization Fund is hereby created as a special fund in the State treasury. Moneys in the fund shall be used for the sole purpose of making payments to the designated retirement systems as provided in Section 25.

(b) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 99% of the estimated general funds revenues pursuant to subsection (a) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 0.5% of the estimated general funds revenues to the Pension Stabilization Fund.

(c) For each fiscal year when the General Assembly's appropriations and transfers or diversions as required by law from general funds do not exceed 98% of the estimated general funds revenues pursuant to subsection (b) of Section 10, the Comptroller shall transfer from the General Revenue Fund as provided by this Section a total amount equal to 1.0% of the estimated general funds revenues to the Pension Stabilization Fund.

(d) The Comptroller shall transfer 1/12 of the total amount to be transferred each fiscal year under this Section into the Pension Stabilization Fund on the first day of each month of that fiscal year or as soon thereafter as possible; except that the final transfer of the fiscal year shall be made as soon as practical after the August 31 following the end of the fiscal year.

Before the final transfer for a fiscal year is made, the Comptroller shall reconcile the estimated general funds revenues used in calculating the other transfers under this Section for that fiscal year with the actual general funds revenues for that fiscal year. The final transfer for the fiscal year shall be adjusted so that the total amount transferred under this Section for that fiscal year is equal to the percentage specified in subsection (b) or (c) of this Section, whichever is applicable, of the actual general funds revenues for that fiscal year. The actual general funds revenues for the fiscal year shall be calculated in a manner consistent with subsection (c) of Section 10 of this Act.

(30 ILCS 122/25 new)

Sec. 25. Transfers from the Pension Stabilization Fund.

(a) As used in this Section, "designated retirement systems" means:

- (1) the State Employees' Retirement System of Illinois;
- (2) the Teachers' Retirement System of the State of Illinois;
- (3) the State Universities Retirement System;
- (4) the Judges Retirement System of Illinois; and
- (5) the General Assembly Retirement System.

(b) As soon as may be practical after any money is deposited into the Pension Stabilization Fund, the State Comptroller shall apportion the deposited amount among the designated retirement systems and the State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems. The amount deposited shall be apportioned among the designated retirement systems in the same proportion as their respective portions of the total actuarial reserve deficiency of the designated retirement

systems, as most recently determined by the Governor's Office of Management and Budget. Amounts received by a designated retirement system under this Section shall be used for funding the unfunded liabilities of the retirement system. Payments under this Section are authorized by the continuing appropriation under Section 1.7 of the State Pension Funds Continuing Appropriation Act.

(c) At the request of the State Comptroller, the Governor's Office of Management and Budget shall determine the individual and total actuarial reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall consider the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Pension Division of the Department of Financial and Professional Regulation.

(d) Payments to the designated retirement systems under this Section shall be in addition to, and not in lieu of, any State contributions required under Section 2-124, 14-131, 15-155, 16-158, or 18-131 of the Illinois Pension Code.

Section 15. The Illinois Pension Code is amended by changing Sections 2-124, 14-131, 15-155, 16-158, and 18-131 as follows:

(40 ILCS 5/2-124) (from Ch. 108 1/2, par. 2-124)

Sec. 2-124. Contributions by State.

(a) The State shall make contributions to the System by appropriations of amounts which, together with the contributions of participants, interest earned on investments, and other income will meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

(b) The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the prescribed rate of interest, using the formula in subsection (c).

(c) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is \$4,157,000.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is \$5,220,300.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 2-134, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the



total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

(40 ILCS 5/14-131) (from Ch. 108 1/2, par. 14-131)

Sec. 14-131. Contributions by State.

(a) The State shall make contributions to the System by appropriations of amounts which, together with other employer contributions from trust, federal, and other funds, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

For the purposes of this Section and Section 14-135.08, references to State contributions refer only to employer contributions and do not include employee contributions that are picked up or otherwise paid by the State or a department on behalf of the employee.

(b) The Board shall determine the total amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board, using the formula in subsection (e).

The Board shall also determine a State contribution rate for each fiscal year, expressed as a percentage of payroll, based on the total required State contribution for that fiscal year (less the amount received by the System from appropriations under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act, if any, for the fiscal year ending on the June 30 immediately preceding the applicable November 15 certification deadline), the estimated payroll (including all forms of compensation) for personal services rendered by eligible employees, and the recommendations of the actuary.

For the purposes of this Section and Section 14.1 of the State Finance Act, the term "eligible employees" includes employees who participate in the System, persons who may elect to participate in the System but have not so elected, persons who are serving a qualifying period that is required for participation, and annuitants employed by a department as described in subdivision (a)(1) or (a)(2) of Section 14-111.

(c) Contributions shall be made by the several departments for each pay period by warrants drawn by the State Comptroller against their respective funds or appropriations based upon vouchers stating the amount to be so contributed. These amounts shall be based on the full rate certified by the Board under Section 14-135.08 for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the several departments shall not make contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The several departments shall resume those contributions at the commencement of fiscal year 2005.

(d) If an employee is paid from trust funds or federal funds, the department or other employer shall pay employer contributions from those funds to the System at the certified rate, unless the terms of the trust or the federal-State agreement preclude the use of the funds for that purpose, in which case the required employer contributions shall be paid by the State. From the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, the department or other employer shall not pay contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The department or other employer shall resume payment of contributions at the commencement of fiscal year 2005.

(e) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that (i) for State fiscal year

1998, for all purposes of this Code and any other law of this State, the certified percentage of the applicable employee payroll shall be 5.052% for employees earning eligible creditable service under Section 14-110 and 6.500% for all other employees, notwithstanding any contrary certification made under Section 14-135.08 before the effective date of this amendatory Act of 1997, and (ii) in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a): 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2006 is \$203,783,900.

