STATE OF ILLINOIS

HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

29TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

THURSDAY, MARCH 19, 2009

10:06 O'CLOCK A.M.

NO. 29

HOUSE OF REPRESENTATIVES
Daily Journal Index
29th Legislative Day

The House met pursuant to adjournment.

Representative Turner in the chair.

Prayer by Reverend Dr. Donald Evans, who is the Pastor of Southern Baptist Church of Sullivan in Sullivan, IL.

Representative DeLuca 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:

112 present. (ROLL CALL 1)

By unanimous consent, Representatives Black, Crespo, Mulligan and Senger were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Mulligan, should be recorded as present at the hour of 11:42 o'clock a.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Senger, should be recorded as present at the hour of 12:06 o'clock p.m.

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

Quarterly Report, October 2008, submitted by Department of Juvenile Justice on March 18, 2009.

Quarterly Report, January 2009, submitted by Department of Juvenile Justice on March 18, 2009.

Economic Forecast Report, February 2009, submitted by Commission on Government Forecasting and Accountability on March 18, 2009.

Paving the Way for the Future Today, 2008 Annual Report, submitted by Illinois State Toll Highway Authority on March 18, 2009.

Corrective Measures Report in response to a previously submitted Breach of Security Letter, submitted by Southern Illinois University at Carbondale on March 19, 2009.

LETTER OF TRANSMITTAL

March 19, 2009

Ms. Jacqueline Price
Director, Index Division
Secretary of State
111 East Monroe
Springfield, IL 62706

Dear Director Price:

Please be advised that I have appointed the following Republican Members to serve on the **LEGISLATIVE AUDIT COMMISSION**.

Representative Rich Brauer
Representative Sidney Mathias

Representative Sandra Pihos

This appointment is effective immediately. If you have any question regarding this matter, please feel free to contact Scott Reimers at 782-9602.

Sincerely,
s/Tom Cross
House Republican Leader

March 19, 2009

Ms. Jacqueline Price
Director, Index Division
Secretary of State
111 East Monroe
Springfield, IL 62706

Dear Director Price:

Please be advised that I have appointed the following Republican Members to serve on the **LEGISLATIVE INFORMATION SYSTEM**.

Representative Michael Connelly
Representative Jill Tracy
Representative Jim Sacia

This appointment is effective immediately. If you have any question regarding this matter, please feel free to contact Scott Reimers at 782-9602.

Sincerely,
s/Tom Cross
House Republican Leader

March 19, 2009

Ms. Jacqueline Price
Director, Index Division
Secretary of State
111 East Monroe
Springfield, IL 62706

Dear Director Price:

Please be advised that I have appointed the following Republican Members to serve on the **LEGISLATIVE PRINTING UNIT**.

Representative Mike McAuliffe
Representative Sandra Pihos
Representative Raymond Poe

This appointment is effective immediately. If you have any question regarding this matter, please feel free to contact Scott Reimers at 782-9602.

Sincerely,
s/Tom Cross

House Republican Leader

March 19, 2009

Ms. Jacqueline Price
Director, Index Division
Secretary of State
111 East Monroe
Springfield, IL 62706

Dear Director Price:

Please be advised that I have appointed the following Republican Members to serve on the **LEGISLATIVE RESEARCH UNIT**.

Representative Franco Coladipietro
Representative Chapin Rose
Representative Ed Sullivan, Jr.

This appointment is effective immediately. If you have any question regarding this matter, please feel free to contact Scott Reimers at 782-9602.

Sincerely,
s/Tom Cross
House Republican Leader

March 19, 2009

Ms. Jacqueline Price
Director, Index Division
Secretary of State
111 East Monroe
Springfield, IL 62706

Dear Director Price:

Please be advised that I have appointed the following Republican Members to serve on the **LEGISLATIVE REFERENCE BUREAU**.

Representative Roger Eddy
Representative Randy Ramey
Representative Robert Pritchard

This appointment is effective immediately. If you have any question regarding this matter, please feel free to contact Scott Reimers at 782-9602.

Sincerely,
s/Tom Cross
House Republican Leader

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lang replaced Representative Lyons in the Committee on Executive on March 19, 2009.

Representative Acevedo replaced Representative Turner in the Committee on Rules on March 19, 2009.

Representative Osmond replaced Representative Black in the Committee on Rules (A) on March 19, 2009.

Representative Jefferson replaced Representative Turner in the Committee on Rules (A) on March 19, 2009.

REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on March 19, 2009, 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. 1 to HOUSE BILL 2271.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Executive: HOUSE BILL 4239.

The committee roll call vote on the foregoing Legislative Measures is as follows:
4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lang(D)
Y Acevedo(D) (replacing Turner)
A Black(R), Republican Spokesperson
Y Schmitz(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on March 19, 2009, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendments numbered 2 and 3 to SENATE BILL 2016.

The committee roll call vote on the foregoing Legislative Measures is as follows:
4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lang(D)
Y Jefferson(D) (replacing Turner)
Y Osmond(R) (replacing Black)
A Schmitz(R)

REPORTS FROM STANDING COMMITTEES

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on March 19, 2009, 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: HOUSE BILLS 579, 663, 715, 3820, 3936 and 3948.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 261.

The committee roll call vote on House Bill 579 is as follows:

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

Y Burke(D), Chairperson
Y Brady(R), Republican Spokesperson
Y Arroyo(D)
Y Biggins(R)
Y Sullivan(R)
Y Turner(D)
Y Lang(D) (replacing Lyons)
Y Acevedo(D)
Y Berrios(D)
Y Rita(D)
Y Tryon(R)

The committee roll call vote on House Bills 663, 715, 3820, 3936 and 3948 is as follows:

6, Yeas; 5, Nays; 0, Answering Present.

Y Burke(D), Chairperson
Y Brady(R), Republican Spokesperson
N Arroyo(D)
Y Biggins(R)
Y Sullivan(R)
N Turner(D)
Y Lang(D) (replacing Lyons)
N Acevedo(D)
N Berrios(D)
N Rita(D)
Y Tryon(R)

The committee roll call vote on House Bill 261 is as follows:

6, Yeas; 5, Nays; 0, Answering Present.

Y Burke(D), Chairperson
Y Brady(R), Republican Spokesperson
Y Arroyo(D)
N Biggins(R)
N Sullivan(R)
Y Turner(D)
Y Lang(D) (replacing Lyons)
Y Acevedo(D)
N Berrios(D)
N Rita(D)
N Tryon(R)

MOTION SUBMITTED

Representative Reis submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE RESOLUTION 128.

MESSAGES FROM THE SENATE

A message from the Senate by
Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1342

A bill for AN ACT concerning intermodal facilities.

Passed by the Senate, March 19, 2009.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILL 1342 was ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 36

Concurred in the Senate, March 19, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 53

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, March 19, 2009, they stand adjourned until Tuesday, March 24, 2009 at 12:00 o'clock noon.

Adopted by the Senate, March 19, 2009.

Jillayne Rock, Secretary of the Senate

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Gary Hannig was removed as principal sponsor, and Representative Betsy Hannig became the new principal sponsor of HOUSE BILL 859.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Coulson became the new principal sponsor of HOUSE BILL 3257.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Black became the new principal sponsor of HOUSE BILL 3181.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Coulson became the new principal sponsor of HOUSE BILL 2766.

With the consent of the affected members, Representative Holbrook was removed as principal sponsor, and Representative Jackson became the new principal sponsor of SENATE BILL 1293.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Coulson became the new principal sponsor of HOUSE BILL 3075.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Burns became the new principal sponsor of SENATE BILL 2016.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 193

Offered by Representative Harris:
Mourns the death of Lannie LeGear of Chicago.

HOUSE RESOLUTION 194

Offered by Representative Pritchard:
Congratulates the Hinckley-Big Rock Lady Royals basketball team on winning the Class 1A State Championship.

HOUSE RESOLUTION 196

Offered by Representative Mulligan:
Congratulates the coaches and players of the Maine South Hawks football team on the occasion of winning the IHSA Class 8A State football championship.

HOUSE RESOLUTION 197

Offered by Representative Biggins:
Congratulates Richard Scheck, Mayor of the Village of North Riverside, on his retirement.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 821 and 2470.

HOUSE BILL 1075. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Tollway Oversight, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1075 by replacing everything after the enacting clause with the following:
"Section 5. The Toll Highway Act is amended by adding Section 7.3 as follows:
(605 ILCS 10/7.3 new)
Sec. 7.3. Petition. Upon receipt of a petition proposing a change in a policy of the Authority, signed by not less than 1,000 legal voters from one or more counties through which a toll highway under the jurisdiction of the Authority passes, the Board of Directors of the Authority shall, within 60 days, place the proposal on the agenda of a regularly scheduled meeting and discuss and vote on adoption of the proposal.".

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 Beaubien, HOUSE BILL 402 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:
93, Yeas; 19, Nays; 0, Answering Present.
(ROLL CALL 2)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

AGREED RESOLUTION

HOUSE RESOLUTION 188 was taken up for consideration.
Representative Fortner moved the adoption of the agreed resolution.
The motion prevailed and the agreed resolution was adopted.

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 Dugan, HOUSE BILL 1055 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
109, Yeas; 3, 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 and ask their concurrence.

HOUSE BILL ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 2542.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have 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 Osmond, HOUSE BILL 1115 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:
110, Yeas; 1, Nay; 1, 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 and ask their concurrence.

On motion of Representative Fritchey, HOUSE BILL 288 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:
79, Yeas; 33, Nays; 0, Answering Present.
(ROLL CALL 5)

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

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

On motion of Representative Froehlich, HOUSE BILL 658 was taken up and read by title a third time.

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

112, Yeas; 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 and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 45. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Prison Reform, adopted and reproduced:

AMENDMENT NO. 1 . Amend House Bill 45 on page 7, lines 19 and 20, by replacing "elderly sentence adjustments" with "participation in the Elderly Rehabilitated Prisoner Program"; and
on page 16, line 23, by replacing "Elderly sentence adjustment" with " Elderly Rehabilitated Prisoner Program"; and
on page 17, line 4, by replacing "an elderly sentence adjustment" with "participation in the Elderly Rehabilitated Prisoner Program"; and
on page 17, lines 9 and 10, by replacing "an elderly sentence adjustment" with "participation in the Elderly Rehabilitated Prisoner Program"; and
on page 18, lines 14 and 15, by replacing "a sentence adjustment" with "participation in the Elderly Rehabilitated Prisoner Program"; and
on page 18, line 16, by replacing "receive a sentence adjustment" with "participate in the Elderly Rehabilitated Prisoner Program"; and
on page 18, line 20, by replacing "adjusting a sentence" with "granting participation in the Elderly Rehabilitated Prisoner Program"; and
on page 18, line 23, by replacing "sentencing adjustment" with "participation in the Elderly Rehabilitated Prisoner Program"; and
on page 19, lines 7 and 8, by replacing "elderly sentence adjustment" with "participation in the Elderly Rehabilitated Prisoner Program"; and
on page 19, by replacing line 23 with the following:
"committed person under the Elderly Rehabilitated Prisoner Program.".

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 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 Careen Gordon, HOUSE BILL 567 was taken up and read by title a third time.

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

112, Yeas; 0, 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 and ask their concurrence.

RECALL

At the request of the principal sponsor, Representative Pihos, HOUSE BILL 326 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

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 Pritchard, HOUSE BILL 471 was taken up and read by title a third time.

Pending discussion, Representative Watson moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

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

72, Yeas; 39, Nays; 1, 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 and ask their concurrence.

RECALL

At the request of the principal sponsor, Representative Ramey, HOUSE BILL 3909 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 12.

HOUSE BILL 563. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Health Care Licenses, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 563 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Dental Practice Act is amended by changing Sections 9 and 13 as follows:

(225 ILCS 25/9) (from Ch. 111, par. 2309)

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

Sec. 9. Qualifications of Applicants for Dental Licenses. The Department shall require that each applicant for a license to practice dentistry shall:

(a) (Blank).

(b) Be at least 21 years of age and of good moral character.

(c) (1) Present satisfactory evidence of completion of dental education by graduation from a dental college or school in the United States or Canada approved by the Department. The Department shall not approve any dental college or school which does not require at least (A) 60 semester hours of collegiate credit or the equivalent in acceptable subjects from a college or university before admission, and (B) completion of at least 4 academic years of instruction or the equivalent in an approved dental college or school before graduation; or

(2) Present satisfactory evidence of completion of dental education by graduation from a dental college or school outside the United States or Canada and provide satisfactory evidence that:

(A) (blank);

(B) the applicant has completed a minimum of 2 academic years of general dental clinical training at a dental college or school in the United States or Canada approved by the Department, however, an accredited advanced dental education program approved by the Department of no less than 2 years may be substituted for the 2 academic years of general dental clinical training and an applicant who was enrolled for not less than one year in an approved clinical program prior to January 1, 1993 at an Illinois dental college or school shall be required to complete only that program; and

(C) the applicant has received certification from the dean of an approved dental college or school in the United States or Canada or the program director of an approved advanced dental education program stating that the applicant has achieved the same level of scientific knowledge and clinical competence as required of all graduates of the college, school, or advanced dental education program.

Nothing in this Act shall be construed to prevent either the Department or any dental college or school from establishing higher standards than specified in this Act.

(d) In determining professional capacity under this Section, any individual who has not been actively engaged in the practice of dentistry, has not been a dental student, or has not been engaged in a formal program of dental education during the 5 years immediately preceding the filing of an application may be required to complete such additional testing, training, or remedial education as the Board may deem necessary in order to establish the applicant's present capacity to practice dentistry with reasonable judgment, skill, and safety.

(e) Present satisfactory evidence that the applicant has passed both parts of the National Board Dental Examination administered by the Joint Commission on National Dental Examinations and has successfully completed an examination conducted by one of the following regional testing services: the Central Regional Dental Testing Service, Inc. (CRDTS), the Southern Regional Testing Agency, Inc. (SRTA), the Western Regional Examining Board (WREB), or the North East Regional Board (NERB). For purposes of this Section, successful completion shall mean that the applicant has achieved a minimum passing score as determined by the applicable regional testing service. ~~Pass an examination authorized or given by the Department in the theory and practice of the science of dentistry; provided, that the Department (1) may recognize a certificate granted by the National Board of Dental Examiners in lieu of, or subject to, such examination as may be required and (2) may recognize successful completion of the clinical examination conducted by approved regional testing services in lieu of such examinations as may be required. For purposes of this Section, successful completion shall mean that the applicant has achieved a minimum passing score on the regional examinations as determined by each approved regional testing service.~~

(Source: P.A. 94-409, eff. 12-31-05.)

(225 ILCS 25/13) (from Ch. 111, par. 2313)

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

Sec. 13. Qualifications of Applicants for Dental Hygienists. Every person who desires to obtain a license as a dental hygienist shall apply to the Department in writing, upon forms prepared and furnished by the Department. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant, under oath, and shall be accompanied by the required examination fee.

The Department shall require that every applicant for a license as a dental hygienist shall:

(1) (Blank).

(2) Be a graduate of high school or its equivalent.

(3) Present satisfactory evidence of having successfully completed 2 academic years of credit at a dental hygiene program accredited by the Commission on Dental Accreditation of the American Dental Association.

(4) Submit evidence that he holds a currently valid certification to perform cardiopulmonary resuscitation. The Department shall adopt rules establishing criteria for certification in cardiopulmonary resuscitation. The rules of the Department shall provide for variances only in instances where the applicant is physically disabled and therefore unable to secure such certification.

(5) (Blank).

(6) Present satisfactory evidence that the applicant has passed the National Board Dental Hygiene Examination administered by the Joint Commission on National Dental Examinations and has successfully completed an examination conducted by one of the following regional testing services: the Central Regional Dental Testing Service, Inc. (CRDTS), the Southern Regional Testing Agency, Inc. (SRTA), the

Western Regional Examining Board (WREB), or the North East Regional Board (NERB). For the purposes of this Section, successful completion shall mean that the applicant has achieved a minimum passing score as determined by the applicable regional testing service. ~~Pass an examination authorized or given by the Department in the subjects usually taught in approved programs of dental hygiene, which examination shall determine the qualifications of applicants to perform the operative procedures of dental hygiene. The Department may recognize a certificate granted by the National Board of Dental Examiners in lieu of, or subject to, such examination.~~

(Source: P.A. 92-262, eff. 8-7-01.)

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 1175. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Health Care Licenses, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1175 on page 3, line 9, immediately after "forwarded", by inserting the following:

"by the entity performing the inspection".

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.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 972.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 1129.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4011.

HOUSE BILL 4088. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4088 on page 8, by replacing line 12 with the following:

"(9) to either the Comptroller or the Auditor General, or any of his or her authorized".

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 796. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government Administration, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 796 on page 2, in line 9, by deleting "6,"; and

by deleting line 9 on page 4 through line 5 on page 7.

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.

RECALL

At the request of the principal sponsor, Representative Dugan, HOUSE BILL 796 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 870 and 4199.

HOUSE BILL 880. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Business & Occupational Licenses, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 880 on page 12, by replacing lines 7 and 8 with the following:

"(o) Four voting Board members constitutes a quorum. A quorum is required for all Board decisions.".

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 809, 1060, 1107, 4094 and 4098.

HOUSE BILL 3721. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation, Regulation, Roads & Bridges, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 3721 on page 1, by replacing lines 17 through 19 with the following:

"these signs on interstate highways near weigh stations that are adjacent to residential areas or communities.".

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 241, 670, 865, 928, 1014, 1307, 2251, 2686 and 4198.

HOUSE BILL 705. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Counties & Townships, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 705, on page 4, line 16, by replacing ", Kane, and Will counties ~~County~~" with "County"; and

on page 4, by replacing lines 18 through 20 with the following:

"The inception date of the program shall be July 1, 2008. A predatory lending database program shall be

expanded to include Kane, Peoria, and Will counties. The inception date of the expansion of the program as it applies to Kane, Peoria, and Will counties shall be July 1, 2010. Until the inception date, none"; and
on page 9, line 18, after "include", by inserting: ", by county,"; and
on page 10, by replacing line 1 with the following:
"counseling; -
(6) the number of licensed mortgage brokers and loan originators entering information into the database;
(7) the number of investigations based on information obtained from the database, including the number of licensees fined, the number of licenses suspended, and the number of licenses revoked;
(8) a summary of the types of non-traditional mortgage products being offered; and
(9) a summary of how the Department is actively utilizing the program to combat mortgage fraud.".

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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 746, 914, 962, 1137, 2332 and 4326.

HOUSE BILL 3630. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Counties & Townships, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 3630 by replacing everything after the enacting clause with the following:
"Section 5. The County Care for Persons with Developmental Disabilities Act is amended by changing Section 3 as follows:
(55 ILCS 105/3) (from Ch. 91 1/2, par. 203)
Sec. 3. County board for care and treatment of persons with a developmental disability.
(a) When any county has authority to levy a tax for the purpose of this Act, the presiding officer of the county board with the advice and consent of the county board, shall appoint a board of 3 directors who shall administer this Act. The board shall be designated the "(name of county) County Board for Care and Treatment of Persons with a Developmental Disability". The original appointees shall be appointed for terms expiring, respectively, on June 30 in the first, second and third years following their appointment as designated by the appointing authority. All succeeding terms shall be for 3 years and appointments shall be made in like manner. Vacancies shall be filled in like manner for the balance of the unexpired term. Each director shall serve until his successor is appointed. Directors shall serve without compensation but shall be reimbursed for expenses reasonably incurred in the performance of their duties.
(b) The county board of any county that has established a 3-member board under this Section may, by ordinance or resolution, provide that the county board for care and treatment of persons with a developmental disability in that county shall consist of 5 members. Within 60 days after the ordinance or resolution is adopted, the presiding officer of the county, with the advice and consent of the county board, shall appoint the 2 additional members. One member shall serve for a term expiring on June 30 of the second year following his or her appointment, and one shall serve for a term expiring on June 30 of the third year following his or her appointment. Their successors shall serve for 3-year terms.
(Source: P.A. 88-380; 88-388; 89-585, eff. 1-1-97.)
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.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 860 and 2234.

HOUSE BILL 520. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Youth and Family, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 520 on page 4, by replacing lines 21 through 25 with the following:

"(9.1) "Mentally capable adult relative" means a person 21 years of age or older who is not suffering from a mental illness that prevents him or her from providing the care necessary to safeguard the physical safety and welfare of a minor who is left in that person's care by the parent or parents or other person responsible for the minor's welfare."; and

on page 5, by replacing lines 23 through 26 with the following:

"(12.1) "Physically capable adult relative" means a person 21 years of age or older who does not have a severe physical disability or medical condition, or is not suffering from alcoholism or drug addiction, that prevents him or her from providing the care necessary to safeguard the physical safety and welfare of a minor who is left in that person's care by the parent or parents or other person responsible for the minor's welfare."; and

on page 6, by deleting lines 1 and 2; and

on page 8, by replacing lines 7 through 10 with the following:

"minor's welfare have ~~has~~ left the minor in the care of an adult relative for any period of time , who the parent or parents or other person responsible for the minor's welfare know is both a mentally capable adult relative and physically capable adult relative, as defined by this Act; or"; and

on page 13, by replacing lines 11 through 13 with the following:

"parent or parents or guardian has left the minor for any period of time in the care of an adult relative, who the parent or parents or guardian know is both a mentally capable adult relative and physically capable adult relative, as defined by this Act.".

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 85. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elections & Campaign Reform, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 85 on page 1, in line 7, by inserting after "created" the following: "within the State Board of Elections".

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 3682. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue & Finance, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 3682 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 203 as follows:

(35 ILCS 5/203) (from Ch. 120, par. 2-203)

Sec. 203. Base income defined.

(a) Individuals.

(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of

adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

(C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which is attributable to such principal residence;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

(D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a medical care savings account and the interest earned on the account in the taxable year of a withdrawal pursuant to subsection (b) of Section 20 of the Medical Care Savings Account Act or subsection (b) of Section 20 of the Medical Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the individual deducted in computing adjusted gross income and for which the individual claims a credit under subsection (l) of Section 201;

(D-15) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-16) If the taxpayer sells, transfers, abandons, or otherwise disposes of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (Z) with respect to that property.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under subparagraph (Z), then an amount equal to that subtraction modification.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-17) An amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact that foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the person, during the same taxable year, paid, accrued, or incurred,

the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-18) An amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(a)(2)(D-17) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section

304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-19) For taxable years ending on or after December 31, 2008, an amount equal to the amount of insurance premium expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the premiums and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(a)(2)(D-17) or Section 203(a)(2)(D-18) of this Act.

(D-20) For taxable years beginning on or after January 1, 2002 and ending on or before December 31, 2006, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B). For taxable years beginning on or after January 1, 2007, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College Savings Pool created under Section 16.5 of the State Treasurer Act, (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, or (iii) a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code that (I) adopts and determines that its offering materials comply with the College Savings Plans Network's disclosure principles and (II) has made reasonable efforts to inform in-state residents of the existence of in-state qualified tuition programs by informing Illinois residents directly and, where applicable, to inform financial intermediaries distributing the program to inform in-state residents of the existence of in-state qualified tuition programs at least annually, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B).

For the purposes of this subparagraph (D-20), a qualified tuition program has made reasonable efforts if it makes disclosures (which may use the term "in-state program" or "in-state plan" and need not specifically refer to Illinois or its qualified programs by name) (i) directly to prospective participants in its offering materials or makes a public disclosure, such as a website posting; and (ii) where applicable, to intermediaries selling the out-of-state program in the same manner that the out-of-state program distributes its offering materials;

(D-21) For taxable years beginning on or after January 1, 2007, in the case of transfer of moneys from a qualified tuition program under Section 529 of the Internal Revenue Code that is administered by the State to an out-of-state program, an amount equal to the amount of moneys previously deducted from base income under subsection (a)(2)(Y) of this Section.

and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard or, beginning with taxable years ending on or after December 31, 2007, the National Guard of any other state. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a

member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard or, beginning with taxable years ending on or after December 31, 2007, the National Guard of any other state. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones or a River Edge Redevelopment Zone or zones. This subparagraph (J) is exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (K);

(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the payment of life, endowment or annuity benefits in advance of the time they would otherwise be payable as an indemnity for a terminal illness;

(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of

2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section 213 of the Internal Revenue Code of 1986, has not been deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that taxpayer's income, self-employment income, or Subchapter S corporation income; except that no deduction shall be allowed under this item (V) if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002 and ending on or before December 31, 2004, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). For taxable years beginning on or after January 1, 2005, a maximum of $10,000 contributed in the taxable year to (i) a College Savings Pool account under Section 16.5 of the State Treasurer Act or (ii) the Illinois Prepaid Tuition Trust Fund, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;

(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction is taken on the taxpayer's federal income tax return under subsection (k) of

Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction;

(2) for taxable years ending on or before December 31, 2005, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December 31, 2005:

(i) for property on which a bonus depreciation deduction of 30% of the adjusted basis was taken, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(ii) for property on which a bonus depreciation deduction of 50% of the adjusted basis was taken, "x" equals "y" multiplied by 1.0.

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code. This subparagraph (Z) is exempt from the provisions of Section 250;

(AA) If the taxpayer sells, transfers, abandons, or otherwise disposes of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (AA) is exempt from the provisions of Section 250;

(BB) Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle;

(CC) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of that addition modification, and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of that addition modification. This subparagraph (CC) is exempt from the provisions of Section 250;

(DD) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-17) for interest paid, accrued, or incurred, directly or indirectly, to the same person. This subparagraph (DD) is exempt from the provisions of Section 250; ~~and~~

(EE) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is

ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-18) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person. This subparagraph (EE) is exempt from the provisions of Section 250; and ~~.~~

(FF) For each taxable year ending on or after December 31, 2009, an amount equal to 10% of the amount of expenditures by the taxpayer for equipment and computer software placed in service during the taxable year for the purpose of preventing identity theft, but not to exceed $100 per article of equipment or software.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(E-11) If the taxpayer sells, transfers, abandons, or otherwise disposes of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (T) with respect to that property.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under

subparagraph (T), then an amount equal to that subtraction modification.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(E-12) An amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(E-13) An amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under

Section 203(b)(2)(E-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(E-14) For taxable years ending on or after December 31, 2008, an amount equal to the amount of insurance premium expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the premiums and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(b)(2)(E-12) or Section 203(b)(2)(E-13) of this Act;

(E-15) For taxable years beginning after December 31, 2008, any deduction for dividends paid by a captive real estate investment trust that is allowed to a real estate investment trust under Section 857(b)(2)(B) of the Internal Revenue Code for dividends paid;

and by deducting from the total so obtained the sum of the following amounts:

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

(H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

(I) With the exception of any amounts subtracted under subparagraph (J), an amount

equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones or a River Edge Redevelopment Zone or zones. This subparagraph (K) is exempt from the provisions of Section 250;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit or the River Edge Redevelopment Zone Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone or the River Edge Redevelopment Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence. This subparagraph (M) is exempt from the provisions of Section 250;

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity under Section 11 of the Illinois Enterprise Zone Act or under Section 10-10 of the River Edge Redevelopment Zone Act. This subparagraph (N) is exempt from the provisions of Section 250;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31,

1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends, and including, for taxable years ending on or after December 31, 2008, dividends received from a captive real estate investment trust; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code and including, for taxable years ending on or after December 31, 2008, dividends received from a captive real estate investment trust, from any such corporation specified in clause (i) that would but for the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends. This subparagraph (O) is exempt from the provisions of Section 250 of this Act;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) On and after July 20, 1999, in the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year; the provisions of this subparagraph are exempt from the provisions of Section 250;

(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This subparagraph (S) is exempt from the provisions of Section 250;

(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction;

(2) for taxable years ending on or before December 31, 2005, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December 31, 2005:

(i) for property on which a bonus depreciation deduction of 30% of the adjusted basis was taken, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(ii) for property on which a bonus depreciation deduction of 50% of the adjusted basis was taken, "x" equals "y" multiplied by 1.0.

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code. This subparagraph (T) is exempt from the provisions of Section 250;

(U) If the taxpayer sells, transfers, abandons, or otherwise disposes of property

for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (U) is exempt from the provisions of Section 250;

(V) The amount of: (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification, (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification, and (iii) any insurance premium income (net of deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-19), Section 203(b)(2)(E-14), Section 203(c)(2)(G-14), or Section 203(d)(2)(D-9), but not to exceed the amount of that addition modification. This subparagraph (V) is exempt from the provisions of Section 250;

(W) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-12) for interest paid, accrued, or incurred, directly or indirectly, to the same person. This subparagraph (W) is exempt from the provisions of Section 250; and

(X) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person. This subparagraph (X) is exempt from the provisions of Section 250. ~~(Y)~~

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, $600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, $300; and (iii) any other trust, $100, but

in each such case, only to the extent such amount was deducted in the computation of taxable income;

(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer sells, transfers, abandons, or otherwise disposes of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (R) with respect to that property.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under subparagraph (R), then an amount equal to that subtraction modification.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(G-12) An amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code

and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(G-13) An amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(c)(2)(G-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes: (1) expenses, losses, and costs for or related to the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both

of the following:

(a) the person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(G-14) For taxable years ending on or after December 31, 2008, an amount equal to the amount of insurance premium expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the premiums and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(c)(2)(G-12) or Section 203(c)(2)(G-13) of this Act.

and by deducting from the total so obtained the sum of the following amounts:

(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(I) The valuation limitation amount;

(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act and conducts substantially all of its operations in an Enterprise Zone

or Zones or a River Edge Redevelopment Zone or zones. This subparagraph (M) is exempt from the provisions of Section 250;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction;

(2) for taxable years ending on or before December 31, 2005, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December 31, 2005:

(i) for property on which a bonus depreciation deduction of 30% of the adjusted basis was taken, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(ii) for property on which a bonus depreciation deduction of 50% of the adjusted basis was taken, "x" equals "y" multiplied by 1.0.

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code. This subparagraph (R) is exempt from the provisions of Section 250;

(S) If the taxpayer sells, transfers, abandons, or otherwise disposes of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (S) is exempt from the provisions of Section 250;

(T) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification. This subparagraph (T) is exempt from the provisions of Section 250;

(U) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-12) for interest paid, accrued, or incurred, directly or indirectly, to the same person. This subparagraph (U) is exempt from the provisions of Section 250; and

(V) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person. This subparagraph (V) is exempt from the provisions of Section 250. ~~(W)~~

(3) Limitation. The amount of any modification otherwise required under this subsection shall, under regulations prescribed by the Department, be adjusted by any amounts included therein which were properly paid, credited, or required to be distributed, or permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code;

(D-6) If the taxpayer sells, transfers, abandons, or otherwise disposes of

property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was allowed in any taxable year to make a subtraction modification under subparagraph (O), then an amount equal to that subtraction modification.

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-7) An amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arm's-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's-length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act; and

(D-8) An amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, (i) for taxable years ending on or after December 31, 2004, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the

unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(d)(2)(D-7) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets;

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arm's-length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(D-9) For taxable years ending on or after December 31, 2008, an amount equal to the amount of insurance premium expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the premiums and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(d)(2)(D-7) or Section 203(d)(2)(D-8) of this Act.

and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of

its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd General Assembly, or a River Edge Redevelopment Zone or zones created under the River Edge Redevelopment Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones or from a River Edge Redevelopment Zone or zones. This subparagraph (K) is exempt from the provisions of Section 250;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction;

(2) for taxable years ending on or before December 31, 2005, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(3) for taxable years ending after December 31, 2005:

(i) for property on which a bonus depreciation deduction of 30% of the adjusted basis was taken, "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429); and

(ii) for property on which a bonus depreciation deduction of 50% of the adjusted basis was taken, "x" equals "y" multiplied by 1.0.

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code. This subparagraph (O) is exempt from the provisions of Section 250;

(P) If the taxpayer sells, transfers, abandons, or otherwise disposes of property for which the taxpayer was required in any taxable year to make an addition modification under

subparagraph (D-5), then an amount equal to that addition modification.

If the taxpayer continues to own property through the last day of the last tax year for which the taxpayer may claim a depreciation deduction for federal income tax purposes and for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

This subparagraph (P) is exempt from the provisions of Section 250;

(Q) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification. This subparagraph (Q) is exempt from Section 250;

(R) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-7) for interest paid, accrued, or incurred, directly or indirectly, to the same person. This subparagraph (R) is exempt from Section 250; and

(S) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with (i) a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity and (ii) for taxable years ending on or after December 31, 2008, to a person who would be a member of the same unitary business group but for the fact that the person is prohibited under Section 1501(a)(27) from being included in the unitary business group because he or she is ordinarily required to apportion business income under different subsections of Section 304, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-8) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same person. This subparagraph (S) is exempt from Section 250. ~~(T)~~

(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for purposes of this Section and Section 803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of

the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company taxable income;

(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group. For purposes of this subparagraph, the taxpayer's separate taxable income shall be determined as if the election provided by Section 243(b) (2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions of Section 1381 through 1388 of the Internal Revenue Code;

(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for which there is in effect a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982, the taxable income of such corporation determined in accordance with the federal Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership, taxable income determined in accordance with Section 703 of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 703(a)(1) to be separately stated but which would be taken into account by an individual in calculating his taxable income.

(3) Recapture of business expenses on disposition of asset or business. Notwithstanding any other law to the contrary, if in prior years income from an asset or business has been classified as business income and in a later year is demonstrated to be non-business income, then all expenses, without limitation, deducted in such later year and in the 2 immediately preceding taxable years related to that asset or business that generated the non-business income shall be added back and recaptured as business income in the year of the disposition of the asset or business. Such amount shall be apportioned to Illinois using the greater of the apportionment fraction computed for the business under Section 304 of this Act for the taxable year or the average of the apportionment fractions computed for the business under Section 304 of this Act for the taxable year and for the 2 immediately preceding taxable years.

(f) Valuation limitation amount.

(1) In general. The valuation limitation amount referred to in subsections (a) (2) (G), (c) (2) (I) and (d)(2) (E) is an amount equal to:

(A) The sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of gain reportable under the provisions of Section 1245 or 1250 of the Internal Revenue Code) for all property in respect of which such gain was reported for the taxable year; plus

(B) The lesser of (i) the sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of capital gain) for all property in respect of which such gain was reported for federal income tax purposes for the taxable year, or (ii) the net capital gain for the taxable year,

reduced in either case by any amount of such gain included in the amount determined under subsection (a) (2) (F) or (c) (2) (H).

(2) Pre-August 1, 1969 appreciation amount.

(A) If the fair market value of property referred to in paragraph (1) was readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

(B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the property for federal income tax purposes for the taxable year, as the number of full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.

(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 94-776, eff. 5-19-06; 94-789, eff. 5-19-06; 94-1021, eff. 7-12-06; 94-1074, eff. 12-26-06; 95-23, eff. 8-3-07; 95-233, eff. 8-16-07; 95-286, eff. 8-20-07; 95-331, eff. 8-21-07; 95-707, eff. 1-11-08; 95-876, eff. 8-21-08; revised 10-15-08.)

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 4223. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4223 on page 1, immediately below line 1, by inserting the following:

"WHEREAS, The Surgeon General of the United States issued a Health Advisory in 2005 warning Americans about the health risk from exposure to radon in indoor air; and

WHEREAS, Indoor radon is the second-leading cause of lung cancer in the United States, and breathing it over prolonged periods can present a significant health risk to families all over the country; and

WHEREAS, The nation's chief physician urged Americans to test their homes to find out how much radon they might be breathing; and

WHEREAS, The United States Environmental Protection Agency, National Academy of Sciences, and the Surgeon General estimate that 21,000 radon-related lung cancer deaths occur annually in the United States, as many as 1,100 of those in this State; and

WHEREAS, Results of 96,000 home measurements conducted by professional contractors and homeowners between 2003 and 2008 submitted to the Illinois Emergency Management Agency show that 40% of homes tested in this State had radon levels above the 4.0 picocuries per liter (pCi/L) action level; therefore"; and

on page 1, by replacing lines 6 through 18 with the following:

"(105 ILCS 5/10-20.46 new)

Sec. 10-20.46. Radon testing.

(a) It is recommended that every occupied school building of a school district be tested every 5 years for radon pursuant to rules established by the Illinois Emergency Management Agency (IEMA).

(b) It is recommended that new schools of a school district be built using radon resistant new construction techniques, as shown in the United States Environmental Protection Agency document, Radon Prevention in the Design and Construction of Schools and Other Large Buildings.

(c) Each school district may maintain, make available for review, and notify parents and faculty of test results under this Section. The district shall report radon test results to the State Board of Education, which shall prepare a report every 2 years of the results from all schools that have performed tests, to be submitted to the General Assembly and the Governor.

(d) If IEMA exempts an individual from being required to be a licensed radon professional, the individual does not need to be a licensed radon professional in order to perform screening tests under this Section. A school district may elect to have one or more employees from the district attend an IEMA-approved, Internet-based training course on school testing in order to receive an exemption to conduct testing in that school district. These school district employees must perform the measurements in accordance with procedures approved by IEMA. If an exemption from IEMA is not received, the school district must use a licensed radon professional to conduct measurements.

(e) If the results of a radon screening test under this Section are found to be 4.0 pCi/L or above, the school district may hire a licensed radon professional to perform measurements before any mitigation decisions are made. If radon levels of 4.0 pCi/L or above are found, it is recommended that affected areas be mitigated by a licensed radon mitigation professional with respect to both design and installation. IEMA may provide the school district with a list of licensed radon mitigation professionals.