Notwithstanding any other provision of this Article, the total required State contribution to the System for State fiscal year 2007 is \$344,164,400.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 14-135.08, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(f) After the submission of all payments for eligible employees from personal services line items in fiscal year 2004 have been made, the Comptroller shall provide to the System a certification of the sum of all fiscal year 2004 expenditures for personal services that would have been covered by payments to the System under this Section if the provisions of this amendatory Act of the 93rd General Assembly had not been enacted. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for fiscal year 2004 in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System in fiscal year 2004 through payments under this Section and under Section 6z-61 of the State Finance Act. If the amount due is more than the amount received, the difference shall be termed the "Fiscal Year 2004 Shortfall" for purposes of this Section, and the Fiscal Year 2004 Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Fiscal Year 2004 Overpayment" for purposes of this Section, and the Fiscal Year 2004 Overpayment shall be repaid by the System to the Pension Contribution Fund as soon as practicable after the certification.

(Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4, eff. 6-1-05.)

(40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)

Sec. 15-155. Employer contributions.

(a) The State of Illinois shall make contributions by appropriations of amounts which, together with the other employer contributions from trust, federal, and other funds, employee contributions, income from investments, and other income of this System, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (a-1).

(a-1) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is \$166,641,900.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is \$252,064,100.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 15-165, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b) If an employee is paid from trust or federal funds, the employer shall pay to the Board contributions from those funds which are sufficient to cover the accruing normal costs on behalf of the employee. However, universities having employees who are compensated out of local auxiliary funds, income funds, or service enterprise funds are not required to pay such contributions on behalf of those employees. The local auxiliary funds, income funds, and service enterprise funds of universities shall not be considered trust funds for the purpose of this Article, but funds of alumni associations, foundations, and athletic associations which are affiliated with the universities included as employers under this Article and other employers which do not receive State appropriations are considered to be trust funds for the purpose of this Article.

(b-1) The City of Urbana and the City of Champaign shall each make employer contributions to this System for their respective firefighter employees who participate in this System pursuant to subsection (h) of Section 15-107. The rate of contributions to be made by those municipalities shall be determined annually by the Board on the basis of the actuarial assumptions adopted by the Board and the recommendations of the actuary, and shall be expressed as a percentage of salary for each such employee. The Board shall certify the rate to the affected municipalities as soon as may be practical. The employer contributions required under this subsection shall be remitted by the municipality to the System at the same time and in the same manner as employee contributions.

(c) Through State fiscal year 1995: The total employer contribution shall be apportioned among the various funds of the State and other employers, whether trust, federal, or other funds, in accordance with actuarial procedures approved by the Board. State of Illinois contributions for employers receiving State appropriations for personal services shall be payable from appropriations made to the employers or to the System. The contributions for Class I community colleges covering earnings other than those paid from trust and federal funds, shall be payable solely from appropriations to the Illinois Community College Board or the System for employer contributions.

(d) Beginning in State fiscal year 1996, the required State contributions to the System shall be appropriated directly to the System and shall be payable through vouchers issued in accordance with subsection (c) of Section 15-165, except as provided in subsection (g).

(e) The State Comptroller shall draw warrants payable to the System upon proper certification by the System or by the employer in accordance with the appropriation laws and this Code.

(f) Normal costs under this Section means liability for pensions and other benefits which accrues to the System because of the credits earned for service rendered by the participants during the fiscal year and expenses of administering the System, but shall not include the principal of or any redemption premium or interest on any bonds issued by the Board or any expenses incurred or deposits required in connection therewith.

(g) If the amount of a participant's earnings for any academic year used to determine the final rate of earnings exceeds the amount of his or her earnings with the same employer for the previous academic year by more than 6%, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in earnings that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The employer contributions required under this subsection (g) shall be paid in the form of a lump sum within 30 days after receipt of the bill after the participant begins receiving benefits under this Article.

The provisions of this subsection (g) do not apply to earnings increases paid to participants under contracts or collective bargaining agreements entered into, amended, or renewed before the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

Sec. 16-158. Contributions by State and other employing units.

(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in

required State contributions made by this amendatory Act of the 94th General Assembly.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a-1). From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY 2003; and 13.56% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is \$534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is \$738,014,500.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not

received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, as determined by the System. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

- (1) Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.
- (2) Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the amount of his or her salary with the same employer for the previous school year by more than 6%, the

teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The employer contributions required under this subsection (f) shall be paid in the form of a lump sum within 30 days after receipt of the bill after the teacher begins receiving benefits under this Article.

The provisions of this subsection (f) do not apply to salary increases paid to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4, eff. 6-1-05.)

(40 ILCS 5/18-131) (from Ch. 108 1/2, par. 18-131)

Sec. 18-131. Financing; employer contributions.

(a) The State of Illinois shall make contributions to this System by appropriations of the amounts which, together with the contributions of participants, net earnings on investments, and other income, will meet the costs of maintaining and administering this System on a 90% funded basis in accordance with actuarial recommendations.

(b) The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the prescribed rate of interest, using the formula in subsection (c).

(c) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is \$29,189,400.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is \$35,236,800.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 18-140, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments

calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(Source: P.A. 93-2, eff. 4-7-03; 94-4, eff. 6-1-05.)

Section 20. The State Pension Funds Continuing Appropriation Act is amended by adding Section 1.7 as follows:

(40 ILCS 15/1.7 new)

Sec. 1.7. Appropriations from the Pension Stabilization Fund.