(f) A screening test under this Section may be done with a test kit found in a hardware store, department store, or home improvement store or with a kit ordered through the mail or over the Internet. However, the kit must be provided by a laboratory licensed in accordance with the Radon Industry Licensing Act.

(105 ILCS 5/34-18.37 new)

Sec. 34-18.37. Radon testing.

(a) It is recommended that every occupied school building of the school district be tested every 5 years for radon pursuant to rules established by the Illinois Emergency Management Agency (IEMA).

(b) It is recommended that new schools of the school district be built using radon resistant new construction techniques, as shown in the United States Environmental Protection Agency document, Radon Prevention in the Design and Construction of Schools and Other Large Buildings.

(c) The school district may maintain, make available for review, and notify parents and faculty of test results under this Section. The district shall report radon test results to the State Board of Education, which shall prepare a report every 2 years of the results from all schools that have performed tests, to be submitted to the General Assembly and the Governor.

(d) If IEMA exempts an individual from being required to be a licensed radon professional, the individual does not need to be a licensed radon professional in order to perform screening tests under this Section. The school district may elect to have one or more employees from the district attend an IEMA-approved, Internet-based training course on school testing in order to receive an exemption to conduct testing in the school district. These school district employees must perform the measurements in accordance with procedures approved by IEMA. If an exemption from IEMA is not received, the school district must use a licensed radon professional to conduct measurements.

(e) If the results of a radon screening test under this Section are found to be 4.0 pCi/L or above, the school district may hire a licensed radon professional to perform measurements before any mitigation decisions are made. If radon levels of 4.0 pCi/L or above are found, it is recommended that affected areas be mitigated by a licensed radon mitigation professional with respect to both design and installation. IEMA may provide the school district with a list of licensed radon mitigation professionals.

(f) A screening test under this Section may be done with a test kit found in a hardware store, department store, or home improvement store or with a kit ordered through the mail or over the Internet. However, the kit must be provided by a laboratory licensed in accordance with the Radon Industry Licensing Act.".

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.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 2573.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 173, 1053 and 3815.

HOUSE BILL 789. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment & Energy, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 789 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 8-403.1 as follows:

(220 ILCS 5/8-403.1) (from Ch. 111 2/3, par. 8-403.1)

Sec. 8-403.1. Electricity purchased from qualified solid waste energy facility; tax credit; distributions for economic development.

(a) It is hereby declared to be the policy of this State to encourage the development of alternate energy production facilities in order to conserve our energy resources and to provide for their most efficient use.

(b) For the purpose of this Section and Section 9-215.1, "qualified solid waste energy facility" means a facility determined by the Illinois Commerce Commission to qualify as such under the Local Solid Waste Disposal Act, to use methane gas generated from landfills as its primary fuel, and to possess characteristics that would enable it to qualify as a cogeneration or small power production facility under federal law.

(c) In furtherance of the policy declared in this Section, the Illinois Commerce Commission shall require electric utilities to enter into long-term contracts to purchase electricity from qualified solid waste energy facilities located in the electric utility's service area, for a period beginning on the date that the facility begins generating electricity and having a duration of not less than 10 years in the case of facilities fueled by landfill-generated methane, or 20 years in the case of facilities fueled by methane generated from a landfill owned by a forest preserve district. The purchase rate contained in such contracts shall be equal to the average amount per kilowatt-hour paid from time to time by the unit or units of local government in which the electricity generating facilities are located, excluding amounts paid for street lighting and pumping service.

(d) Whenever a public utility is required to purchase electricity pursuant to subsection (c) above, it shall be entitled to credits in respect of its obligations to remit to the State taxes it has collected under the Electricity Excise Tax Law equal to the amounts, if any, by which payments for such electricity exceed (i) the then current rate at which the utility must purchase the output of qualified facilities pursuant to the federal Public Utility Regulatory Policies Act of 1978, less (ii) any costs, expenses, losses, damages or other amounts incurred by the utility, or for which it becomes liable, arising out of its failure to obtain such electricity from such other sources. The amount of any such credit shall, in the first instance, be determined by the utility, which shall make a monthly report of such credits to the Illinois Commerce Commission and, on its monthly tax return, to the Illinois Department of Revenue. Under no circumstances shall a utility be required to purchase electricity from a qualified solid waste energy facility at the rate prescribed in subsection (c) of this Section if such purchase would result in estimated tax credits that exceed, on a monthly basis, the utility's estimated obligation to remit to the State taxes it has collected under the Electricity Excise Tax Law. The owner or operator shall negotiate facility operating conditions with the purchasing utility in accordance with that utility's posted standard terms and conditions for small power producers. If the Department of Revenue disputes the amount of any such credit, such dispute shall be decided by the Illinois Commerce Commission. Whenever a qualified solid waste energy facility has paid or otherwise satisfied in full the capital costs or indebtedness incurred in developing and implementing the qualified solid waste energy facility, whenever the qualified solid waste energy facility ceases to operate and produce electricity from methane gas generated from landfills, or at the end of the contract entered into pursuant to subsection (c) of this Section, whichever occurs first, the qualified solid waste energy facility shall reimburse the Public Utility Fund and the General Revenue Fund in the State treasury for the actual reduction in payments to those Funds caused by this subsection (d) in a manner to be determined by the Illinois Commerce Commission and based on the manner in which revenues for those Funds were reduced. The payments shall be made to the Illinois Commerce Commission, which shall determine the appropriate disbursements to the Public Utility Fund and the General Revenue Fund based on this subsection (d).

(e) The Illinois Commerce Commission shall not require an electric utility to purchase electricity from any qualified solid waste energy facility which is owned or operated by an entity that is primarily engaged in the business of producing or selling electricity, gas, or useful thermal energy from a source other than

one or more qualified solid waste energy facilities.

(e-5) A qualified solid waste energy facility may receive the purchase rate provided in subsection (c) of this Section only for kilowatt-hours generated by the use of methane gas generated from landfills. The purchase rate provided in subsection (c) of this Section does not apply to electricity generated by the use of a fuel that is not methane gas generated from landfills. If the Illinois Commerce Commission determines that a qualified solid waste energy facility has violated the requirement regarding the use of methane gas generated from a landfill as set forth in this subsection (e-5), then the Commission shall issue an order requiring that the qualified solid waste energy facility repay the State for all dollar amounts of electricity sales that are determined by the Commission to be the result of the violation. As part of that order, the Commission shall have the authority to revoke the facility's approval to act as a qualified solid waste energy facility granted by the Commission under this Section. If the amount owed by the qualified solid waste energy facility is not received by the Commission within 90 days after the date of the Commission's order that requires repayment, then the Commission shall issue an order that revokes the facility's approval to act as a qualified solid waste energy facility granted by the Commission under this Section. The Commission's action that vacates prior qualified solid waste energy facility approval does not excuse the repayment to the State treasury required by subsection (d) of this Section for utility tax credits accumulated up to the time of the Commission's action. A qualified solid waste energy facility must receive Commission approval before it may use any fuel in addition to methane gas generated from a landfill in order to generate electricity. If a qualified solid waste energy facility petitions the Commission to use any fuel in addition to methane gas generated from a landfill to generate electricity, then the Commission shall have the authority to do the following:

(1) establish the methodology for determining the amount of electricity that is generated by the use of methane gas generated from a landfill and the amount that is generated by the use of other fuel;

(2) determine all reporting requirements for the qualified solid waste energy facility that are necessary for the Commission to determine the amount of electricity that is generated by the use of methane gas from a landfill and the amount that is generated by the use of other fuel and the resulting payments to the qualified solid waste energy facility; and

(3) require that the qualified solid waste energy facility, at the qualified solid waste energy facility's expense, install metering equipment that the Commission determines is necessary to enforce compliance with this subsection (e-5).

A public utility that is required to enter into a long-term purchase contract with a qualified solid waste energy facility has no duty to determine whether the electricity being purchased was generated by the use of methane gas generated from a landfill or was generated by the use of some other fuel in violation of the requirements of this subsection (e-5).

(f) This Section does not require an electric utility to construct additional facilities unless those facilities are paid for by the owner or operator of the affected qualified solid waste energy facility.

(g) The Illinois Commerce Commission shall require that: (1) electric utilities use the electricity purchased from a qualified solid waste energy facility to displace electricity generated from nuclear power or coal mined and purchased outside the boundaries of the State of Illinois before displacing electricity generated from coal mined and purchased within the State of Illinois, to the extent possible, and (2) electric utilities report annually to the Commission on the extent of such displacements.

(h) Nothing in this Section is intended to cause an electric utility that is required to purchase power hereunder to incur any economic loss as a result of its purchase. All amounts paid for power which a utility is required to purchase pursuant to subparagraph (c) shall be deemed to be costs prudently incurred for purposes of computing charges under rates authorized by Section 9-220 of this Act. Tax credits provided for herein shall be reflected in charges made pursuant to rates so authorized to the extent such credits are based upon a cost which is also reflected in such charges.

(i) Beginning in February 1999 and through January 2013 ~~2009~~, each qualified solid waste energy facility that sells electricity to an electric utility at the purchase rate described in subsection (c) shall file with the Department of Revenue on or before the 15th of each month a form, prescribed by the Department of Revenue, that states the number of kilowatt hours of electricity for which payment was received at that purchase rate from electric utilities in Illinois during the immediately preceding month. This form shall be accompanied by a payment from the qualified solid waste energy facility in an amount equal to six-tenths of a mill ($0.0006) per kilowatt hour of electricity stated on the form. Beginning on the effective date of this amendatory Act of the 92nd General Assembly, a qualified solid waste energy facility must file the form required under this subsection (i) before the 15th of each month regardless of whether the facility

received any payment in the previous month. Payments received by the Department of Revenue shall be deposited into the Municipal Economic Development Fund, a trust fund created outside the State treasury. The State Treasurer may invest the moneys in the Fund in any investment authorized by the Public Funds Investment Act, and investment income shall be deposited into and become part of the Fund. Moneys in the Fund shall be used by the State Treasurer as provided in subsection (j).

Beginning on July 1, 2006 through January 31, 2013 ~~2009~~, each month the State Treasurer shall certify the following to the State Comptroller:

(A) the amount received by the Department of Revenue under this subsection (i) during the immediately preceding month; and

(B) the amount received by the Department of Revenue under this subsection (i) in the corresponding month in calendar year 2002.

As soon as practicable after receiving the certification from the State Treasurer, the State Comptroller shall transfer from the General Revenue Fund to the Municipal Economic Development Fund in the State treasury an amount equal to the amount by which the amount calculated under item (B) of this paragraph exceeds the amount calculated under item (A) of this paragraph, if any.

The obligation of a qualified solid waste energy facility to make payments into the Municipal Economic Development Fund shall terminate upon either: (1) expiration or termination of a facility's contract to sell electricity to an electric utility at the purchase rate described in subsection (c); or (2) entry of an enforceable, final, and non-appealable order by a court of competent jurisdiction that Public Act 89-448 is invalid. Payments by a qualified solid waste energy facility into the Municipal Economic Development Fund do not relieve the qualified solid waste energy facility of its obligation to reimburse the Public Utility Fund and the General Revenue Fund for the actual reduction in payments to those Funds as a result of credits received by electric utilities under subsection (d).

A qualified solid waste energy facility that fails to timely file the requisite form and payment as required by this subsection (i) shall be subject to penalties and interest in conformance with the provisions of the Illinois Uniform Penalty and Interest Act.

Every qualified solid waste energy facility subject to the provisions of this subsection (i) shall keep and maintain records and books of its sales pursuant to subsection (c), including payments received from those sales and the corresponding tax payments made in accordance with this subsection (i), and for purposes of enforcement of this subsection (i) all such books and records shall be subject to inspection by the Department of Revenue or its duly authorized agents or employees.

When a qualified solid waste energy facility fails to file the form or make the payment required under this subsection (i), the Department of Revenue, to the extent that it is practical, may enforce the payment obligation in a manner consistent with Section 5 of the Retailers' Occupation Tax Act, and if necessary may impose and enforce a tax lien in a manner consistent with Sections 5a, 5b, 5c, 5d, 5e, 5f, 5g, and 5i of the Retailers' Occupation Tax Act. No tax lien may be imposed or enforced, however, unless a qualified solid waste energy facility fails to make the payment required under this subsection (i). Only to the extent necessary and for the purpose of enforcing this subsection (i), the Department of Revenue may secure necessary information from a qualified solid waste energy facility in a manner consistent with Section 10 of the Retailers' Occupation Tax Act.

All information received by the Department of Revenue in its administration and enforcement of this subsection (i) shall be confidential in a manner consistent with Section 11 of the Retailers' Occupation Tax Act. The Department of Revenue may adopt rules to implement the provisions of this subsection (i).

For purposes of implementing the maximum aggregate distribution provisions in subsections (j) and (k), when a qualified solid waste energy facility makes a late payment to the Department of Revenue for deposit into the Municipal Economic Development Fund, that payment and deposit shall be attributed to the month and corresponding quarter in which the payment should have been made, and the Treasurer shall make retroactive distributions or refunds, as the case may be, whenever such late payments so require.

(j) The State Treasurer, without appropriation, must make distributions immediately after January 15, April 15, July 15, and October 15 of each year, up to maximum aggregate distributions of $500,000 for the distributions made in the 4 quarters beginning with the April distribution and ending with the January distribution, from the Municipal Economic Development Fund to each city, village, or incorporated town located in Cook County that has approved construction within its boundaries of an incinerator that will burn recovered wood processed for fuel to generate electricity and will commence operation after 2009 ~~: (1) uses or, on the effective date of Public Act 90-813, used municipal waste as its primary fuel to generate electricity; (2) was determined by the Illinois Commerce Commission to qualify as a qualified solid waste energy facility prior to the effective date of Public Act 89-448; and (3) commenced operation prior to~~

~~January 1, 1998~~. Total distributions in the aggregate to all qualified cities, villages, and incorporated towns in the 4 quarters beginning with the April distribution and ending with the January distribution shall not exceed $500,000. The amount of each distribution shall be determined pro rata based on the population of the city, village, or incorporated town compared to the total population of all cities, villages, and incorporated towns eligible to receive a distribution. Distributions received by a city, village, or incorporated town must be held in a separate account and may be used only to promote and enhance industrial, commercial, residential, service, transportation, and recreational activities and facilities within its boundaries, thereby enhancing the employment opportunities, public health and general welfare, and economic development within the community, including administrative expenditures exclusively to further these activities. Distributions may also be used for cleanup of open dumping from vacant properties and the removal of structures condemned by the city, village, or incorporated town. These funds, however, shall not be used by the city, village, or incorporated town, directly or indirectly, to purchase, lease, operate, or in any way subsidize the operation of any incinerator, and these funds shall not be paid, directly or indirectly, by the city, village, or incorporated town to the owner, operator, lessee, shareholder, or bondholder of any incinerator. Moreover, these funds shall not be used to pay attorneys fees in any litigation relating to the validity of Public Act 89-448. Nothing in this Section prevents a city, village, or incorporated town from using other corporate funds for any legitimate purpose. For purposes of this subsection, the term "municipal waste" has the meaning ascribed to it in Section 3.290 of the Environmental Protection Act.

(k) If maximum aggregate distributions of $500,000 under subsection (j) have been made after the January distribution from the Municipal Economic Development Fund, then the balance in the Fund shall be refunded to the qualified solid waste energy facilities that made payments that were deposited into the Fund during the previous 12-month period. The refunds shall be prorated based upon the facility's payments in relation to total payments for that 12-month period.

(l) Beginning January 1, 2000, and each January 1 thereafter, each city, village, or incorporated town that received distributions from the Municipal Economic Development Fund, continued to hold any of those distributions, or made expenditures from those distributions during the immediately preceding year shall submit to a financial and compliance and program audit of those distributions performed by the Auditor General at no cost to the city, village, or incorporated town that received the distributions. The audit should be completed by June 30 or as soon thereafter as possible. The audit shall be submitted to the State Treasurer and those officers enumerated in Section 3-14 of the Illinois State Auditing Act. If the Auditor General finds that distributions have been expended in violation of this Section, the Auditor General shall refer the matter to the Attorney General. The Attorney General may recover, in a civil action, 3 times the amount of any distributions illegally expended. For purposes of this subsection, the terms "financial audit," "compliance audit", and "program audit" have the meanings ascribed to them in Sections 1-13 and 1-15 of the Illinois State Auditing Act.

(m) On and after the effective date of this amendatory Act of the 94th General Assembly, beginning on the first date on which renewable energy certificates or other saleable representations are sold by a qualified solid waste energy facility, with or without the electricity generated by the facility, and utilized by an electric utility or another electric supplier to comply with a renewable energy portfolio standard mandated by Illinois law or mandated by order of the Illinois Commerce Commission, that qualified solid waste energy facility may not sell electricity pursuant to this Section and shall be exempt from the requirements of subsections (a) through (l) of this Section, except that it shall remain obligated for any reimbursements required under subsection (d) of this Section. All of the provisions of this Section shall remain in full force and effect with respect to any qualified solid waste energy facility that sold electric energy pursuant to this Section at any time before July 1, 2006 and that does not sell renewable energy certificates or other saleable representations to meet the requirements of a renewable energy portfolio standard mandated by Illinois law or mandated by order of the Illinois Commerce Commission.

(n) Notwithstanding any other provision of law to the contrary, beginning on July 1, 2006, the Illinois Commerce Commission shall not issue any order determining that a facility is a qualified solid waste energy facility unless the qualified solid waste energy facility was determined by the Illinois Commerce Commission to be a qualified solid waste energy facility before July 1, 2006. As a guide to the intent, interpretation, and application of this amendatory Act of the 94th General Assembly, it is hereby declared to be the policy of this State to honor each qualified solid waste energy facility contract in existence on the effective date of this amendatory Act of the 94th General Assembly if the qualified solid waste energy facility continues to meet the requirements of this Section for the duration of its respective contract term.
(Source: P.A. 94-836, eff. 6-6-06.)

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.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 2283.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 4318.

HOUSE BILL 2450. Having been reproduced, was taken up and read by title a second time.

Representative Miller offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2450 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Food, Drug and Cosmetic Act is amended by adding Section 3.23 as follows: (410 ILCS 620/3.23 new)

Sec. 3.23. Legend drug prohibition.

(a) In this Section:

"Legend drug" means a drug limited by the Federal Food, Drug and Cosmetic Act to being dispensed by or upon a medical practitioner's prescription because the drug is:

(1) habit forming;

(2) toxic or having potential for harm; or

(3) limited in use by the new drug application for the drug to use only under a medical practitioner's supervision.

"Medical practitioner" means any person licensed to practice medicine in all its branches in the State.

"Deliver" or "delivery" means the actual, constructive, or attempted transfer of possession of a legend drug, with or without consideration, whether or not there is an agency relationship.

"Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a legend drug, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container. "Manufacture" does not include:

(1) by an ultimate user, the preparation or compounding of a legend drug for his own use; or

(2) by a medical practitioner, or his authorized agent under his supervision, the preparation, compounding, packaging, or labeling of a legend drug:

(A) as an incident to his administering or dispensing of a legend drug in the course of his professional practice; or

(B) as an incident to lawful research, teaching, or chemical analysis and not for sale.

"Prescription" means a lawful written, facsimile, or verbal order of a medical practitioner as defined under the laws of the State.

(b) It is unlawful for any person to knowingly manufacture or deliver or possess with the intent to manufacture or deliver a legend drug of 6 or more pills, tablets, capsules, or caplets or 30 ml or more of a legend drug in liquid form who is not licensed by applicable law to prescribe or dispense legend drugs or is not an employee of the licensee operating in the normal course of business under the supervision of the licensee. Any person who violates this Section is guilty of a Class 3 felony, the fine for which shall not exceed $100,000. A person convicted of a second or subsequent violation of this Section is guilty of a Class 1 felony, the fine for which shall not exceed $250,000.

(c) The following are subject to forfeiture:

(1) all substances that have been manufactured, distributed, dispensed, or possessed in violation of this Act;

(2) all raw materials, products, and equipment of any kind which are used, or intended for use in manufacturing, distributing, dispensing, administering, or possessing any substance in violation of this Act;

(3) all conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, to

transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of property described in items (1) and (2) of this subsection (c), but:

(A) no conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this Section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this Act;

(B) no conveyance is subject to forfeiture under this Section by reason of any act or omission which the owner proves to have been committed or omitted without his knowledge or consent; and

(C) a forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission;

(4) all money, things of value, books, records, and research products and materials including formulas, microfilm, tapes, and data that are used, or intended to be used in violation of this Act;

(5) everything of value furnished, or intended to be furnished, in exchange for a substance in violation of this Act, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used, or intended to be used, to commit or in any manner to facilitate any violation of this Act; and

(6) all real property, including any right, title, and interest, including, but not limited to, any leasehold interest or the beneficial interest in a land trust, in the whole of any lot or tract of land and any appurtenances or improvements, which is used or intended to be used, in any manner or part, to commit, or in any manner to facilitate the commission of, any violation or act that constitutes a violation of Section 33.1 of this Act or that is the proceeds of any violation or act that constitutes a violation of Section 33.1 of this Act.

(d) Property subject to forfeiture under this Act may be seized by the Secretary or any peace officer upon process or seizure warrant issued by any court having jurisdiction over the property. Seizure by the Secretary or any peace officer without process may be made:

(1) if the seizure is incident to inspection under an administrative inspection warrant;

(2) if the property subject to seizure has been the subject of a prior judgment in favor of the State in a criminal proceeding, or in an injunction or forfeiture proceeding based upon this Act or the Drug Asset Forfeiture Procedure Act;

(3) if there is probable cause to believe that the property is directly or indirectly dangerous to health or safety;

(4) if there is probable cause to believe that the property is subject to forfeiture under this Act and the property is seized under circumstances in which a warrantless seizure or arrest would be reasonable; or

(5) in accordance with the Code of Criminal Procedure of 1963.

(e) In the event of seizure pursuant to subsection (c) of this Section, forfeiture proceedings shall be instituted in accordance with the Drug Asset Forfeiture Procedure Act.

(f) Property taken or detained under this Section shall not be subject to replevin, but is deemed to be in the custody of the Secretary subject only to the order and judgments of the circuit court having jurisdiction over the forfeiture proceedings and the decisions of the State's Attorney under the Drug Asset Forfeiture Procedure Act. If property is seized under this Act, then the seizing agency shall promptly conduct an inventory of the seized property and estimate the property's value, and shall forward a copy of the inventory of seized property and the estimate of the property's value to the Secretary. Upon receiving notice of seizure, the Secretary may:

(1) place the property under seal;

(2) remove the property to a place designated by the Secretary;

(3) keep the property in the possession of the seizing agency;

(4) remove the property to a storage area for safekeeping or, if the property is a negotiable instrument or money and is not needed for evidentiary purposes, deposit it in an interest bearing account;

(5) place the property under constructive seizure by posting notice of pending forfeiture on it, by giving notice of pending forfeiture to its owners and interest holders, or by filing notice of pending forfeiture in any appropriate public record relating to the property; or

(6) provide for another agency or custodian, including an owner, secured party, or lienholder, to take custody of the property upon the terms and conditions set by the Secretary.

(g) If the Department suspends or revokes a registration, all legend drugs owned or possessed by the registrant at the time of suspension or the effective date of the revocation order may be placed under seal. No disposition may be made of substances under seal until the time for taking an appeal has elapsed or until all appeals have been concluded unless a court, upon application therefor, orders the sale of perishable substances and the deposit of the proceeds of the sale with the court. Upon a revocation rule becoming

final, all substances may be forfeited to the Department.

(h) If property is forfeited under this Act, then the Secretary must sell all such property unless such property is required by law to be destroyed or is harmful to the public, and shall distribute the proceeds of the sale, together with any moneys forfeited or seized, in accordance with subsection (i) of this Section. Upon the application of the seizing agency or prosecutor who was responsible for the investigation, arrest or arrests, and prosecution that led to the forfeiture, the Secretary may return any item of forfeited property to the seizing agency or prosecutor for official use in the enforcement of laws if the agency or prosecutor can demonstrate that the item requested would be useful to the agency or prosecutor in their enforcement efforts. If any forfeited conveyance, including an aircraft, vehicle, or vessel, is returned to the seizing agency or prosecutor, then the conveyance may be used immediately in the enforcement of the criminal laws of the State. Upon disposal, all proceeds from the sale of the conveyance must be used for drug enforcement purposes. If any real property returned to the seizing agency is sold by the agency or its unit of government, then the proceeds of the sale shall be delivered to the Secretary and distributed in accordance with subsection (i) of this Section.

(i) All moneys and the sale proceeds of all other property forfeited and seized under this Act shall be distributed as follows:

(1) 65% shall be distributed to the metropolitan enforcement group, local, municipal, county, or State law enforcement agency or agencies which conducted or participated in the investigation resulting in the forfeiture. The distribution shall bear a reasonable relationship to the degree of direct participation of the law enforcement agency in the effort resulting in the forfeiture, taking into account the total value of the property forfeited and the total law enforcement effort with respect to the violation of the law upon which the forfeiture is based. Amounts distributed to the agency or agencies shall be used for the enforcement of laws.

(2) 12.5% shall be distributed to the Office of the State's Attorney of the county in which the prosecution resulting in the forfeiture was instituted, deposited in a special fund in the county treasury and appropriated to the State's Attorney for use in the enforcement of laws. In counties over 3,000,000 population, 25% will be distributed to the Office of the State's Attorney for use in the enforcement of laws governing cannabis and controlled substances. If the prosecution is undertaken solely by the Attorney General, the portion provided hereunder shall be distributed to the Attorney General for use in the enforcement of laws.

(3) 12.5% shall be distributed to the Office of the State's Attorneys Appellate Prosecutor and deposited in a separate fund of that office to be used for additional expenses incurred in the investigation, prosecution and appeal of cases. The Office of the State's Attorneys Appellate Prosecutor shall not receive distribution from cases brought in counties with over 3,000,000 population.

(4) 10% shall be retained by the Department of State Police for expenses related to the administration and sale of seized and forfeited property.

Section 10. The Drug Asset Forfeiture Procedure Act is amended by changing Section 3 as follows:

(725 ILCS 150/3) (from Ch. 56 1/2, par. 1673)

Sec. 3. Applicability. The provisions of this Act are applicable to all property forfeitable under the Illinois Controlled Substances Act, the Cannabis Control Act, the Illinois Food, Drug and Cosmetic Act, or the Methamphetamine Control and Community Protection Act.

(Source: P.A. 94-556, eff. 9-11-05.)

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

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 advanced to the order of Third Reading.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 12:13 o'clock p.m.

HOUSE BILLS ON SECOND READING

HOUSE BILL 604. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Consumer Protection, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 604 on page 18, by replacing lines 3 and 4 with the following:

"(1) within a retail establishment selling tobacco products, unless the retailer has verified the purchaser's age with a government issued identification;"; and

by replacing lines 8 through 11 with the following:

"This subsection (a-7) does not apply to the distribution of a tobacco product sample in any adult-only facility."; and

on page 18, by inserting immediately below line 12 the following:

""Adult-only facility means a facility or restricted area (whether open-air or enclosed) where the operator ensures or has a reasonable basis to believe (such as by checking identification as required under State law, or by checking the identification of any person appearing to be under the age of 27) that no person under legal age is present. A facility or restricted area need not be permanently restricted to persons under legal age to constitute an adult-only facility, provided that the operator ensures or has a reasonable basis to believe that no person under legal age is present during the event or time period in question.".

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 3872. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue & Finance, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 3872 by deleting all of Section 40.

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 737. Having been reproduced, was taken up and read by title a second time.

Representative Smith offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 737 on page 5, by replacing lines 8 through 10 with the following:

"designation program. The State Board shall select, through a competitive application process, a statewide entity or entities to receive funds".

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 advanced to the order of Third Reading.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 312, 313, 314, 2239 and 2240.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have 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 Madigan, HOUSE BILL 312 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:

65, Yeas; 49, 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 and ask their concurrence.

On motion of Representative Madigan, HOUSE BILL 314 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:

62, Yeas; 51, 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 and ask their concurrence.

On motion of Representative Madigan, HOUSE BILL 313 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:

65, Yeas; 49, 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 and ask their concurrence.

SENATE BILL ON SECOND READING

SENATE BILL 2016. Having been read by title a second time on March 18, 2009, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1. Amend Senate Bill 2016 by replacing everything after the enacting clause with the following:

"ARTICLE 1.

Section 1-1. Short title. This Act may be cited as the 2016 Olympic and Paralympic Games Act.

ARTICLE 5.

Section 5-1. Article title. This Article may be cited as the Olympic Games and Paralympic Games (2016) Law.

Section 5-5. Definitions. For purposes of this Article:

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities (including, without limitation, training activities) for the games as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

"Games" means the 2016 Olympic and Paralympic Games.

"Governor" means the Governor of Illinois.

"IOC" means the International Olympic Committee.

"IPC" means the International Paralympic Committee.

"Net financial deficit" means any financial deficit of the OCOG or resulting from the conduct of the games.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities (including, without limitation, live sites, hospitality sites, and administrative and operational offices) for the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"OCOG" means the bid committee, as the same may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation that serves as the organizing committee for the games and to be established by the candidate city and the bid committee. Appointments of members to the OCOG should, to the greatest extent possible, reflect the ethnic and racial diversity of the candidate city.

"Olympic properties" means, collectively, (1) the properties on which the venues will be located and that are owned or controlled by the State and (2) the Olympic ancillary properties.

"Olympic ancillary properties" means all public rights-of-ways or public areas that are owned or controlled by the State (or over which it has jurisdiction), including but not limited to streets, highways, sidewalks, alleys, waterways, parks, and bridges necessary and appropriate to the staging of the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"State" means the State of Illinois.

"State indemnification obligation" means the obligation of the State to indemnify the IOC, IPC or USOC, or a combination of those entities, against claims of, and liabilities to, third parties relating to the games, as described in this Article.

"USOC" means the United States Olympic Committee.

"Venues" means, collectively, the competition venues and non-competition venues.

Section 5-10. Governmental Cooperation.

(a) The State, in accordance with law and to the extent of the State's authority, and subject to the limitations of this Article:

(1) guarantees that the candidate city, working in partnership with the OCOG, shall be the primary and lead governmental authority for the planning, organization, and hosting of the games;

(2) guarantees that the candidate city shall be the primary and lead governmental authority for the planning, organization, and delivery of public services specific to the games;

(3) guarantees that the State shall designate a representative (designated as a games liaison) to be the primary point of contact for the State to the candidate city and the OCOG for purposes of intergovernmental coordination in connection with the games;

(4) guarantees the State's respect of the Olympic Charter and the Host City Contract promulgated by the IOC;

(5) agrees that all representations, warranties, and covenants set forth in this Article as well as any written commitments made by the State regarding the games shall be binding on the State;

(6) guarantees that the State will take all necessary measures in order that it fulfill its obligations completely under this Article and any written commitments made by the State to the IOC;

(7) declares and confirms that no other important national or international meeting or event will take place in the vicinity of the venues during the period one week before through one week after the games;

(8) guarantees that all construction work necessary for the organization of the games within the State, to the extent permitted or authorized by the State, will comply with (i) local, regional, and national environmental regulations and acts and (ii) international agreements and protocols to which the United States is a party regarding planning, construction, and protection of the environment;

(9) guarantees that it shall provide or cause to be provided all security, medical, and other government-related services that the State customarily provides for comparable large-scale events and that are necessary for the successful planning, organization, and staging of the portions of the games within the State, at no cost to the OCOG;

(10) agrees to take such action as may be required by law, and to be effective for the period not later than January 1, 2010 and through the end of the games, to suspend or waive the imposition and collection of fees and charges otherwise imposed and collected by or on behalf of the State for permits and licenses issued to the OCOG applicable to the design, development, construction, and operation or use of the venues and properties related to the games;

(11) agrees to cooperate with the candidate city, the bid committee and the OCOG, as well as local, regional, and national business, trade, and service organizations in order to promote and encourage, to the extent permitted by law, the charging of ordinary and customary prices for goods and services associated with the games within the State (including, but not limited to, hotel rates, restaurants,

and related services) for anyone attending the games, including non-accredited spectators;

(12) agrees that, if requested by the candidate city, the bid committee, or the OCOG, it shall permit any member of the General Assembly to introduce legislation necessary to: (i) effectively reduce and sanction ambush marketing, (ii) eliminate illegal street vending during the period beginning 2 weeks before the games through the end of the games; and (iii) control advertising space (including, but not limited to, billboards and advertising on public transport) as well as air space and that any such legislation will be introduced as soon as possible but no later than January 1, 2014;

(13) agrees that it shall not engage in any marketing, commercial, or signage program in relation to the games without the prior written consent of the IOC;

(14) agrees that it shall coordinate and cooperate with the candidate city and the OCOG concerning a "Look of the Games" program;

(15) agrees that it will cooperate with the OCOG and the candidate city (including any applicable candidate city commission) in preventing ambush marketing at the games within the State;

(16) agrees to enter into a binding option agreement with the bid committee or the OCOG to provide the OCOG with the rights to any and all existing or hereafter developed outdoor commercial advertising space (including billboards) owned or controlled by the State and located within the vicinity of any Olympic properties, which agreement shall provide, among other things, that such advertising space will be available at the OCOG's option for a 12-week period encompassing the games at 2008 best commercial prices adjusted only for inflation;

(17) except as may be provided in any other agreement between the State and the candidate city, the bid committee, or the OCOG, agrees to make all of its non-competition and Olympic ancillary properties available at no cost to the OCOG;

(18) guarantees that the accessibility standards to be applied for the Paralympic Games shall include the Americans with Disabilities Act, the Fair Housing Act, the Illinois Environmental Barriers Act (and its implementing regulations, the Illinois Accessibility Code), and the Illinois Human Rights Act;

(19) shall cooperate with the OCOG to assure that accessibility will be fully integrated into the planning of the Paralympic Games comprising part of the games; and

(20) agrees to the formation and authority of the Chicago Olympic Public Safety Command.

(b) In the event of a conflict between any provision of this Act and any provision of any written commitments made by the State regarding the games, this Act shall prevail and control as to the State.

(c) The bid committee and the OCOG shall provide any information reasonably requested by the State, with copies to the leaders of both houses of the General Assembly, to assist in reviewing the provisions of and performance under this Article.

(d) Nothing in this Article shall be construed as impairing the Governor's constitutional authority.

Section 5-15. State indemnification obligation and net financial deficit.

(a) Solely through the funds contained in the Olympic Games and Paralympic Games Trust Fund created by this Article, the State shall be liable to the IOC, the IPC, and the USOC for:

(1) the State indemnification obligation; and

(2) any net financial deficit.

The State's liability for the State indemnification obligation and any net financial deficit shall be subject to the terms of this Section of this Article.

(b) The State shall not make any payments with respect to the State indemnification obligation or any net financial deficit until and after (i) all bid committee and all OCOG net operating revenues, surplus, reserves, contingencies, receivables, funds, and other available assets and security have been fully expended and (ii) the candidate city has first paid at least $250,000,000 in the aggregate towards amounts that would give rise to a State indemnification obligation or a net financial deficit payment obligation on the State's part, or both.

(c) Any financial commitments of the State under this Section shall be satisfied exclusively by recourse to the Olympic Games and Paralympic Games Trust Fund.

(d) Any financial commitments of the State under this Section shall not exceed $250,000,000 in the aggregate.

Section 5-20. Olympic Games and Paralympic Games Trust Fund.

(a) The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State Treasury.

(b) The State may choose to fund the Olympic Games and Paralympic Games Trust Fund in any manner it considers appropriate, and at such time or times the State determines necessary. By the beginning of State

fiscal year 2016, the State shall appropriate sums of money to the Olympic Games and Paralympic Games Trust Fund to provide security for the State indemnification obligation and the net financial deficit.

(c) The moneys in the Olympic Games and Paralympic Games Trust Fund may be used only for the sole purpose of fulfilling the obligations of the State pursuant to the State indemnification obligation and any net financial deficit. For each dollar that is expended from the Olympic Games and Paralympic Games Trust Fund, the State shall expend an equivalent amount of State funds for road projects outside of the county in which the candidate city is located.

(d) No additional State funds shall be deposited into the Olympic Games and Paralympic Games Trust Fund once the Governor determines that the fund has achieved, or is reasonably expected to otherwise accrue, a sufficient balance to provide adequate security, acceptable to the IOC, to demonstrate the State's ability to fulfill its obligations to satisfy the State indemnification obligation and any net financial deficit payment obligation.

(e) If the candidate city is selected as the host city for the games, the Olympic Games and Paralympic Games Trust Fund shall be maintained until a determination by the Governor is made that the State's obligations to satisfy the State indemnification obligation and to be liable for any net financial deficit are satisfied and concluded, at which time the fund shall be terminated.

(f) Upon the termination of the Olympic Games and Paralympic Games Trust Fund, all sums earmarked, transferred, or contained in the fund, along with any investment earnings retained in the fund, shall immediately revert to the General Revenue Fund.

Section 5-25. Fund as security; liability. Any moneys deposited, transferred, or otherwise contained in the Olympic Games and Paralympic Games Trust Fund shall be, upon appropriation by the General Assembly, used for the sole purpose of providing adequate security, acceptable to the IOC, to demonstrate the State's ability to satisfy its State indemnification obligation and to be liable for any net financial deficit. The security may be provided by moneys contained in the Fund as provided in Section 5-20, or by insurance coverage, letters of credit, or other acceptable secured instruments purchased or secured by the moneys, or by any combination thereof.

Section 5-30. Insurance. The bid committee and the OCOG shall list the State and the candidate city as additional insureds on any policy of insurance purchased by the bid committee or the OCOG to be in effect in connection with the preparation for and conduct of the games.