(a) All of the moneys deposited from time to time into the Pension Stabilization Fund are hereby appropriated, on a continuing basis, to the State Comptroller for the purpose of making distributions to the designated retirement systems as provided in Section 25 of the Budget Stabilization Act.

(b) The appropriations made under this Section are in addition to, and do not affect, the amounts subject to appropriation under any other Section of this Act.

Section 99. Effective date. This Act takes effect July 1, 2006."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 5475. Having been read by title a second time on February 28, 2006, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Revenue, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 5475 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)

(Text of Section before amendment by P.A. 94-702 and 94-711)

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 rail yards, 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, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(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; 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 thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and 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 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 November 11, 1986 by the City of Pekin, or  
(DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or  
(EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or  
(FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or  
(GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or  
(HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or  
(II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or  
(JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or  
(KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or  
(LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or  
(MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or  
(NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or  
(OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or  
(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or -  
~~(QQ)~~ ~~(OO)~~ if the ordinance was adopted on December 31, 1986 by the City of Oglesby or -  
~~(RR)~~ ~~(OO)~~ if the ordinance was adopted on July 28, 1987 by the City of Marion, or  
~~(SS)~~ ~~(PP)~~ if the ordinance was adopted on April 23, 1990 by the City of Marion or -  
~~(TT)~~ if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park.

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 reimbursable 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;

(7.7) 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 January 1, 2005 (the effective date of Public Act 93-961), a public library 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 shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that 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 (ii) the per-patron cost of providing library services so long as it does not exceed \$120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever 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. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

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 rail yards, 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, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance

that approved the township's redevelopment plan.

(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; 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 thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and 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 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 November 11, 1986 by the City of Pekin, or
- (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
- (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
- (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
- (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
- (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
- (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
- (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
- (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
- (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
- (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
- (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
- (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or

(PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or -  
~~(QQ) (OO)~~ if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or -  
~~(RR) (OO)~~ if the ordinance was adopted on July 28, 1987 by the City of Marion, or -  
~~(SS) (PP)~~ if the ordinance was adopted on April 23, 1990 by the City of Marion, or -  
~~(TT) (OO)~~ if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or -  
~~(UU) (OO)~~ if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or -  
(VV) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park.

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 reimbursable 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;

(7.7) 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 January 1, 2005 (the effective date of Public Act 93-961), a public library 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 shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that 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 (ii) the per-patron cost of providing library services so long as it does not exceed \$120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever 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. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

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

(Text of Section before amendment by P.A. 94-702 and 94-711)

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, 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-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, 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 Centerville, 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 November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or ~~(QQ) (OO)~~ if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or ~~(RR) (OO)~~ if the ordinance was adopted on July 28, 1987 by the City of Marion, or ~~(SS) (PP)~~ if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park, 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. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-704, eff. 12-5-05; revised 12-9-05.)

(Text of Section after amendment by P.A. 94-702 and 94-711)

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, 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-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, 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 November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) ~~(OO)~~ if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) ~~(OO)~~ if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) ~~(PP)~~ if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) ~~(OO)~~ if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or (UU) ~~(OO)~~ if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park, 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. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; revised 12-9-05.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

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 reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Saviano, HOUSE BILL 5475 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: 101, Yeas; 0, 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 and ask their concurrence.

### SENATE BILLS ON SECOND READING

Having been read by title a second time on April 19, 2006 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 185.

SENATE BILL 279. Having been read by title a second time on April 18, 2006, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Registration and Regulation, adopted and reproduced.

AMENDMENT NO. 1. Amend Senate Bill 279 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Dental Practice Act is amended by changing Sections 37 and 38.1 and by adding Section 38.2 as follows:

(225 ILCS 25/37) (from Ch. 111, par. 2337)

(Section scheduled to be repealed on January 1, 2016)

Sec. 37. Unlicensed practice; injunctions. The practice of dentistry by any person not holding a valid and current license under this Act is declared to be inimical to the public welfare, to constitute a public nuisance, and to cause irreparable harm to the public welfare.

A person is considered to practice dentistry who:

- (1) employs a dentist, dental hygienist, or other entity which can provide dental services under this Act;
- (2) directs or controls the use of any dental equipment or material while such equipment or material is being used for the provision of dental services, provided that this provision shall not be construed to prohibit a person from obtaining professional advice or assistance in obtaining or from leasing the equipment or material, provided the advice, assistance, or lease does not restrict or interfere with the custody, control, or use of the equipment or material by the person;
- (3) directs, controls or interferes with a dentist's or dental hygienist's clinical judgment; or
- (4) exercises direction or control, by written contract, license, or otherwise, over a dentist, dental hygienist, or other entity which can provide dental services under this Act in the selection of a course of treatment; limitation of patient referrals; content of patient records; policies and decisions relating to refunds (if the refund payment would be reportable under federal law to the National Practitioner Data Bank) and warranties and the clinical content of advertising; and final decisions relating to employment of dental assistants and dental hygienists. Nothing in this Act shall, however, be construed as prohibiting the seeking or giving of advice or assistance with respect to these matters.

The purpose of this Section is to prevent a non-dentist from influencing or otherwise interfering with the exercise of independent professional judgment by a dentist, dental hygienist, or other entity which can provide dental services under this Act. Nothing in this Section shall be construed to prohibit insurers and managed care plans from operating pursuant to the applicable provisions of the Illinois Insurance Code under which the entities are licensed.

The Director, the Attorney General, the State's attorney of any county in the State, or any person may maintain an action in the name of the People of the State of Illinois, and may apply for injunctive relief in any circuit court to enjoin such person from engaging in such practice; and upon the filing of a verified petition in such court, the court if satisfied by affidavit, or otherwise, that such person has been engaged in such practice without a valid and current license so to do, may enter a temporary restraining order without notice or bond, enjoining the defendant from such further practice. Only the showing of non-licensure, by affidavit or otherwise, is necessary in order for a temporary injunction to issue. A copy of the verified complaint shall be served upon the defendant and the proceedings shall thereafter be conducted as in other civil cases except as modified by this Section. If it is established that the defendant has been, or is engaged in such unlawful practice, the court may enter an order or judgment perpetually enjoining the defendant from further such practice. In all proceedings hereunder the court, in its discretion, may apportion the costs among the parties interested in the action, including cost of filing the complaint, service of process, witness fees and expenses, court reporter charges and reasonable attorneys' fees. In case of violation of any injunctive order entered under the provisions of this Section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to, and not in lieu of, all penalties and other remedies provided in this Act.

This Section does not apply to an executor, administrator, guardian, or authorized representative contracting with another dentist or dentists to continue the operations of a deceased or incapacitated dentist's practice under Section 38.2 of this Act.

(Source: P.A. 91-520, eff. 1-1-00.)

(225 ILCS 25/38.1)

(Section scheduled to be repealed on January 1, 2016)

Sec. 38.1. Prohibition against interference by non-dentists. The purpose of this Section is to ensure that each dentist or dental hygienist practicing in this State meets minimum requirements for safe practice without clinical interference by persons not licensed under this Act. It is the legislative intent that dental services be provided only in accordance with the provisions of this Act and not be delegated to unlicensed persons.

Unless otherwise authorized by this Act, a dentist or dental hygienist is prohibited from providing dental services in this State, if the dentist or dental hygienist:

(1) is employed by any person other than a dentist to provide dental services, except as set forth in Section 38.2 of this Act; or

(2) allows any person other than another dentist to direct, control, or interfere with the dentist's or dental hygienist's clinical judgment. Clinical judgment shall include but not be limited to such matters as the dentist's or dental hygienist's selection of a course of treatment, limitation of patient referrals, content of patient records, policies and decisions relating to refunds (if the refund payment would be reportable under federal law to the National Practitioner Data Bank) and warranties and the clinical content of advertising, and final decisions relating to employment of dental assistants and dental hygienists. This paragraph shall not be construed to limit a patient's right of informed consent. An executor, administrator, guardian, or authorized representative contracting with another dentist or dentists to continue the operations of a deceased or incapacitated dentist's practice under Section 38.2 of this Act who violates this paragraph (2) is subject to the civil penalties set forth in Section 8.5 of this Act.

(Source: P.A. 91-520, eff. 1-1-00.)

(225 ILCS 25/38.2 new)

(Section scheduled to be repealed on January 1, 2016)

Sec. 38.2. Death or incapacitation of dentist.

(a) The executor or administrator of a dentist's estate or the legal guardian or authorized representative of a dentist who has become incapacitated may contract with another dentist or dentists to continue the operations of the deceased or incapacitated dentist's practice (if the practice of the deceased or incapacitated dentist is a sole proprietorship, a corporation where the deceased or incapacitated dentist is the sole shareholder, or a limited liability company where the deceased or incapacitated dentist is the sole member) for a period of no more than one year from the time of death or incapacitation of the dentist or until the practice is sold, whichever occurs first, if all the following conditions are met:

(1) The executor, administrator, guardian, or authorized representative executes and files with the Department a notification of death or incapacitation on a form provided by the Department, which notification shall include the following:

(A) the name and license number of the deceased or incapacitated dentist;

(B) the name and address of the dental practice;  
(C) the name, address, and tax identification number of the estate;  
(D) the name and license number of each dentist who will operate the dental practice; and  
(E) an affirmation, under penalty of perjury, that the information provided is true and correct and that the executor, administrator, guardian, or authorized representative understands that any interference by the executor, administrator, guardian, or authorized representative or any agent or assignee of the executor, administrator, guardian, or authorized representative with the contracting dentist's or dentists' practice of dentistry or professional judgment or any other violation of this Section is grounds for an immediate termination of the operations of the dental practice.

(2) Within 30 days after the death or incapacitation of a dentist, the executor, administrator, guardian, or authorized representative shall send notification of the death or incapacitation by mail to the last known address of each patient of record that has seen the deceased or incapacitated dentist within the previous 12 months, with an explanation of how copies of the practitioner's records may be obtained. This notice may also contain any other relevant information concerning the continuation of the dental practice.

Continuation of the operations of the dental practice of a deceased or incapacitated dentist shall not begin until the provisions of this subsection (a) have been met.

(b) The Secretary may terminate the operations of a dental practice operating pursuant to this Section if the Department has evidence of a violation of this Section or Section 23 or 24 of this Act. The Secretary must conduct a hearing before terminating the operations of a dental practice operating pursuant to this Section. At least 15 days before the hearing date, the Department (i) must notify, in writing, the executor, administrator, guardian, or authorized representative at the address provided, pursuant to item (C) of subdivision (1) of subsection (a) of this Section, and to the contracting dentist or dentists at the address of the dental practice provided pursuant to item (B) of subdivision (1) of subsection (a) of this Section, of any charges made and of the time and place of the hearing on the charges before the Secretary or hearing officer, as provided in Section 30 of this Act, (ii) direct the executor, administrator, guardian, or authorized representative to file his or her written answer to such charges with the Secretary under oath within 10 days after the service on the executor, administrator, guardian, or authorized representative of the notice, and (iii) inform the executor, administrator, guardian, or authorized representative that if he or she fails to file such answer, a default judgment will be entered against him or her and the operations of the dental practice shall be terminated.