Section 5-35. Bid committee and OCOG responsibilities. The bid committee and the OCOG may not engage in any conduct that reflects unfavorably upon the State, the candidate city, or the games, or that is contrary to law or to the rules and regulations of the IOC, IPC, or USOC.

Section 5-40. Authority of the Governor. Subject to the limitations of this Article, including but not limited to those contained in Section 5-15, the Governor, or his or her designee, on behalf of the State, may execute such other agreements or contracts as may be required by the OCOG, the USOC, the IOC, or the IPC in connection with the candidate city and bid committee's bid to host the Games.

Section 5-42. Diversity program.

(a) The OCOG shall establish and maintain a diversity program to ensure non-discrimination in the award of contracts by the OCOG and the administration of those contracts. To the maximum extent permitted by law, the OCOG shall establish goals as part of the program of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "the contracts") to minority owned businesses or businesses owned by a person with a disability, and 5% of the annual dollar value of the contracts to female owned businesses. The subject of the contracts includes, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. Recognizing that the planning, organization, and staging of the games is a unique undertaking, the goals established in this subsection shall exclude: all contracts, purchase orders, or other agreements that (i) must be awarded to a specific source as a result of the OCOG's legal obligations to the USOC or IOC or its official tier 1, tier 2 or tier 3 sponsors, (ii) the OCOG awards to a unique or limited supplier of a product, equipment, or service required for the games, and (iii) the payments under which are passed through to other constituencies involved in or attending the games (such as under the games accommodation program). If, however, the OCOG awards any contracts, purchase orders, or other agreements described in items (i) through (iii) to a minority-owned business, business owned by a person with a disability, or a female-owned business, those contracts shall be considered towards the goals described in this subsection.

(b) For purposes of this Section, the terms "minority owned business", "business owned by a person with a disability", and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. For purposes of meeting the goals of

this Section, the State shall recognize OCOG contracts performed in the candidate city that are awarded to minority-owned business enterprises, business enterprises owned by persons with disabilities, or women-owned business enterprises, as those terms are defined in the municipal code of the candidate city.

(c) The OCOG shall establish and maintain a diversity program designed to promote equal employment opportunity with respect to its management and operations. The program shall include a plan, including timetables, as appropriate, that specify goals and methods for increasing participation by women, minorities, and persons with disabilities in those employment opportunities.

(d) Beginning on January 1, 2011, and each year thereafter until the completion of the games, the OCOG shall issue a written report to the Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, mayor of the candidate city, and city council of the candidate city providing the number of respective employees who have designated themselves as members of a minority group, as persons with a disability, or as women. The report shall also describe in detail the OCOG's compliance with the requirements of subsections (a) and (b) of this Section.

(e) The Diversity Program Commission is created to monitor, review, and report on minority, female, and persons with disabilities contracting and employment related to the planning, organization, and staging of the games. The Commission shall consist of 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Minority Leader of the Senate, 2 members appointed by the Speaker of the House of Representatives, 2 members appointed by the Minority Leader of the House of Representatives, 5 members appointed by the mayor of the candidate city, 5 representatives of the OCOG's outreach advisory council appointed by the mayor of the candidate city, one member appointed by the Metropolitan Pier and Exposition Authority Board, one member appointed by the Board of Trustees of the University of Illinois, and one member appointed by the Board of Commissioners of the Chicago Park District. All appointments shall be made by January 1, 2011. Beginning on January 1, 2012, and each year thereafter until the completion of the games, the Commission shall file a written report with the OCOG, the General Assembly, the Governor, the mayor of the candidate city, and the city council of the candidate city regarding compliance with the diversity requirements of this Article. The Commission may file a supplemental reports at any time. The Commission shall elect its own chairperson, and Commission members shall serve without compensation.

The Commission shall meet quarterly and as needed. The Commission shall also meet within one week after the issuance of the reports required under this subsection to, among other things, discuss whether or not: (i) the OCOG is in compliance with the requirements of this Section; (ii) the Metropolitan Pier and Exposition Authority is in compliance with Section 23.1 of the Metropolitan Pier and Exposition Authority Act as amended in this Article; (iii) the University of Illinois is in compliance with Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and Section 1.1 of the University of Illinois at Chicago Act as amended in this Article; and (iv) the Chicago Park District is in compliance with Section 7.07 of the Chicago Park District Act as amended in this Article.

The Commission shall include in any report required under this subsection, among other things: (i) a list that sets forth each person or entity awarded a contract by the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District the name, address, contact information, and total dollar amount of the contract or contracts; and (ii) a determination of whether the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District are in compliance with their respective obligations. If in any reporting period the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, or the Chicago Park District is not in compliance with its respective obligations, then each that is not in compliance shall file with the Commission within 14 business days a written explanation setting forth the reason or reasons for noncompliance. The Commission shall then meet within one week after receiving the written explanations to discuss the stated reason or reasons for noncompliance.

The OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District shall cooperate with the Commission and provide the Commission with requested information, unless disclosure is prohibited by law.

Section 5-45. Inoperability.

(a) If the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable upon that termination.

(b) If the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date.

Section 5-95. The State Finance Act is amended by adding Sections 5.719 and 6z-80 as follows:

(30 ILCS 105/5.719 new)

Sec. 5.719. The Olympic Games and Paralympic Games Trust Fund.

(30 ILCS 105/6z-80 new)

Sec. 6z-80. Appropriations from the Olympic Games and Paralympic Games Trust Fund. The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State treasury. Subject to appropriation, all money in the Olympic Games and Paralympic Games Trust Fund must be used to make payments required under the Olympic Games and Paralympic Games (2016) Law.

Section 5-96. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 4 as follows:

(30 ILCS 575/4) (from Ch. 127, par. 132.604)

(Section scheduled to be repealed on June 30, 2010)

Sec. 4. Award of State contracts.

(a) Except as provided in subsections ~~subsection~~ (b) and (c), not less than 12% of the total dollar amount of State contracts, as defined by the Secretary of the Council and approved by the Council, shall be established as a goal to be awarded to businesses owned by minorities, females, and persons with disabilities; provided, however, that contracts representing at least five-twelfths of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to female owned businesses, and that contracts representing at least one-sixth of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to businesses owned by persons with disabilities.

The above percentage relates to the total dollar amount of State contracts during each State fiscal year, calculated by examining independently each type of contract for each agency or university which lets such contracts. Only that percentage of arrangements which represents the participation of businesses owned by minorities, females, and persons with disabilities on such contracts shall be included.

(b) In the case of State construction contracts, the provisions of subsection (a) requiring a portion of State contracts to be awarded to businesses owned and controlled by persons with disabilities do not apply. Not less than 10% of the total dollar amount of State construction contracts is established as a goal to be awarded to minority and female owned businesses, and contracts representing 50% of the amount of all State construction contracts awarded to minority and female owned businesses shall be awarded to female owned businesses.

(c) In the case of all work undertaken by the University of Illinois related to the planning, organization, and staging of the games, the University of Illinois shall establish a goal of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, and other agreements (collectively referred to as "the contracts") to minority-owned businesses or businesses owned by a person with a disability and 5% of the annual dollar value the contracts to female-owned businesses. For purposes of this subsection, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 87-701; 88-597, eff. 8-28-94.)

Section 5-97. The State Mandates Act is amended by adding Section 8.33 as follows:

(30 ILCS 805/8.33 new)

Sec. 8.33. Exempt mandate. Notwithstanding the provisions of Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

Section 95-98. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 23.1 as follows:

(70 ILCS 210/23.1) (from Ch. 85, par. 1243.1)

Sec. 23.1. Affirmative action.

(a) The Authority shall, within 90 days after the effective date of this amendatory Act of 1984, establish and maintain an affirmative action program designed to promote equal employment opportunity and eliminate the effects of past discrimination. Such program shall include a plan, including timetables where appropriate, which shall specify goals and methods for increasing participation by women and minorities in employment, including employment related to the planning, organization, and staging of the games, by the Authority and by parties which contract with the Authority. The Authority shall submit a detailed plan with the General Assembly prior to September 1 of each year. Such program shall also establish procedures and sanctions (including debarment), which the Authority shall enforce to ensure compliance with the plan established pursuant to this Section and with State and federal laws and regulations relating to the employment of women and minorities. A determination by the Authority as to whether a party to a contract

with the Authority has achieved the goals or employed the methods for increasing participation by women and minorities shall be determined in accordance with the terms of such contracts or the applicable provisions of rules and regulations of the Authority existing at the time such contract was executed, including any provisions for consideration of good faith efforts at compliance which the Authority may reasonably adopt.

(b) The Authority shall adopt and maintain minority and female owned business enterprise procurement programs under the affirmative action program described in subsection (a) for any and all work, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. That work shall include, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. The programs shall establish goals of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "contracts") to minority owned businesses and 5% of the annual dollar value of all contracts to female owned businesses. Without limiting the generality of the foregoing, the programs shall require in connection with the prequalification or consideration of vendors for professional service contracts, construction contracts, and contracts for supplies, materials, equipment, and services that each proposer or bidder submit as part of his or her proposal or bid a commitment detailing how he or she will expend 25% or more of the dollar value of his or her contracts with one or more minority owned businesses and 5% or more of the dollar value with one or more female owned businesses. Bids or proposals that do not include such detailed commitments are not responsive and shall be rejected unless the Authority deems it appropriate to grant a waiver of these requirements. In addition the Authority may, in connection with the selection of providers of professional services, reserve the right to select a minority or female owned business or businesses to fulfill the commitment to minority and female business participation. The commitment to minority and female business participation may be met by the contractor or professional service provider's status as a minority or female owned business, by joint venture or by subcontracting a portion of the work with or purchasing materials for the work from one or more such businesses, or by any combination thereof. Each contract shall require the contractor or provider to submit a certified monthly report detailing the status of that contractor or provider's compliance with the Authority's minority and female owned business enterprise procurement program. The Authority, after reviewing the monthly reports of the contractors and providers, shall compile a comprehensive report regarding compliance with this procurement program and file it quarterly with the General Assembly. If, in connection with a particular contract, the Authority determines that it is impracticable or excessively costly to obtain minority or female owned businesses to perform sufficient work to fulfill the commitment required by this subsection, the Authority shall reduce or waive the commitment in the contract, as may be appropriate. The Authority shall establish rules and regulations setting forth the standards to be used in determining whether or not a reduction or waiver is appropriate. The terms "minority owned business" and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(c) The Authority shall adopt and maintain an affirmative action program in connection with the hiring of minorities and women on the Expansion Project and on any and all construction projects, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. The program shall be designed to promote equal employment opportunity and shall specify the goals and methods for increasing the participation of minorities and women in a representative mix of job classifications required to perform the respective contracts awarded by the Authority.

(d) In connection with the Expansion Project, the Authority shall incorporate the following elements into its minority and female owned business procurement programs to the extent feasible: (1) a major contractors program that permits minority owned businesses and female owned businesses to bear significant responsibility and risk for a portion of the project; (2) a mentor/protege program that provides financial, technical, managerial, equipment, and personnel support to minority owned businesses and female owned businesses; (3) an emerging firms program that includes minority owned businesses and female owned businesses that would not otherwise qualify for the project due to inexperience or limited resources; (4) a small projects program that includes participation by smaller minority owned businesses and female owned businesses on jobs where the total dollar value is $5,000,000 or less; and (5) a set-aside program that will identify contracts requiring the expenditure of funds less than $50,000 for bids to be submitted solely by minority owned businesses and female owned businesses.

(e) The Authority is authorized to enter into agreements with contractors' associations, labor unions, and the contractors working on the Expansion Project to establish an Apprenticeship Preparedness Training Program to provide for an increase in the number of minority and female journeymen and apprentices in the

building trades and to enter into agreements with Community College District 508 to provide readiness training. The Authority is further authorized to enter into contracts with public and private educational institutions and persons in the hospitality industry to provide training for employment in the hospitality industry.

(f) McCormick Place Advisory Board. There is created a McCormick Place Advisory Board composed as follows: 2 members shall be appointed by the Mayor of Chicago; 2 members shall be appointed by the Governor; 2 members shall be State Senators appointed by the President of the Senate; 2 members shall be State Senators appointed by the Minority Leader of the Senate; 2 members shall be State Representatives appointed by the Speaker of the House of Representatives; and 2 members shall be State Representatives appointed by the Minority Leader of the House of Representatives. The terms of all previously appointed members of the Advisory Board expire on the effective date of this amendatory Act of the 92nd General Assembly. A State Senator or State Representative member may appoint a designee to serve on the McCormick Place Advisory Board in his or her absence.

A "member of a minority group" shall mean a person who is a citizen or lawful permanent resident of the United States and who is

(1) Black (a person having origins in any of the black racial groups in Africa);

(2) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race);

(3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); or

(4) American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

Members of the McCormick Place Advisory Board shall serve 2-year terms and until their successors are appointed, except members who serve as a result of their elected position whose terms shall continue as long as they hold their designated elected positions. Vacancies shall be filled by appointment for the unexpired term in the same manner as original appointments are made. The McCormick Place Advisory Board shall elect its own chairperson.

Members of the McCormick Place Advisory Board shall serve without compensation but, at the Authority's discretion, shall be reimbursed for necessary expenses in connection with the performance of their duties.

The McCormick Place Advisory Board shall meet quarterly, or as needed, shall produce any reports it deems necessary, and shall:

(1) Work with the Authority on ways to improve the area physically and economically;

(2) Work with the Authority regarding potential means for providing increased economic opportunities to minorities and women produced indirectly or directly from the construction and operation of the Expansion Project;

(3) Work with the Authority to minimize any potential impact on the area surrounding the McCormick Place Expansion Project, including any impact on minority or female owned businesses, resulting from the construction and operation of the Expansion Project;

(4) Work with the Authority to find candidates for building trades apprenticeships, for employment in the hospitality industry, and to identify job training programs;

(5) Work with the Authority to implement the provisions of subsections (a) through (e) of this Section in the construction of the Expansion Project, including the Authority's goal of awarding not less than 25% and 5% of the annual dollar value of contracts to minority and female owned businesses, the outreach program for minorities and women, and the mentor/protege program for providing assistance to minority and female owned businesses.

(g) The Authority shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law. For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 91-422, eff. 1-1-00; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01.)

Section 95-99. The Chicago Park District Act is amended by adding Section 7.07 as follows:

(70 ILCS 1505/7.07 new)

Sec. 7.07. Olympic and paralympic games; contracts and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable ordinances contained in the Code of the Chicago Park District, including but not limited to Chapter I (General Provisions and Definitions), Chapter IV (Human Rights), Chapter V (Personnel), and Chapter XI (Purchasing and Contracting).

(b) The Chicago Park District shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(c) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

Section 95-100. The University of Illinois at Chicago Act is amended by adding Section 1.1 as follows: (110 ILCS 320/1.1 new)

Sec. 1.1. Olympic and paralympic games; contracting and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable laws, policies, and statements, including but not limited to Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the Statement of Reaffirmation, Affirmative Action in Employment, University of Illinois at Chicago, June 2008. The University shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(b) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

ARTICLE 10.

Section 10-1. Article title. This Article may be cited as the Olympic Public Safety Law.

Section 10-5. Purpose. As part of the bid to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for the creation of a commission, known as the Chicago Olympic Public Safety Command, or COPSC, that will engage in security and public safety planning, management, and administration if Chicago is selected as the host city for the 2016 Olympic and Paralympic Games. In the event of such selection, it is intended that COPSC will contribute to the achievement of the following objectives: foster the intergovernmental cooperation of local, State, and federal public safety agencies in providing for the public safety of the Olympic and Paralympic Games; develop a comprehensive security and public safety plan; create a unified chain of command; and implement an effective and efficient public safety and security operation that does not compromise the celebratory spirit of the Olympic and Paralympic Games.

Section 10-10. Definitions. As used in this Article:

"Chicago 2016" means Chicago 2016, an Illinois not-for-profit corporation formed to bid for the opportunity of hosting the Olympic and Paralympic Games, or as the context requires, a successor in interest to Chicago 2016, such as an organizing committee for the Olympic and Paralympic Games formed after the selection of Chicago as the host city for that event.

"COPSC" means the Chicago Olympic Public Safety Command contemplated in Section 10-15.

"COPSC Chairperson" means the Chairperson of COPSC.

"ESG" means Executive Strategy Group of COPSC.

"Law enforcement and public safety services" includes programs and services to, among other things:

(1) provide for crowd and traffic safety;

(2) suppress or reduce crime;

(3) provide for or assist in criminal investigation;

(4) provide forensic, communications, and records support services;

(5) facilitate intelligence and information sharing among federal, State, and local authorities and with relevant private sector participants;

(6) deter and disrupt terrorism activity related to the Olympic and Paralympic Games through aggressive investigation and prosecution;

(7) assure that the organizational structure and plans exist to effectively prepare for, and respond to, any terrorist incidents or other emergencies in the State related to the Olympic and Paralympic Games; and

(8) assure that public safety plans are coordinated and integrated with the operations plans of Chicago 2016 for the Olympic and Paralympic Games.

"Local law enforcement agency" means any political subdivision of the State or an agency of a political subdivision that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"Local public safety agency" means a political subdivision of the State or an agency of a political subdivision of the State that exists to provide:

(1) fire service;

(2) emergency medical services; or

(3) emergency management and communication.

"Olympic and Paralympic Games" means the 2016 Olympic and Paralympic Games that may be hosted by the City of Chicago.

"Period of the Olympic and Paralympic Games" means the period commencing 21 days before the opening ceremony of the 2016 Olympic Games and concluding 14 days after the closing ceremony of the 2016 Paralympic Games.

"State" means the State of Illinois.

"State agency" means any department, division, commission, council, board, bureau, committee, institution, government, corporation, or other establishment or official of the State, except the Legislature, and for purposes of this Article includes a State institution of higher education.

"State law enforcement agency" means any entity administered by the State that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"State public safety agency" means an entity administered by the State that exists to provide:

(1) fire service;

(2) emergency medical services; or

(3) emergency management and communication.

"Venue Commander" means a person who shall direct and coordinate law enforcement and public safety personnel and responsibilities at a designated Olympic venue during the period of the Olympic and Paralympic Games, as set forth in this Article.

Section 10-15. Chicago Olympic Public Safety Command.

(a) If the International Olympic Committee selects the City of Chicago to host the Olympic and Paralympic Games, then the Chicago Olympic Public Safety Command (COPSC) shall be established.

(b) The policymaking responsibility of COPSC shall be vested in ESG.