(c) If the Secretary finds that evidence in his or her possession indicates that a violation of this Section or Section 23 or 24 of this Act constitutes an immediate threat to the public health, safety, or welfare, the Secretary may immediately terminate the operations of the dental practice without a hearing. Upon service by certified mail to the executor, or guardian, at the address provided pursuant to item (C) of subdivision (1) of subsection (a) of this Section, and the contracting dentist or dentists, at the address of the dental practice provided pursuant to item (B) of subdivision (1) of subsection (a) of this Section, of notice of an order immediately terminating the operations of the dental practice, the executor or guardian may petition the Department within 30 days for a hearing to take place within 30 days after the petition is filed.

(d) The Department may require, by rule, the submission to the Department of any additional information necessary for the administration of this Section."

Representative Fritchey offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend Senate Bill 279, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 7, line 11, by replacing "or guardian" with "administrator, guardian, or authorized representative"; and on page 7, line 17, by replacing "executor or guardian" with "executor, administrator, guardian, or authorized representative".

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

Having been read by title a second time on April 19, 2006 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 946.

Having been read by title a second time on April 18, 2006 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 2871.

**CONCURRENCES AND NON-CONCURRENCES  
IN SENATE AMENDMENTS TO HOUSE BILLS**

Senate Amendments numbered 1 and 2 to HOUSE BILL 4715, having been reproduced, were taken up for consideration.

Representative Kelly moved that the House concur with the Senate in the adoption of Senate Amendments numbered 1 and 2.

And on that motion, a vote was taken resulting as follows:

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

(ROLL CALL 19)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 4715.

Ordered that the Clerk inform the Senate.

**RESOLUTIONS**

Having been reported out of the Committee on Agriculture & Conservation on April 18, 2006, HOUSE JOINT RESOLUTION 115 was taken up for consideration.

Representative Reis offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Joint Resolution 115 on page 1, line 17, after "Inspection", by inserting "under the Department of Agriculture"; and on page 2, by replacing lines 10 through 14 with the following: "Agriculture; one member appointed by an association representing meat processors; one member appointed by an association representing beef producers; one member appointed by an association representing pork producers; and one member appointed by an association representing farmers; and be it further".

The motion prevailed and the amendment was adopted.

Representative Reis moved the adoption of the resolution, as amended.

And on that motion, a vote was taken resulting as follows:

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

(ROLL CALL 20)

The motion prevailed and the Resolution was adopted, as amended.

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

Having been reported out of the Committee on Rules on April 12, 2006, HOUSE JOINT RESOLUTION 121 was taken up for consideration.

Representative Flider moved the adoption of the resolution.

And on that motion, a vote was taken resulting as follows:

78, Yeas; 22, Nays; 1, Answering Present.

(ROLL CALL 21)

The motion prevailed and the Resolution was adopted.

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

Having been reported out of the Committee on Higher Education on April 19, 2006, HOUSE JOINT RESOLUTION 122 was taken up for consideration.



Representative McCarthy moved the adoption of the resolution.  
And on that motion, a vote was taken resulting as follows:  
101, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 22)  
The motion prevailed and the Resolution was adopted.  
Ordered that the Clerk inform the Senate and ask their concurrence.

#### **ACTION ON MOTION**

Representative May asked and obtained unanimous consent to table SENATE BILL 2884.

#### **AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 1224, 1225, 1226, 1227, 1228, 1229, 1231, 1232, 1234 and 1236 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.  
The motion prevailed and the agreed resolutions were adopted.

At the hour of 4:18 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, April 26, 2006, at 12:30 o'clock p.m., allowing perfunctory time for the Clerk.  
The motion prevailed.  
And the House stood adjourned.

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
QUORUM ROLL CALL FOR ATTENDANCE

April 25, 2006

0 YEAS

0 NAYS

102 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| P Acevedo          | P Dugan       | P Krause          | P Pritchard   |
| P Bassi            | P Dunkin      | P Lang            | P Ramey       |
| P Beaubien         | E Dunn        | P Leitch          | P Reis        |
| P Beiser           | P Durkin      | E Lindner         | P Reitz       |
| P Bellock          | P Eddy        | E Lyons           | E Rita        |
| P Berrios          | P Feigenholtz | P Mathias         | P Rose        |
| P Biggins          | P Flider      | P Mautino         | P Ryg         |
| E Black            | P Flowers     | P May             | P Sacia       |
| P Boland           | P Franks      | P McAuliffe       | P Saviano     |
| P Bost             | P Fritchey    | P McCarthy        | P Schmitz     |
| P Bradley, John    | P Froehlich   | P McGuire         | P Schock      |
| E Bradley, Richard | P Giles       | P McKeon          | P Scully      |
| P Brady            | P Golar       | P Mendoza         | P Smith       |
| P Brauer           | P Gordon      | P Meyer           | P Sommer      |
| P Brosnahan        | P Graham      | P Miller          | P Soto        |
| P Burke            | P Granberg    | P Mitchell, Bill  | P Stephens    |
| E Chapa LaVia      | P Hamos       | P Mitchell, Jerry | P Sullivan    |
| P Chavez           | P Hannig      | P Moffitt         | P Tenhouse    |
| P Churchill        | P Hassert     | P Molaro          | P Tryon       |
| P Collins          | P Hoffman     | P Mulligan        | P Turner      |
| E Colvin           | P Holbrook    | P Munson          | P Verschoore  |
| E Coulson          | P Howard      | P Myers           | P Wait        |
| P Cross            | P Hultgren    | P Nekritz         | P Washington  |
| P Cultra           | P Jakobsson   | E Osmond          | P Watson      |
| E Currie           | P Jefferson   | P Osterman        | P Winters     |
| P D'Amico          | P Jenisch     | P Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | P Younge      |
| P Davis, Monique   | P Joyce       | P Phelps          | P Mr. Speaker |
| P Davis, William   | P Kelly       | E Pihos           |               |
| P Delgado          | P Kosel       | P Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 94  
 MUNI CD-ZONING DECISIONS  
 THIRD READING  
 PASSED

April 25, 2006

101 YEAS

0 NAYS

1 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | P Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 623  
 STATE GOVERNMENT-TECH  
 THIRD READING  
 PASSED

April 25, 2006

102 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 624  
 STATE GOVERNMENT-TECH  
 THIRD READING  
 PASSED

April 25, 2006

97 YEAS

0 NAYS

5 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | P Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | P Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | P Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | P Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | P Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 680  
REVENUE-TECH  
THIRD READING  
PASSED

April 25, 2006

101 YEAS

0 NAYS

1 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | P Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 837  
 LOCAL GOVERNMENT-TECH  
 THIRD READING  
 PASSED

April 25, 2006

102 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 848  
 LOCAL GOVERNMENT-TECH  
 THIRD READING  
 PASSED

April 25, 2006

94 YEAS

8 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Dugan       | Y Krause          | N Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | N Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | N Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | N Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | N Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | N Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | N Jenisch     | N Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 857  
 EDUCATION-TECH  
 THIRD READING  
 PASSED

April 25, 2006

60 YEAS

42 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | N Dugan       | N Krause          | N Pritchard   |
| N Bassi            | N Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | N Reis        |
| N Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | N Mathias         | N Rose        |
| N Biggins          | N Flider      | Y Mautino         | N Ryg         |
| E Black            | Y Flowers     | N May             | N Sacia       |
| Y Boland           | N Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | N Fritchey    | Y McCarthy        | Y Schmitz     |
| N Bradley, John    | Y Froehlich   | Y McGuire         | N Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| N Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| N Brauer           | N Gordon      | Y Meyer           | N Sommer      |
| Y Brosnahan        | Y Graham      | N Miller          | Y Soto        |
| Y Burke            | Y Granberg    | N Mitchell, Bill  | N Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | N Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | N Tenhouse    |
| N Churchill        | Y Hassert     | Y Molaro          | N Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | N Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | N Myers           | Y Wait        |
| Y Cross            | N Hultgren    | Y Nekritz         | Y Washington  |
| N Cultra           | N Jakobsson   | E Osmond          | N Watson      |
| E Currie           | N Jefferson   | Y Osterman        | Y Winters     |
| N D'Amico          | N Jenisch     | N Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | N Joyce       | N Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | N Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 916  
 REGULATION-TECH  
 THIRD READING  
 PASSED

April 25, 2006

102 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 927  
REGULATION-TECH  
THIRD READING  
PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 1001  
 HEALTH-TECH  
 THIRD READING  
 PASSED

April 25, 2006

94 YEAS

7 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | N Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | N Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | N Mitchell, Bill  | N Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | N Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| N Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | N Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 1088  
 TRANSPORTATION-TECH  
 THIRD READING  
 PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 1144  
CRIMINAL LAW-TECH  
THIRD READING  
PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 1145  
 CRIMINAL LAW-TECH  
 THIRD READING  
 PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2202  
 SCH CD-EARLY CHILDHOOD CERT  
 THIRD READING  
 PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2310  
 CONSUMER FRAUD-CREDIT REPORT  
 THIRD READING  
 PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 3016  
SEX OFFENDER REG&NOT  
THIRD READING  
PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 5475  
 LOCAL GOVERNMENT-TECH  
 THIRD READING  
 PASSED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4715  
 SAFE HOMES ACT  
 MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1&2  
 CONCURRED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE JOINT RESOLUTION 115  
MEAT & POULTRY TASK FORCE  
ADOPTED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE JOINT RESOLUTION 121  
REJECT COMP REVIEW REPORT  
ADOPTED

April 25, 2006

78 YEAS

22 NAYS

1 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| N Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | N Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| N Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | N McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | N Giles       | N McKeon          | Y Scully      |
| N Brady            | N Golar       | N Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | N Graham      | Y Miller          | N Soto        |
| N Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | N Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| N Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | N Molaro          | Y Tryon       |
| N Collins          | Y Hoffman     | Y Mulligan        | N Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | N Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | N Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | N Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| N Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | N Kelly       | E Pihos           |               |
| P Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE JOINT RESOLUTION 122  
 COMMUNITY COLLEGE TASK FORCE  
 ADOPTED