(c) ESG shall consist of the following initial members:

(1) the COPSC Chairperson;

(2) the Executive Director of COPSC (non-voting member);

(3) the Commissioner of the Chicago Fire Department;

(4) a representative of Chicago 2016 appointed by the COPSC Chairperson;

(5) the Executive Director for the Office of Emergency Management and Communications of the City of Chicago;

(6) the Special Agent-In-Charge of the Chicago Division of the United States Federal Bureau of Investigation, or other representative designated by the United States Federal Bureau of Investigation;

(7) the Special Agent-In-Charge of the Chicago Division of the United States Secret Service, or other representative designated by the United States Secret Service;

(8) the Regional Director for the Federal Emergency Management Agency;

(9) a representative appointed by the Director of the Illinois State Police; and

(10) the Superintendent of the Chicago Police Department, if the COPSC Chairperson is someone other than the Superintendent of the Chicago Police Department.

(d) Each member of COPSC, including those of ESG and the Executive Director of COPSC, shall serve without additional compensation from the State of Illinois.

(e) The COPSC Chairperson shall be the Superintendent of the Chicago Police Department, or such other suitably qualified person appointed by the Mayor of the City of Chicago. The COPSC Chairperson shall chair COPSC and ESG and shall call meetings of each from time to time in furtherance of the purposes of this Article. A majority of the members of ESG constitutes a quorum for the transaction of business. All members of ESG other than the Executive Director of COPSC shall be voting members, and the action of a majority of a quorum of ESG shall constitute the action of ESG.

(f) The COPSC Chairperson may appoint additional members of ESG at a properly constituted meeting of ESG, but each such appointment shall be subject to written consent by a majority of the other members of ESG present at the same or a subsequent properly constituted meeting of ESG.

(g) ESG shall establish a strategic plan for law enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies.

(h) ESG shall define the composition, organizational structure, and high-level administrative policies of COPSC.

(i) COPSC shall:

(1) in furtherance of the strategic plan developed by ESG, and in consultation with State, local, and federal law enforcement and public safety agencies, establish a detailed plan for law

enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies;

(2) develop any policies necessary to inform and direct COPSC in the implementation of that plan;

(3) amend that plan to promote the effective, efficient, and cooperative implementation of the plan and the preservation of public safety;

(4) integrate that plan with the operations plans of Chicago 2016 for the Olympic and Paralympic Games; and

(5) perform such other functions as directed by the COPSC Chairperson or ESG, consistent with the purposes of this Article.

(j) All State and local law enforcement and public safety agencies shall cooperate with the planning and coordination efforts of COPSC, as requested by COPSC and subject to applicable law. COPSC shall, unless it relinquishes such authority in whole or part, and subject to applicable superior federal law or authority, have primary responsibility for law enforcement and public safety services at each Olympic venue in the State (including an area extending up to approximately 300 yards from the secure perimeter of each Olympic site, as defined and promulgated by COPSC) during the period of the Olympic and Paralympic Games. Designated Venue Commanders at each such Olympic venue shall direct and coordinate on-scene law enforcement and public safety personnel and responsibilities and shall be managed by the COPSC Chairperson or his or her designee.

Section 10-20. COPSC Chairperson; Venue Commanders.

(a) The COPSC Chairperson shall appoint qualified individuals to serve as Venue Commanders at Olympic venues during the period of the Olympic and Paralympic Games.

(b) The COPSC Chairperson shall coordinate law enforcement and public safety agency activities during the Olympic and Paralympic Games with respect to Olympic venues and events, and shall direct the execution of the plan established by COPSC.

Section 10-25. Executive Director of COPSC.

(a) The COPSC Chairperson shall appoint a representative of Chicago 2016 as the Executive Director of COPSC.

(b) The Executive Director of COPSC shall report to the COPSC Chairperson and manage the day-to-day activities of COPSC.

Section 10-30. Deputization. COPSC may enter into agreements with political subdivisions of the State and with other states, regional authorities, and the federal Government. Pursuant to these agreements, the COPSC Chairperson may deputize or otherwise designate qualified law enforcement personnel from those other governmental units to assist COPSC in performing specifically described activities under this Article during the period of the Olympic and Paralympic Games. Those deputized or designated persons shall have the status of a peace officer in the State during the period of the Olympic and Paralympic Games, and shall have all the powers possessed by policemen in cities and by sheriffs, including the power to make arrests for violations of State statutes or municipal or county ordinances, except that those powers (i) may be exercised only within the geographic areas affirmatively authorized in writing by the COPSC Chairperson and (ii) may be otherwise restricted or limited by the COPSC Chairperson in that writing. Any authorization for deputization or designation pursuant to this subsection shall be made in writing, and should be carried by each such deputized or designated person (or kept in reasonable proximity thereto) and produced upon demand by another peace officer.

Section 10-35. Inoperability. This Article shall be inoperable as follows:

(a) if the City of Chicago terminates its candidacy to become the host city for the Olympic and Paralympic Games, then this Article is inoperable upon that termination;

(b) if the International Olympic Committee does not select the City of Chicago as of the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the City of Chicago is chosen as the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 15.

Section 15-1. Article title. This Article may be cited as the Olympic and Paralympic Trademark Protection Law.

Section 15-5. Purpose. As part of the bid of Chicago 2016, an Illinois not-for-profit corporation, and the City of Chicago to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for

additional protection for trademarks used by or reserved for exclusive use by the United States Olympic Committee and Chicago 2016 and its successor organizing committee for the Games (the OCOG) in the marketing, promotion, and operation of such Games. This Article amends the Trademark Registration and Protection Act to: prohibit any third party from registering trade names or trademarks used by the USOC, Chicago 2016, or the OCOG; protect against infringement of Olympic trademarks; and provide the USOC, Chicago 2016, and the OCOG, with exclusive rights to use certain words, emblems, slogans, mascots, and symbols for the Games, and the ability to enforce those rights against others who use them in commerce, including in Circuit Court in Cook County. This Article also amends the Business Corporation Act of 1983, the General Not For Profit Corporation Act of 1986, and the Limited Liability Company Act to prohibit registration of business names featuring certain Olympic trademarks from and after the effective date of this Article.

Section 15-10. The Trademark Registration and Protection Act is amended by changing Section 10 and by adding Section 62 as follows:

(765 ILCS 1036/10)

Sec. 10. Registrability. A mark by which the goods or services of an applicant for registration may be distinguished from the goods or services of others shall not be registered if it:

(a) consists of or comprises immoral, deceptive, or scandalous matter; or

(b) consists of or comprises matter that may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute; or

(c) consists of or comprises the flag or coat of arms or other insignia of the United States, or of any state or municipality, or of any foreign nation, or any simulation thereof; or

(d) consists of or comprises the name, signature or portrait identifying a particular living individual, except by the individual's written consent; or

(e) consists of a mark which: (1) when used on or in connection with the goods or services of the applicant, is merely descriptive or deceptively misdescriptive of them, or (2) when used on or in connection with the goods or services of the applicant is primarily geographically descriptive or deceptively misdescriptive of them, or (3) is primarily merely a surname; however, nothing in this subsection (e) shall prevent the registration of a mark used by the applicant which has become distinctive of the applicant's goods or services. The Secretary may accept as evidence that the mark has become distinctive, as used on or in connection with the applicant's goods or services, proof of continuous use thereof as a mark by the applicant in this State for the 5 years before the date on which the claim of distinctiveness is made; or

(f) consists of or comprises a mark which so resembles a mark registered in this State of a mark of tradename previously used by another and not abandoned, as to be likely, when used on or in connection with the goods or services of the applicant, to cause confusion or mistake or to deceive; or ~~.~~

(g) without the consent of the United States Olympic Committee:

(1) contains or consists of the symbol of the International Olympic Committee, consisting of 5 interlocking rings, or the symbol of the International Paralympic Committee;

(2) contains or consists of the terms "Olympic", "Olympiad", "Paralympic", "Paralympiad", "Citius Altius Fortius", or "Chicago 2016"; or

(3) is substantially identical to any other mark or trade name used by the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, or Chicago 2016 or its successor organizing committee for the 2016 Olympic and Paralympic Games.

(Source: P.A. 90-231, eff. 1-1-98.)

(765 ILCS 1036/62 new)

Sec. 62. Infringement of Olympic marks. Notwithstanding any other Section of this Act:

(a) The United States Olympic Committee has the exclusive right to use, and license for use, in this State any of the following:

(1) any mark to which the United States Olympic Committee has exclusive rights under 36 U.S.C. 220506;

(2) the designations "Chicago 2016", "CHICOG", "Chicago Organizing Committee for the 2016 Olympic and Paralympic Games", "Chicago Olympic Committee" and "Chicago Paralympic Committee";

(3) the emblem of Chicago 2016, featuring a stylized design of a 6-pointed star superimposed over vertical stripes, and any other official emblem adopted by Chicago 2016;

(4) the slogan "Stir the Soul" and any other official slogan adopted by Chicago 2016;

(5) any official mascot or mascots adopted by Chicago 2016; and

(6) the phrases "Chicago Olympic Games", "Chicago Olympics", "Chicago Paralympic Games", and "Chicago Paralympics" and any other official phrase adopted by Chicago 2016.

(b) The United States Olympic Committee, Chicago 2016 as designee of the United States Olympic Committee, or both, may file a civil action in the Circuit Court of Cook County, or any other circuit court in the State of Illinois permitted by law, against any person for the remedies provided under Section 70 of this Act if the person, without the consent of the United States Olympic Committee or Chicago 2016, uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition:

(1) any mark registered in Illinois to the United States Olympic Committee or Chicago 2016;

(2) any mark referenced in subsection (a) of this Section; or

(3) any word, symbol, design, graphic, or image, or combination thereof, tending to cause confusion or mistake, to deceive, or to falsely suggest a connection or association with, or authorization by, the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, Chicago 2016, or any Olympic or Paralympic activity.

(c) If any provision of this Section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Section which can be given effect without the invalid provision, and to this end the provisions of this Section are severable.

(d) For the purposes of this Section, references to Chicago 2016 include the Illinois not-for-profit corporation of that name and its successor organizing committee for the 2016 Olympic and Paralympic Games.

(e) Nothing in this Section is intended to limit any rights or remedies provided under the Counterfeit Trademark Act.

Section 15-15. The Business Corporation Act of 1983 is amended by changing Sections 4.05 and 4.15 as follows:

(805 ILCS 5/4.05) (from Ch. 32, par. 4.05)

Sec. 4.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:

(1) Shall contain, separate and apart from any other word or abbreviation in such name, the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of such words, and if the name of a foreign corporation does not contain, separate and apart from any other word or abbreviation, one of such words or abbreviations, the corporation shall add at the end of its name, as a separate word or abbreviation, one of such words or an abbreviation of one of such words.

(2) Shall not contain any word or phrase which indicates or implies that the corporation (i) is authorized or empowered to conduct the business of insurance, assurance, indemnity, or the acceptance of savings deposits; (ii) is authorized or empowered to conduct the business of banking unless otherwise permitted by the Commissioner of Banks and Real Estate pursuant to Section 46 of the Illinois Banking Act; or (iii) is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a corporation only if it has first complied with Section 1-9 of the Corporate Fiduciary Act. The word "bank", "banker" or "banking" may only be used by a corporation if it has first complied with Section 46 of the Illinois Banking Act.

(3) Shall be distinguishable upon the records in the office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether profit or not for profit, existing under any Act of this State or of the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether profit or not for profit, authorized to transact business in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to transact business in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporate name or names in accordance with Section 4.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to transact business in this State only under such assumed corporate name or names.

(4) Shall contain the word "trust", if it be a domestic corporation organized for the purpose of accepting and executing trusts, shall contain the word "pawners", if it be a domestic

corporation organized as a pawners' society, and shall contain the word "cooperative", if it be a domestic corporation organized as a cooperative association for pecuniary profit.

(5) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with.

(6) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State.

(7) Shall be the name under which the corporation shall transact business in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name.

(8) (Blank).

(9) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) the word "corporation", "company", "incorporated", or "limited", "limited liability" or an abbreviation of one of such words;

(2) articles, conjunctions, contractions, abbreviations, different tenses or number of the same word;

(c) Nothing in this Section or Sections 4.15 or 4.20 shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any.

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of names or symbols.

(Source: P.A. 92-33, eff. 7-1-01.)

(805 ILCS 5/4.15) (from Ch. 32, par. 4.15)

Sec. 4.15. Assumed corporate name.

(a) A domestic corporation or a foreign corporation admitted to transact business or attempting to gain admission to transact business may elect to adopt an assumed corporate name that complies with the requirements of paragraphs (2), (3), (4), (5), ~~and~~ (6) , and (9) of subsection (a) of Section 4.05 of this Act with respect to corporate names.

(b) As used in this Act, "assumed corporate name" means any corporate name other than the true corporate name, except that the following shall not constitute the use of an assumed corporate name under this Act:

(1) the identification by a corporation of its business with a trademark or service mark of which it is the owner or licensed user; and

(2) the use of a name of a division, not separately incorporated and not containing the word "corporation", "incorporated", or "limited" or an abbreviation of one of such words, provided the corporation also clearly discloses its corporate name.

(c) Before transacting any business in this State under an assumed corporate name or names, the corporation shall, for each assumed corporate name, pursuant to resolution by its board of directors, execute and file in duplicate in accordance with Section 1.10 of this Act, an application setting forth:

(1) The true corporate name.

(2) The state or country under the laws of which it is organized.

(3) That it intends to transact business under an assumed corporate name.

(4) The assumed corporate name which it proposes to use.

(d) The right to use an assumed corporate name shall be effective from the date of filing by the Secretary of State until the first day of the anniversary month of the corporation that falls within the next calendar

year evenly divisible by 5, however, if an application is filed within the 2 months immediately preceding the anniversary month of a corporation that falls within a calendar year evenly divisible by 5, the right to use the assumed corporate name shall be effective until the first day of the anniversary month of the corporation that falls within the next succeeding calendar year evenly divisible by 5.

(e) A corporation shall renew the right to use its assumed corporate name or names, if any, within the 60 days preceding the expiration of such right, for a period of 5 years, by making an election to do so at the time of filing its annual report form and by paying the renewal fee as prescribed by this Act.

(f) Once an application for an assumed corporate name has been filed by the Secretary of State, one copy thereof may be filed for record in the office of the recorder of the county in which the registered office of the corporation is situated in this State.

(g) A foreign corporation may not use an assumed or fictitious name in the conduct of its business to intentionally misrepresent the geographic origin or location of the corporation within Illinois.

(Source: P.A. 91-906, eff. 1-1-01.)

Section 15-20. The General Not For Profit Corporation Act of 1986 is amended by changing Section 104.05 as follows:

(805 ILCS 105/104.05) (from Ch. 32, par. 104.05)

Sec. 104.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:

(1) May contain, separate and apart from any other word or abbreviation in such name, the word "corporation," "company," "incorporated," or "limited," or an abbreviation of one of such words;

(2) Must end with the letters "NFP" if the corporate name contains any word or phrase which indicates or implies that the corporation is organized for any purpose other than a purpose for which corporations may be organized under this Act or a purpose other than a purpose set forth in the corporation's articles of incorporation;

(3) Shall be distinguishable upon the records in the ~~the~~ office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether for profit or not for profit, existing under any Act of this State or the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether for profit or not for profit, authorized to transact business or conduct affairs in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to conduct its affairs in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporation name or names in accordance with Section 104.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to conduct affairs in this State only under such assumed corporate name or names;

(4) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with;

(5) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State;

(6) Shall not contain the words "regular democrat," "regular democratic," "regular republican," "democrat," "democratic," or "republican," nor the name of any other established political party, unless consent to usage of such words or name is given to the corporation by the State central committee of such established political party; notwithstanding any other provisions of this Act, any corporation, whose name at the time this amendatory Act takes effect contains any of the words listed in this paragraph shall certify to the Secretary of State no later than January 1, 1989, that consent has been given by the State central committee; consent given to a corporation by the State central committee to use the above listed words may be revoked upon notification to the corporation and the Secretary of State; ~~and~~

(7) Shall be the name under which the corporation shall conduct affairs in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without

complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name; and .

(8) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "corporation," "company," "incorporated," or "limited" or an abbreviation of one of such words;

(2) Articles, conjunctions, contractions, abbreviations, different tenses or number of the same word.

(c) Nothing in this Section or Sections 104.15 or 104.20 of this Act shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any; or

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of name or symbols.

(Source: P.A. 92-33, eff. 7-1-01; revised 10-28-08.)

Section 15-25. The Limited Liability Company Act is amended by changing Section 1-10 as follows:

(805 ILCS 180/1-10)

Sec. 1-10. Limited liability company name.

(a) The name of each limited liability company as set forth in its articles of organization:

(1) shall contain the terms "limited liability company", "L.L.C.", or "LLC";

(2) may not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless the restriction has been complied with;

(3) shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the Office of the Secretary of State;

(4) shall not contain any of the following terms: "Corporation," "Corp.," "Incorporated," "Inc.," "Ltd.," "Co.," "Limited Partnership" or "L.P.";

(5) shall be the name under which the limited liability company transacts business in this State unless the limited liability company also elects to adopt an assumed name or names as provided in this Act; provided, however, that the limited liability company may use any divisional designation or trade name without complying with the requirements of this Act, provided the limited liability company also clearly discloses its name;

(6) shall not contain any word or phrase that indicates or implies that the limited liability company is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of the Office of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a limited liability company only if it has first complied with Section 1-9 of the Corporate Fiduciary Act; and

(7) shall contain the word "trust", if it is a limited liability company organized for the purpose of accepting and executing trusts; and .

(8) shall not, as to any limited liability company organized or amending its company name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) Nothing in this Section or Section 1-20 shall abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States of America with respect to the right to acquire and protect copyrights, trade names, trademarks, service marks, service names, or any other right to the exclusive use of names or symbols.

(c) (Blank).

(d) The name shall be distinguishable upon the records in the Office of the Secretary of State from all of the following:

(1) Any limited liability company that has articles of organization filed with the Secretary of State under Section 5-5.

(2) Any foreign limited liability company admitted to transact business in this State.

(3) Any name for which an exclusive right has been reserved in the Office of the Secretary of State under Section 1-15.

(4) Any assumed name that is registered with the Secretary of State under Section 1-20.

(5) Any corporate name or assumed corporate name of a domestic or foreign corporation subject to the provisions of Section 4.05 of the Business Corporation Act of 1983 or Section 104.05 of the General Not For Profit Corporation Act of 1986.

(e) The provisions of subsection (d) of this Section shall not apply if the organizer files with the Secretary of State a certified copy of a final decree of a court of competent jurisdiction establishing the prior right of the applicant to the use of that name in this State.

(f) The Secretary of State shall determine whether a name is "distinguishable" from another name for the purposes of this Act. Without excluding other names that may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "limited", "liability" or "company" or an abbreviation of one of those words.

(2) Articles, conjunctions, contractions, abbreviations, or different tenses or number of the same word.

(Source: P.A. 92-33, eff. 7-1-01; 93-59, eff. 7-1-03.)

ARTICLE 20.

Section 20-5. Article title. This Article may be cited as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-10. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-350 as follows:

(20 ILCS 2105/2105-350 new)

Sec. 2105-350. Licensing exemptions related to the 2016 Olympic and Paralympic Games.