April 25, 2006

101 YEAS

0 NAYS

0 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | E Dugan       | Y Krause          | Y Pritchard   |
| Y Bassi            | Y Dunkin      | Y Lang            | Y Ramey       |
| Y Beaubien         | E Dunn        | Y Leitch          | Y Reis        |
| Y Beiser           | Y Durkin      | E Lindner         | Y Reitz       |
| Y Bellock          | Y Eddy        | E Lyons           | E Rita        |
| Y Berrios          | Y Feigenholtz | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flider      | Y Mautino         | Y Ryg         |
| E Black            | Y Flowers     | Y May             | Y Sacia       |
| Y Boland           | Y Franks      | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Fritchey    | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Froehlich   | Y McGuire         | Y Schock      |
| E Bradley, Richard | Y Giles       | Y McKeon          | Y Scully      |
| Y Brady            | Y Golar       | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Gordon      | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Graham      | Y Miller          | Y Soto        |
| Y Burke            | Y Granberg    | Y Mitchell, Bill  | Y Stephens    |
| E Chapa LaVia      | Y Hamos       | Y Mitchell, Jerry | Y Sullivan    |
| Y Chavez           | Y Hannig      | Y Moffitt         | Y Tenhouse    |
| Y Churchill        | Y Hassert     | Y Molaro          | Y Tryon       |
| Y Collins          | Y Hoffman     | Y Mulligan        | Y Turner      |
| E Colvin           | Y Holbrook    | Y Munson          | Y Verschoore  |
| E Coulson          | Y Howard      | Y Myers           | Y Wait        |
| Y Cross            | Y Hultgren    | Y Nekritz         | Y Washington  |
| Y Cultra           | Y Jakobsson   | E Osmond          | Y Watson      |
| E Currie           | Y Jefferson   | Y Osterman        | Y Winters     |
| Y D'Amico          | Y Jenisch     | Y Parke           | E Yarbrough   |
| E Daniels          | E Jones       | E Patterson       | Y Younge      |
| Y Davis, Monique   | Y Joyce       | Y Phelps          | Y Mr. Speaker |
| Y Davis, William   | Y Kelly       | E Pihos           |               |
| Y Delgado          | Y Kosel       | Y Poe             |               |

E - Denotes Excused Absence

**123RD LEGISLATIVE DAY**

**Perfunctory Session**

**TUESDAY, APRIL 25, 2006**

At the hour of 6:42 o'clock p.m., the House convened perfunctory session.

**INTRODUCTION AND FIRST READING OF BILLS**

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

HOUSE BILL 5783. Introduced by Representative Osterman, AN ACT concerning property.

HOUSE BILL 5784. Introduced by Representative Brauer, AN ACT concerning regulation.

**TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Brauer replaced Representative Jerry Mitchell in the Committee on Elementary & Secondary Education on April 25, 2006.

Representative Flowers replaced Representative Colvin in the Committee on Elementary & Secondary Education on April 25, 2006.

Representative Froehlich replaced Representative Munson in the Committee on Elementary & Secondary Education on April 25, 2006.

Representative Kosel replaced Representative Pihos in the Committee on Elementary & Secondary Education on April 25, 2006.

Representative William Davis replaced Representative Monique Davis in the Committee on Elementary & Secondary Education on April 25, 2006.

Representative Berrios replaced Representative Chapa LaVia in the Committee on Elementary & Secondary Education on April 25, 2006.

Representative Verschoore replaced Representative Dugan in the Committee on Elementary & Secondary Education on April 25, 2006.

Representative William Davis replaced Representative Reitz in the Committee on Revenue on April 25, 2006.

Representative Turner replaced Representative Currie in the Committee on Revenue on April 25, 2006.

Representative Kelly replaced Representative Holbrook in the Committee on Revenue on April 25, 2006.

Representative Dunkin replaced Representative Smith in the Committee on Revenue on April 25, 2006.

Representative May replaced Representative D'Amico in the Committee on Revenue on April 24, 2006.



Representative Kelly replaced Representative Yarbrough in the Committee on Computer Technology on April 25, 2006.

Representative Boland replaced Representative Patterson in the Committee on Computer Technology on April 25, 2006.

Representative Lang replaced Representative Richard Bradley in the Committee on Executive on April 25, 2006.

Representative Verschoore replaced Representative Jones in the Committee on Executive on April 25, 2006.

Representative Jefferson replaced Representative Lyons in the Committee on Executive on April 25, 2006.

### REPORTS FROM STANDING COMMITTEES

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 858.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 861.

That the resolutions be reported “recommends be adopted” and be placed on the House Calendar: SENATE JOINT RESOLUTIONS 66 and 82.

The committee roll call vote on Senate Joint Resolutions 66, 82 and Senate Bills 858, 861 is as follows:

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

|                                     |                                      |
|-------------------------------------|--------------------------------------|
| Y Giles, Calvin(D), Chairperson     | Y Davis, W(D) (replacing Davis, M)   |
| Y Brauer(R) (replacing Mitchell, J) | Y Bassi, Suzanne(R)                  |
| Y Beiser, Daniel(D)                 | Y Berrios(D) (replacing Chapa LaVia) |
| Y Flowers(D) (replacing Colvin)     | Y Verschoore(D) (replacing Dugan)    |
| Y Eddy, Roger(R)                    | Y Flider, Robert(D)                  |
| Y Joyce, Kevin(D)                   | Y Miller, David(D)                   |
| Y Moffitt, Donald(R)                | A Mulligan, Rosemary(R)              |
| Y Froehlich(R) (replacing Munson)   | Y Osterman, Harry(D)                 |
| Y Kosel(R) (replacing Pihos)        | Y Pritchard, Robert(R)               |
| Y Reis, David(R)                    | Y Smith, Michael(D)                  |
| Y Watson, Jim(R)                    |                                      |

Representative Reitz, Chairperson, from the Committee on Revenue to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1279.

The committee roll call vote on Senate Bill 1279 is as follows:

10, Yeas; 2, Nays; 0, Answering Present.

|  |                                 |
|--|---------------------------------|
| Y Davis, W(D) (replacing Reitz)            | Y Turner(D) (replacing Currie)  |
| N Biggins, Bob(R), Republican Spokesperson | Y Beaubien, Mark(R)             |
| Y Hannig, Gary(D)                          | Y Kelly(D) (replacing Holbrook) |
| Y Jenisch, Roger(R)                        | Y Krause, Carolyn(R)            |
| Y McGuire, Jack(D)                         | Y Dunkin(D) (replacing Smith)   |

N Sullivan,Ed(R)

Y Younge,Wyvetter(D)

Representative Jefferson, Chairperson, from the Committee on Elections & Campaign Reform to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

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

Amendment No. 2 to HOUSE BILL 1969.

The committee roll call vote on Amendment No. 2 to House Bill 1969 is as follows:

4, Yeas; 2, Nays; 1, Answering Present.

Y Jefferson,Charles(D), Chairperson

Y May(D) (replacing D'Amico)

N Durkin,Jim(R), Republican Spokesperson

Y Beiser,Daniel(D)

Y Flider,Robert(D)

P Myers,Richard(R)

N Wait,Ronald(R)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1143.

The committee roll call vote on Senate Bill 1143 is as follows:

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

Y Molaro,Robert(D), Chairperson

Y Delgado,William(D), Vice-Chairperson

A Lindner,Patricia(R), Republican Spokesperson

Y Bradley,John(D)

Y Collins,Annazette(D)

Y Cultra,Shane(R)

Y Durkin,Jim(R)

Y Froehlich,Paul(R)

Y Golar,Esther(D)

Y Gordon,Careen(D)

Y Howard,Constance(D)

A Jones,Lovana(D)

Y Mautino,Frank(D)

Y Reis,David(R)

A Sacia,Jim(R)

A Wait,Ronald(R)

Representative Howard, Chairperson, from the Committee on Computer Technology to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 1160.

The committee roll call vote on House Resolution 1160 is as follows:

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

Y Howard,Constance(D), Chairperson

A Hannig,Gary(D), Vice-Chairperson

Y Munson,Ruth(R), Republican Spokesperson

Y Boland(D) (replacing Patterson)

Y Pritchard,Robert(R)

Y Ramey,Harry(R)

Y Kelly(D) (replacing Yarbrough)

Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: SENATE JOINT RESOLUTION 83.

That the resolution be reported "recommends be adopted as amended" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 91.

The committee roll call vote on Senate Joint Resolution 83 is as follows:

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

|                                      |  |
|--------------------------------------|--|
| Y Hoffman, Jay(D), Chairperson       | Y Beiser, Daniel(D)                        |
| A Black, William(R)                  | Y Bost, Mike(R)                            |
| Y Brauer, Rich(R)                    | A Brosnahan, James(D)                      |
| Y D'Amico, John(D)                   | Y Fritchey, John(D)                        |
| A Froehlich, Paul(R)                 | Y Graham, Deborah(D)                       |
| Y Joyce, Kevin(D)                    | A Lyons, Joseph(D)                         |
| Y Mathias, Sidney(R)                 | A McAuliffe, Michael(R)                    |
| Y McCarthy, Kevin(D)                 | Y Mendoza, Susana(D)                       |
| Y Miller, David(D), Vice-Chairperson | A Molaro, Robert(D)                        |
| Y Nekritz, Elaine(D)                 | Y Poe, Raymond(R)                          |
| Y Ramey, Harry(R)                    | Y Soto, Cynthia(D)                         |
| A Stephens, Ron(R)                   | Y Tenhouse, Art(R)                         |
| Y Tryon, Michael(R)                  | A Wait, Ronald(R), Republican Spokesperson |
| Y Washington, Eddie(D)               |  |

The committee roll call vote on House Joint Resolution 91 is as follows:

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

|                                      |  |
|--------------------------------------|--|
| Y Hoffman, Jay(D), Chairperson       | Y Beiser, Daniel(D)                        |
| A Black, William(R)                  | Y Bost, Mike(R)                            |
| Y Brauer, Rich(R)                    | A Brosnahan, James(D)                      |
| Y D'Amico, John(D)                   | Y Fritchey, John(D)                        |
| A Froehlich, Paul(R)                 | Y Graham, Deborah(D)                       |
| Y Joyce, Kevin(D)                    | A Lyons, Joseph(D)                         |
| Y Mathias, Sidney(R)                 | A McAuliffe, Michael(R)                    |
| Y McCarthy, Kevin(D)                 | Y Mendoza, Susana(D)                       |
| A Miller, David(D), Vice-Chairperson | A Molaro, Robert(D)                        |
| Y Nekritz, Elaine(D)                 | Y Poe, Raymond(R)                          |
| Y Ramey, Harry(R)                    | Y Soto, Cynthia(D)                         |
| A Stephens, Ron(R)                   | Y Tenhouse, Art(R)                         |
| Y Tryon, Michael(R)                  | A Wait, Ronald(R), Republican Spokesperson |
| Y Washington, Eddie(D)               |  |

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on April 25, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 931.

The committee roll call vote on Senate Bill 931 is as follows:

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

|  |                                  |
|--|----------------------------------|
| Y Burke, Daniel(D), Chairperson            | Y Jefferson(D) (replacing Lyons) |
| Y Kosel, Renee(R), Republican Spokesperson | Y Acevedo, Edward(D)             |
| Y Berrios, Maria(D)                        | A Biggins, Bob(R)                |
| Y Lang(D) (replacing Bradley, R)           | Y Hassert, Brent(R)              |
| Y Verschoore(D) (replacing Jones)          | Y McKeon, Larry(D)               |
| Y Meyer, James(R)                          | A Molaro, Robert(D)              |
| Y Saviano, Angelo(R)                       |                                  |

### SENATE BILLS ON SECOND READING

Having been reproduced, the following bills were taken up, read by title a second time and held on the order of Second Reading: SENATE BILLS 858, 861, 931, 1143 and 1279.

At the hour of 6:45 o'clock p.m., the House Perfunctory Session adjourned.