(a) Definitions. For purposes of this Section:

"Eligible personnel" means individuals formally accredited by the OCOG under IOC procedures and regulations, or in the case of a sanctioned test event, the individuals formally designated by the OCOG under specific procedures applicable to the sanctioned test event.

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be the host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities, including, without limitation, training activities, for the games or sanctioned test events as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

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

"Foreign licensing body" means (i) another state or territory of the United States of America, or (ii) a foreign country or other political entity recognized by the United States of America as sovereign, or a political subdivision thereof.

"Games" means the 2016 Olympic and Paralympic Games, including all associated meetings, ceremonies, performances, and events.

"IOC" means the International Olympic Committee.

"NOC" means a National Olympic Committee.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities, including, without limitation, the Olympic village, broadcast and media center, live sites, hospitality sites, and administrative and operational offices, for the games or sanctioned test events, as determined by the IOC, the USOC, or the OCOG or the candidate city.

"NPC" means a National Paralympic Committee.

"OCOG" means the bid committee or the same as may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation to be established by the candidate city and the bid committee, which is to serve as the organizing committee for the games.

"Period of the games" means the period commencing 28 days prior to the opening ceremony of the 2016 Olympic Games and concluding 28 days after the closing ceremony of the 2016 Paralympic Games.

"Representative" means an individual formally accredited by the OCOG under IOC procedures and regulations as a member or guest of an NOC or NPC delegation participating in the games, or an individual formally designated by the OCOG or another applicable organizing committee of a sanctioned test event as being a member or guest of an NOC or NPC delegation, or athletic team, participating in the sanctioned test event.

"Sanctioned test event" means an event designated in writing by the OCOG to the Department at least 30 days in advance and which is conducted for the purpose of preparing or evaluating the ability and preparedness of the OCOG or the candidate city to host the games.

"Specified occupation" means the following occupations or professions: physician, chiropractic physician, advanced practice nurse, practical nurse, licensed practical nurse, registered nurse, registered professional nurse, physical therapist, physical therapist assistant, physician assistant, athletic trainer, veterinarian, veterinary technician, and massage therapist.

"Sponsoring delegation" means an NOC or NPC delegation or another accredited delegation for the games, or in the case of a sanctioned test event, an NOC or NPC delegation or athletic team, which engages, funds, supports, or otherwise requires the attendance and participation of the individual or entity to whom or which a licensing exception contained in this Section would apply.

"State" means the State of Illinois.

"USOC" means the U.S. Olympic Committee.

"Venues" means, collectively, the competition and non-competition venues.

(b) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department or by the Department of Public Health of the State, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a foreign licensing body;

(2) provides services at the invitation of an OCOG for the professional purpose of caring for or attending to the needs of individuals participating in or attending the games;

(3) restricts his, her or its licensed or authorized services and duties solely to the provision of care or service at one or more venues as specified by the OCOG, and in the case of venues without access control, restricts his, her or its licensed or authorized services and duties solely to the provision of care or service to eligible personnel;

(4) provides only the care or services that the individual or entity is licensed or otherwise authorized by the foreign licensing body to provide; and

(5) restricts the provision of the care or services to the period of the games or to the period of a sanctioned test event, together with any necessary period before and after the test event.

(c) Any person or entity practicing or providing services of a specified occupation as set forth in subsection (b) who, in good faith, provides emergency care without fee to a person, shall not be liable for civil damages or professional liability as a result of his, her, or its acts or omissions, except to the extent that the person or entity engages in willful or wanton misconduct in providing that care. This subsection (c) shall also apply to any person or entity that provides emergency care without fee but that is duly licensed or authorized to do so by the Department or the Department of Public Health of the State.

(d) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a foreign licensing body;

(2) provides services for the professional purposes of attending to the needs of the representatives of a sponsoring delegation;

(3) restricts his or her or its licensed or authorized services and duties solely to the representatives of the sponsoring delegation during the representatives' stay in the State;

(4) provides services at the invitation of a sponsoring delegation;

(5) provides only those services of a specified occupation that the individual or entity is licensed or

otherwise authorized to provide by the foreign licensing body; and

(6) restricts the provision of said care or services to the period of the games, or in the case of a sanctioned test event, to the period of said sanctioned test event together with any necessary period before and after said sanctioned test event, which period shall not commence more than 28 days before said sanctioned test event or terminate more than 28 days after said sanctioned test event.

(e) The requirements of this Section 2105-350 do not apply to the exemptions authorized by the Department pursuant to Section 2105-400 of this Act.

(f) This Section becomes inoperable as provided in Section 20-15 of the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-15. Inoperability. This Article, including Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, shall be inoperable as follows:

(a) if the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable upon that termination;

(b) if the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the candidate city is chosen as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017; except that subsection (c) of Section 20-10 of this Article shall survive until the expiration of all relevant statutes of limitation.

Section 20-20. The Illinois Athletic Trainers Practice Act is amended by changing Section 4 as follows:

(225 ILCS 5/4) (from Ch. 111, par. 7604)

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

Sec. 4. Licensure requirement - Exempt activities. After the effective date of this Act, no person shall provide any of the services set forth in subsection (4) of Section 3 of this Act, or use the title "athletic trainer" or "certified athletic trainer" or "athletic trainer certified" or the letters "A.T.", "C.A.T.", "A.T.C.", "A.C.T.", or "I.A.T.L." after his name, unless licensed under this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed or registered in this State by any other law from engaging in the profession or occupation for which he or she is licensed or registered.

(2) Any person employed as an athletic trainer by the Government of the United States, if such person provides athletic training solely under the direction or control of the organization by which he or she is employed.

(3) Any person pursuing a course of study leading to a degree or certificate in athletic training at an accredited educational program if such activities and services constitute a part of a supervised course of study involving daily personal or verbal contact at the site of supervision between the athletic training student and the licensed athletic trainer who plans, directs, advises, and evaluates the student's athletic training clinical education. The supervising licensed athletic trainer must be on-site where the athletic training clinical education is being obtained. A person meeting the criteria under this paragraph (3) must be designated by a title which clearly indicates his or her status as a student or trainee.

(4) (Blank).

(5) The practice of athletic training under the supervision of a licensed athletic trainer by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 except the passing of the examination to be eligible to receive such license. In no event shall this exemption extend to any person for longer than 3 months. Anyone who has previously failed the examination, or who fails the examination during this 3-month period, shall immediately cease practice as an athletic trainer and shall not engage in the practice of athletic training again until he or she passes the examination.

(6) Any person in a coaching position from rendering emergency care on an as needed basis to the athletes under his or her supervision when a licensed athletic trainer is not available.

(7) Any person who is an athletic trainer from another nation, state, or territory acting as an athletic trainer while performing his duties for his or her respective non-Illinois based team or organization, so long as he or she restricts his or her duties to his or her team or organization during the course of his or her team's or organization's stay in this State. For the purposes of this Act, a team shall be considered based in Illinois if its home contests are held in Illinois, regardless of the location of the team's administrative offices.

(8) The practice of athletic training by persons licensed in another state who have applied in writing to the Department for licensure by endorsement for no longer than 6 months or until

notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(9) The practice of athletic training by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(10) The practice of athletic training by persons actively licensed as an athletic trainer in another state, or currently certified by the National Athletic Trainers Association Board of Certification, Inc., or its successor entity, at a special athletic tournament or event conducted by a sanctioned amateur athletic organization, including, but not limited to, the Prairie State Games and the Special Olympics, for no more than 14 days. This shall not include contests or events that are part of a scheduled series of regular season events.

(11) Athletic trainer aides from performing patient care activities under the on-site supervision of a licensed athletic trainer. These patient care activities shall not include interpretation of referrals or evaluation procedures, planning or major modifications of patient programs, administration of medication, or solo practice or event coverage without immediate access to a licensed athletic trainer.

(12) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 94-246, eff. 1-1-06.)

Section 20-25. The Massage Licensing Act is amended by changing Section 25 as follows:

(225 ILCS 57/25)

(Section scheduled to be repealed on January 1, 2012)

Sec. 25. Exemptions.

(a) This Act does not prohibit a person licensed under any other Act in this State from engaging in the practice for which he or she is licensed.

(b) Persons exempted under this Section include, but are not limited to, physicians, podiatrists, naprapaths, and physical therapists.

(c) Nothing in this Act prohibits qualified members of other professional groups, including but not limited to nurses, occupational therapists, cosmetologists, and estheticians, from performing massage in a manner consistent with their training and the code of ethics of their respective professions.

(d) Nothing in this Act prohibits a student of an approved massage school or program from performing massage, provided that the student does not hold himself or herself out as a licensed massage therapist and does not charge a fee for massage therapy services.

(e) Nothing in this Act prohibits practitioners that do not involve intentional soft tissue manipulation, including but not limited to Alexander Technique, Feldenkrais, Reike, and Therapeutic Touch, from practicing.

(f) Practitioners of certain service marked bodywork approaches that do involve intentional soft tissue manipulation, including but not limited to Rolfing, Trager Approach, Polarity Therapy, and Orthobionomy, are exempt from this Act if they are approved by their governing body based on a minimum level of training, demonstration of competency, and adherence to ethical standards.

(g) Practitioners of Asian bodywork approaches are exempt from this Act if they are members of the American Organization of Bodywork Therapies of Asia as certified practitioners or if they are approved by an Asian bodywork organization based on a minimum level of training, demonstration of competency, and adherence to ethical standards set by their governing body.

(h) Practitioners of other forms of bodywork who restrict manipulation of soft tissue to the feet, hands, and ears, and who do not have the client disrobe, such as reflexology, are exempt from this Act.

(i) Nothing in this Act applies to massage therapists from other states or countries when providing educational programs or services for a period not exceeding 30 days within a calendar year.

(j) Nothing in this Act prohibits a person from treating ailments by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.

(k) Nothing in this Act applies to persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 92-860, eff. 6-1-03.)

Section 20-30. The Medical Practice Act of 1987 is amended by changing Section 4 as follows:

(225 ILCS 60/4) (from Ch. 111, par. 4400-4)

(Section scheduled to be repealed on December 31, 2010)

Sec. 4. Exemptions.

(a) This Act does not apply to the following:

(1) persons lawfully carrying on their particular profession or business under any valid existing regulatory Act of this State;

(2) persons rendering gratuitous services in cases of emergency; ~~or~~

(3) persons treating human ailments by prayer or spiritual means as an exercise or enjoyment of religious freedom; or ~~.~~

(4) persons practicing the specified occupations set forth in in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(b) (Blank).

(Source: P.A. 93-379, eff. 7-24-03.)

Section 20-35. The Nurse Practice Act is amended by changing Section 50-15 as follows:

(225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

(Section scheduled to be repealed on January 1, 2018)

Sec. 50-15. Policy; application of Act.

(a) For the protection of life and the promotion of health, and the prevention of illness and communicable diseases, any person practicing or offering to practice advanced, professional, or practical nursing in Illinois shall submit evidence that he or she is qualified to practice, and shall be licensed as provided under this Act. No person shall practice or offer to practice advanced, professional, or practical nursing in Illinois or use any title, sign, card or device to indicate that such a person is practicing professional or practical nursing unless such person has been licensed under the provisions of this Act.

(b) This Act does not prohibit the following:

(1) The practice of nursing in Federal employment in the discharge of the employee's duties by a person who is employed by the United States government or any bureau, division or agency thereof and is a legally qualified and licensed nurse of another state or territory and not in conflict with Sections 50-50, 55-10, 60-10, and 70-5 of this Act.

(2) Nursing that is included in the program of study by students enrolled in programs of nursing or in current nurse practice update courses approved by the Department.

(3) The furnishing of nursing assistance in an emergency.

(4) The practice of nursing by a nurse who holds an active license in another state when providing services to patients in Illinois during a bonafide emergency or in immediate preparation for or during interstate transit.

(5) The incidental care of the sick by members of the family, domestic servants or housekeepers, or care of the sick where treatment is by prayer or spiritual means.

(6) Persons from being employed as unlicensed assistive personnel in private homes, long term care facilities, nurseries, hospitals or other institutions.

(7) The practice of practical nursing by one who is a licensed practical nurse under the laws of another U.S. jurisdiction and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(8) The practice of advanced practice nursing by one who is an advanced practice nurse under the laws of another state, territory of the United States, or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an advanced practice nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(9) The practice of professional nursing by one who is a registered professional nurse under the laws of another state, territory of the United States or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a registered professional nurse and who is qualified to receive such license under Section 55-10, until (1) the

expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(10) The practice of professional nursing that is included in a program of study by one who is a registered professional nurse under the laws of another state or territory of the United States or foreign country, territory or province and who is enrolled in a graduate nursing education program or a program for the completion of a baccalaureate nursing degree in this State, which includes clinical supervision by faculty as determined by the educational institution offering the program and the health care organization where the practice of nursing occurs.

(11) Any person licensed in this State under any other Act from engaging in the practice for which she or he is licensed.

(12) Delegation to authorized direct care staff trained under Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act consistent with the policies of the Department.

(13) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician, dentist, or podiatrist to a licensed practical nurse, a registered professional nurse, or other persons.

(Source: P.A. 95-639, eff. 10-5-07; 95-876, eff. 8-21-08.)

Section 20-40. The Illinois Physical Therapy Act is amended by changing Section 2 as follows:

(225 ILCS 90/2) (from Ch. 111, par. 4252)

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

Sec. 2. Licensure requirement; exempt activities. Practice without a license forbidden - exception. No person shall after the date of August 31, 1965 begin to practice physical therapy in this State or hold himself out as being able to practice this profession, unless he is licensed as such in accordance with the provisions of this Act. After the effective date of this amendatory Act of 1990, no person shall practice or hold himself out as a physical therapist assistant unless he is licensed as such under this Act. A physical therapist shall use the initials "PT" in connection with his or her name to denote licensure under this Act, and a physical therapist assistant shall use the initials "PTA" in connection with his or her name to denote licensure under this Act.

This Act does not prohibit:

(1) Any person licensed in this State under any other Act from engaging in the practice for which he is licensed.

(2) The practice of physical therapy by those persons, practicing under the supervision of a licensed physical therapist and who have met all of the qualifications as provided in Sections 7, 8.1, and 9 of this Act, until the next examination is given for physical therapists or physical therapist assistants and the results have been received by the Department and the Department has determined the applicant's eligibility for a license. Anyone failing to pass said examination shall not again practice physical therapy until such time as an examination has been successfully passed by such person.

(3) The practice of physical therapy for a period not exceeding 6 months by a person who is in this State on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project, and who meets the qualifications for a physical therapist as set forth in Sections 7 and 8 of this Act and is licensed in another state as a physical therapist.

(4) Practice of physical therapy by qualified persons who have filed for endorsement for no longer than one year or until such time that notification of licensure has been granted or denied, whichever period of time is lesser.

(5) One or more licensed physical therapists from forming a professional service corporation under the provisions of the "Professional Service Corporation Act", approved September 15, 1969, as now or hereafter amended, and licensing such corporation for the practice of physical therapy.

(6) Physical therapy aides from performing patient care activities under the on-site supervision of a licensed physical therapist or licensed physical therapist assistant. These patient care activities shall not include interpretation of referrals, evaluation procedures, the planning of or major modifications of, patient programs.

(7) Physical Therapist Assistants from performing patient care activities under the

general supervision of a licensed physical therapist. The physical therapist must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction to insure the safety and welfare of the patient.

(8) The practice of physical therapy by a physical therapy student or a physical therapist assistant student under the on-site supervision of a licensed physical therapist. The physical therapist shall be readily available for direct supervision and instruction to insure the safety and welfare of the patient.

(9) The practice of physical therapy as part of an educational program by a physical therapist licensed in another state or country for a period not to exceed 6 months.

(10) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 93-1010, eff. 8-24-04.)

Section 20-45. The Physician Assistant Practice Act of 1987 is amended by changing Section 5 as follows:

(225 ILCS 95/5) (from Ch. 111, par. 4605)

(Section scheduled to be repealed on January 1, 2018)

Sec. 5. This Act does not prohibit:

1. Any person licensed in this State under any other Act from engaging in the practice for which he is licensed;

2. The practice as a physician assistant by a person who is employed by the United States government or any bureau, division or agency thereof while in the discharge of the employee's official duties;

3. The practice as a physician assistant which is included in their program of study by students enrolled in schools or in refresher courses approved by the Department.

4. The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 85-1209.)

Section 20-50. The Veterinary Medicine and Surgery Practice Act of 2004 is amended by changing Section 4 as follows:

(225 ILCS 115/4) (from Ch. 111, par. 7004)

(Section scheduled to be repealed on January 1, 2014)

Sec. 4. Exemptions. Nothing in this Act shall apply to any of the following:

(1) Veterinarians employed by the federal or State government while engaged in their official duties.

(2) Licensed veterinarians from other states who are invited to Illinois for consultation or lecturing.

(3) Veterinarians employed by colleges or universities while engaged in the performance of their official duties, or faculty engaged in animal husbandry or animal management programs of colleges or universities.

(4) A veterinarian employed by an accredited college of veterinary medicine providing assistance requested by a veterinarian licensed in Illinois, acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.

(5) Veterinary students in an accredited college, university, department of a university, or other institution of veterinary medicine and surgery engaged in duties assigned by their instructors.

(6) Any person engaged in bona fide scientific research which requires the use of animals.

(7) An owner of livestock and any of the owner's employees or the owner and employees of a service and care provider of livestock caring for and treating livestock belonging to the owner or under a provider's care, including but not limited to, the performance of husbandry and livestock

management practices such as dehorning, castration, emasculation, or docking of cattle, horses, sheep, goats, and swine, artificial insemination, and drawing of semen. Nor shall this Act be construed to prohibit any person from administering in a humane manner medicinal or surgical treatment to any livestock in the care of such person. However, any such services shall comply with the Humane Care for Animals Act.

(8) An owner of an animal, or an agent of the owner acting with the owner's approval, in caring for, training, or treating an animal belonging to the owner, so long as that individual or agent does not represent himself or herself as a veterinarian or use any title associated with the practice of veterinary medicine or surgery or diagnose, prescribe drugs, or perform surgery. The agent shall provide the owner with a written statement summarizing the nature of the services provided and obtain a signed acknowledgment from the owner that they accept the services provided. The services shall comply with the Humane Care for Animals Act. The provisions of this item (8) do not apply to a person who is exempt under item (7).

(9) A member in good standing of another licensed or regulated profession within any state or a member of an organization or group approved by the Department by rule providing assistance requested by a veterinarian licensed in this State acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient, as defined by rule. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.

(10) A graduate of a non-accredited college of veterinary medicine who is in the process of obtaining a certificate of educational equivalence and is performing duties or actions assigned by instructors in an approved college of veterinary medicine.

(11) A certified euthanasia technician who is authorized to perform euthanasia in the course and scope of his or her employment.

(12) A person who, without expectation of compensation, provides emergency veterinary care in an emergency or disaster situation so long as he or she does not represent himself or herself as a veterinarian or use a title or degree pertaining to the practice of veterinary medicine and surgery.

(13) An employee of a licensed veterinarian performing duties other than diagnosis, prognosis, prescription, or surgery under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee.

(14) An approved humane investigator regulated under the Humane Care for Animals Act or employee of a shelter licensed under the Animal Welfare Act, working under the indirect supervision of a licensed veterinarian.

(15) An individual providing equine dentistry services requested by a veterinarian licensed to practice in this State, an owner, or an owner's agent. For the purposes of this item (15), "equine dentistry services" means floating teeth without the use of drugs or extraction.

(16) Private treaty sale of animals unless otherwise provided by law.

(17) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 92-449, eff. 1-1-02; 93-281, eff. 12-31-03.)

ARTICLE 25.

Section 25-1. Article title. This Article may be cited as the Illinois 2016 Olympic and Paralympic Games Shooting Competition Exemption Law.

Section 25-5. Purpose. It is the intent of the Legislature in enacting this Article to ensure that competitive shooting athletes may bring into the State, possess, transport, and use competition firearms that are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation (the international governing body for shooting competitions), or USA Shooting (the national governing body for Olympic shooting sports in the United States) in connection with the athletes' participation in official shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games should the City of Chicago be selected to host the 2016 Olympic and Paralympic Games. These provisions only have the effect of allowing possession of, transport of, and use of, firearms for Olympic-style shooting by athletes in such competitions, without affecting other firearms regulated under existing law.

Section 25-10. The Firearm Owners Identification Card Act is amended by changing Section 2 as follows:

(430 ILCS 65/2) (from Ch. 38, par. 83-2)

Sec. 2. Firearm Owner's Identification Card required; exceptions.

(a) (1) No person may acquire or possess any firearm, stun gun, or taser within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.

(2) No person may acquire or possess firearm ammunition within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms, firearm ammunition, stun guns, and tasers do not apply to:

(1) United States Marshals, while engaged in the operation of their official duties;

(2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;

(3) Federal officials required to carry firearms, while engaged in the operation of their official duties;

(4) Members of bona fide veterans organizations which receive firearms directly from the armed forces of the United States, while using the firearms for ceremonial purposes with blank ammunition;

(5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Natural Resources owned or managed sites;

(7) Nonresidents while on a firing or shooting range recognized by the Department of State Police; however, these persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;

(8) Nonresidents while at a firearm showing or display recognized by the Department of State Police; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(9) Nonresidents whose firearms are unloaded and enclosed in a case;

(10) Nonresidents who are currently licensed or registered to possess a firearm in their resident state;

(11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to the minor if the parent or legal guardian or other person in loco parentis to the minor has a currently valid Firearm Owner's Identification Card;

(12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition;

(13) Nonresident hunters whose state of residence does not require them to be licensed or registered to possess a firearm and only during hunting season, with valid hunting licenses, while accompanied by, and using a firearm owned by, a person who possesses a valid Firearm Owner's Identification Card and while in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled, but in no instance upon sites owned or managed by the Department of Natural Resources;

(14) Resident hunters who are properly authorized to hunt and, while accompanied by a person who possesses a valid Firearm Owner's Identification Card, hunt in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled; ~~and~~

(15) A person who is otherwise eligible to obtain a Firearm Owner's Identification Card under this Act and is under the direct supervision of a holder of a Firearm Owner's Identification Card who is 21 years of age or older while the person is on a firing or shooting range or is a participant in a firearms safety and training course recognized by a law enforcement agency or a national, statewide shooting sports organization; and ~~.~~

(16) Competitive shooting athletes whose competition firearms are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athletes' training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(c) The provisions of this Section regarding the acquisition and possession of firearms, firearm ammunition, stun guns, and tasers do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties.
(Source: P.A. 94-6, eff. 1-1-06.)

Section 25-15. The Criminal Code of 1961 is amended by changing Section 24-2 as follows:

(720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subdivision (a)(5) shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Professional Regulation as prescribed by Section 28 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, prior to becoming eligible for this exemption. The Department of Professional Regulation shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Professional

Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a

licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, those devices shall be detached from any weapon or not immediately accessible.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article

shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

(Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07; 95-885, eff. 1-1-09.)

Section 25-20. Inoperability. This Article shall be inoperable as follows:

(a) if the City of Chicago terminates its candidacy to become the host city for the 2016 Olympic and Paralympic Games, then this Article is inoperable upon that termination;

(b) if the International Olympic Committee does not select the City of Chicago as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the City of Chicago is chosen as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 99.

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

Representative Currie offered the following amendments and moved their adoption:

AMENDMENT NO. 2. Amend Senate Bill 2016, AS AMENDED, by replacing everything after the enacting clause with the following:

"ARTICLE 1.

Section 1-1. Short title. This Act may be cited as the 2016 Olympic and Paralympic Games Act.

ARTICLE 5.

Section 5-1. Article title. This Article may be cited as the Olympic Games and Paralympic Games (2016) Law.

Section 5-5. Definitions. For purposes of this Article:

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities (including, without limitation, training activities) for the games as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

"Games" means the 2016 Olympic and Paralympic Games.

"Governor" means the Governor of Illinois.

"IOC" means the International Olympic Committee.

"IPC" means the International Paralympic Committee.

"Net financial deficit" means any financial deficit of the OCOG or resulting from the conduct of the games.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities (including, without limitation, live sites, hospitality sites, and administrative and operational offices) for the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"OCOG" means the bid committee, as the same may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation that serves as the organizing committee for the games and to be established by the candidate city and the bid committee.

"Olympic properties" means, collectively, (1) the properties on which the venues will be located and that are owned or controlled by the State and (2) the Olympic ancillary properties.

"Olympic ancillary properties" means all public rights-of-ways or public areas that are owned or controlled by the State (or over which it has jurisdiction), including but not limited to streets, highways, sidewalks, alleys, waterways, parks, and bridges necessary and appropriate to the staging of the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"State" means the State of Illinois.

"State indemnification obligation" means the obligation of the State to indemnify the IOC, IPC or USOC, or a combination of those entities, against claims of, and liabilities to, third parties relating to the

games, as described in this Article.

"USOC" means the United States Olympic Committee.

"Venues" means, collectively, the competition venues and non-competition venues.

Section 5-10. Governmental Cooperation.

(a) The State, in accordance with law and to the extent of the State's authority, and subject to the limitations of this Article:

(1) guarantees that the candidate city, working in partnership with the OCOG, shall be the primary and lead governmental authority for the planning, organization, and hosting of the games;

(2) guarantees that the candidate city shall be the primary and lead governmental authority for the planning, organization, and delivery of public services specific to the games;

(3) guarantees that the State shall designate a representative (designated as a games liaison) to be the primary point of contact for the State to the candidate city and the OCOG for purposes of intergovernmental coordination in connection with the games;

(4) guarantees the State's respect of the Olympic Charter and the Host City Contract promulgated by the IOC;

(5) agrees that all representations, warranties, and covenants set forth in this Article as well as any written commitments made by the State regarding the games shall be binding on the State;

(6) guarantees that the State will take all necessary measures in order that it fulfill its obligations completely under this Article and any written commitments made by the State to the IOC;

(7) declares and confirms that no other important national or international meeting or event will take place in the vicinity of the venues during the period one week before through one week after the games;

(8) guarantees that all construction work necessary for the organization of the games within the State, to the extent permitted or authorized by the State, will comply with (i) local, regional, and national environmental regulations and acts and (ii) international agreements and protocols to which the United States is a party regarding planning, construction, and protection of the environment;

(9) guarantees that it shall provide or cause to be provided all security, medical, and other government-related services that the State customarily provides for comparable large-scale events and that are necessary for the successful planning, organization, and staging of the portions of the games within the State, at no cost to the OCOG;

(10) agrees to take such action as may be required by law, and to be effective for the period not later than January 1, 2010 and through the end of the games, to suspend or waive the imposition and collection of fees and charges otherwise imposed and collected by or on behalf of the State for permits and licenses issued to the OCOG applicable to the design, development, construction, and operation or use of the venues and properties related to the games;

(11) agrees to cooperate with the candidate city, the bid committee and the OCOG, as well as local, regional, and national business, trade, and service organizations in order to promote and encourage, to the extent permitted by law, the charging of ordinary and customary prices for goods and services associated with the games within the State (including, but not limited to, hotel rates, restaurants, and related services) for anyone attending the games, including non-accredited spectators;

(12) agrees that, if requested by the candidate city, the bid committee, or the OCOG, it shall permit any member of the General Assembly to introduce legislation necessary to: (i) effectively reduce and sanction ambush marketing, (ii) eliminate illegal street vending during the period beginning 2 weeks before the games through the end of the games; and (iii) control advertising space (including, but not limited to, billboards and advertising on public transport) as well as air space and that any such legislation will be introduced as soon as possible but no later than January 1, 2014;

(13) agrees that it shall not engage in any marketing, commercial, or signage program in relation to the games without the prior written consent of the IOC;

(14) agrees that it shall coordinate and cooperate with the candidate city and the OCOG concerning a "Look of the Games" program;

(15) agrees that it will cooperate with the OCOG and the candidate city (including any applicable candidate city commission) in preventing ambush marketing at the games within the State;

(16) agrees to enter into a binding option agreement with the bid committee or the OCOG to provide the OCOG with the rights to any and all existing or hereafter developed outdoor commercial advertising space (including billboards) owned or controlled by the State and located within the vicinity of any Olympic properties, which agreement shall provide, among other things, that such advertising space will be available at the OCOG's option for a 12-week period encompassing the games at 2008 best

commercial prices adjusted only for inflation;

(17) except as may be provided in any other agreement between the State and the candidate city, the bid committee, or the OCOG, agrees to make all of its non-competition and Olympic ancillary properties available at no cost to the OCOG;

(18) guarantees that the accessibility standards to be applied for the Paralympic Games shall include the Americans with Disabilities Act, the Fair Housing Act, the Illinois Environmental Barriers Act (and its implementing regulations, the Illinois Accessibility Code), and the Illinois Human Rights Act;

(19) shall cooperate with the OCOG to assure that accessibility will be fully integrated into the planning of the Paralympic Games comprising part of the games; and

(20) agrees to the formation and authority of the Chicago Olympic Public Safety Command.

(b) In the event of a conflict between any provision of this Act and any provision of any written commitments made by the State regarding the games, this Act shall prevail and control as to the State.

(c) The bid committee and the OCOG shall provide any information reasonably requested by the State, with copies to the leaders of both houses of the General Assembly, to assist in reviewing the provisions of and performance under this Article.

(d) Nothing in this Article shall be construed as impairing the Governor's constitutional authority.

Section 5-15. State indemnification obligation and net financial deficit.

(a) Solely through the funds contained in the Olympic Games and Paralympic Games Trust Fund created by this Article, the State shall be liable to the IOC, the IPC, and the USOC for:

(1) the State indemnification obligation; and

(2) any net financial deficit.

The State's liability for the State indemnification obligation and any net financial deficit shall be subject to the terms of this Section of this Article.

(b) The State shall not make any payments with respect to the State indemnification obligation or any net financial deficit until and after (i) all bid committee and all OCOG net operating revenues, surplus, reserves, contingencies, receivables, funds, and other available assets and security have been fully expended and (ii) the candidate city has first paid at least $250,000,000 in the aggregate towards amounts that would give rise to a State indemnification obligation or a net financial deficit payment obligation on the State's part, or both.

(c) Any financial commitments of the State under this Section shall be satisfied exclusively by recourse to the Olympic Games and Paralympic Games Trust Fund.

(d) Any financial commitments of the State under this Section shall not exceed $250,000,000 in the aggregate.

Section 5-20. Olympic Games and Paralympic Games Trust Fund.

(a) The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State Treasury.

(b) The State may choose to fund the Olympic Games and Paralympic Games Trust Fund in any manner it considers appropriate, and at such time or times the State determines necessary. By the beginning of State fiscal year 2016, the State shall appropriate sums of money to the Olympic Games and Paralympic Games Trust Fund to provide security for the State indemnification obligation and the net financial deficit.

(c) The moneys in the Olympic Games and Paralympic Games Trust Fund may be used only for the sole purpose of fulfilling the obligations of the State pursuant to the State indemnification obligation and any net financial deficit. For each dollar that is expended from the Olympic Games and Paralympic Games Trust Fund, the State shall expend an equivalent amount of State funds for road projects outside of the county in which the candidate city is located.

(d) No additional State funds shall be deposited into the Olympic Games and Paralympic Games Trust Fund once the Governor determines that the fund has achieved, or is reasonably expected to otherwise accrue, a sufficient balance to provide adequate security, acceptable to the IOC, to demonstrate the State's ability to fulfill its obligations to satisfy the State indemnification obligation and any net financial deficit payment obligation.

(e) If the candidate city is selected as the host city for the games, the Olympic Games and Paralympic Games Trust Fund shall be maintained until a determination by the Governor is made that the State's obligations to satisfy the State indemnification obligation and to be liable for any net financial deficit are satisfied and concluded, at which time the fund shall be terminated.

(f) Upon the termination of the Olympic Games and Paralympic Games Trust Fund, all sums earmarked, transferred, or contained in the fund, along with any investment earnings retained in the fund, shall

immediately revert to the General Revenue Fund.

Section 5-25. Fund as security; liability. Any moneys deposited, transferred, or otherwise contained in the Olympic Games and Paralympic Games Trust Fund shall be, upon appropriation by the General Assembly, used for the sole purpose of providing adequate security, acceptable to the IOC, to demonstrate the State's ability to satisfy its State indemnification obligation and to be liable for any net financial deficit. The security may be provided by moneys contained in the Fund as provided in Section 5-20, or by insurance coverage, letters of credit, or other acceptable secured instruments purchased or secured by the moneys, or by any combination thereof.

Section 5-30. Insurance. The bid committee and the OCOG shall list the State and the candidate city as additional insureds on any policy of insurance purchased by the bid committee or the OCOG to be in effect in connection with the preparation for and conduct of the games.

Section 5-35. Bid committee and OCOG responsibilities. The bid committee and the OCOG may not engage in any conduct that reflects unfavorably upon the State, the candidate city, or the games, or that is contrary to law or to the rules and regulations of the IOC, IPC, or USOC.

Section 5-40. Authority of the Governor. Subject to the limitations of this Article, including but not limited to those contained in Section 5-15, the Governor, or his or her designee, on behalf of the State, may execute such other agreements or contracts as may be required by the OCOG, the USOC, the IOC, or the IPC in connection with the candidate city and bid committee's bid to host the Games.

Section 5-42. Diversity program.

(a) The OCOG shall establish and maintain a diversity program to ensure non-discrimination in the award of contracts by the OCOG and the administration of those contracts. To the maximum extent permitted by law, the OCOG shall establish goals as part of the program of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "the contracts") to minority owned businesses or businesses owned by a person with a disability, and 5% of the annual dollar value of the contracts to female owned businesses. The subject of the contracts includes, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. Recognizing that the planning, organization, and staging of the games is a unique undertaking, the goals established in this subsection shall exclude: all contracts, purchase orders, or other agreements that (i) must be awarded to a specific source as a result of the OCOG's legal obligations to the USOC or IOC or its official tier 1, tier 2 or tier 3 sponsors, (ii) the OCOG awards to a unique or limited supplier of a product, equipment, or service required for the games, or (iii) the payments under which are passed through to other constituencies involved in or attending the games (such as under the games accommodation program). If, however, the OCOG awards any contracts, purchase orders, or other agreements described in items (i) through (iii) to a minority-owned business, business owned by a person with a disability, or a female-owned business, those contracts shall be considered towards the goals described in this subsection.

(b) For purposes of this Section, the terms "minority owned business", "business owned by a person with a disability", and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. For purposes of meeting the goals of this Section, the State shall recognize OCOG contracts performed in the candidate city that are awarded to minority-owned business enterprises, business enterprises owned by persons with disabilities, or women-owned business enterprises, as those terms are defined in the municipal code of the candidate city.

(c) The OCOG shall establish and maintain a diversity program designed to promote equal employment opportunity with respect to its management and operations. The program shall include a plan, including timetables, as appropriate, that specify goals and methods for increasing participation by women, minorities, and persons with disabilities in those employment opportunities.

(d) Beginning on January 1, 2011, and each year thereafter until the completion of the games, the OCOG shall issue a written report to the Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, mayor of the candidate city, and city council of the candidate city providing the number of respective employees who have designated themselves as members of a minority group, as persons with a disability, or as women. The report shall also describe in detail the OCOG's compliance with the requirements of subsections (a) and (c) of this Section.

(e) The Diversity Program Commission is created to monitor, review, and report on minority, female, and persons with disabilities contracting and employment related to the planning, organization, and staging of the games. The Commission shall consist of 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Minority Leader of the Senate, 2 members appointed by the Speaker of the House of Representatives, 2 members appointed by the Minority

Leader of the House of Representatives, one member appointed by the Metropolitan Pier and Exposition Authority Board, one member appointed by the Board of Trustees of the University of Illinois, one member appointed by the Board of Commissioners of the Chicago Park District, 5 members appointed by the mayor of the candidate city, and 5 representatives of the OCOG's outreach advisory council appointed by the other members of the Commission upon an affirmative vote of at least 10 of those other members. All appointments shall be made by January 1, 2011. Beginning on January 1, 2012, and each year thereafter until the completion of the games, the Commission shall file a written report with the OCOG, the General Assembly, the Governor, the mayor of the candidate city, and the city council of the candidate city regarding compliance with the diversity requirements of this Article. The Commission may file a supplemental reports at any time. The Commission shall elect its own chairperson, and Commission members shall serve without compensation.

The Commission shall meet quarterly and as needed. The Commission shall also meet within one week after the issuance of the reports required under this subsection to, among other things, discuss whether or not: (i) the OCOG is in compliance with the requirements of this Section; (ii) the Metropolitan Pier and Exposition Authority is in compliance with Section 23.1 of the Metropolitan Pier and Exposition Authority Act as amended in this Article; (iii) the University of Illinois is in compliance with Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and Section 1.1 of the University of Illinois at Chicago Act as amended in this Article; and (iv) the Chicago Park District is in compliance with Section 7.07 of the Chicago Park District Act as amended in this Article.

The Commission shall include in any report required under this subsection, among other things: (i) a list that sets forth each person or entity awarded a contract that is the subject of the diversity program described in this Section by the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District and the name, address, contact information, and total dollar amount of the contract or contracts; and (ii) a determination of whether the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District are in compliance with their respective obligations. If in any reporting period the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, or the Chicago Park District is not in compliance with its respective obligations, then each that is not in compliance shall file with the Commission within 14 business days a written explanation setting forth the reason or reasons for noncompliance. The Commission shall then meet within one week after receiving the written explanations to discuss the stated reason or reasons for noncompliance.

The OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District shall cooperate with the Commission and provide the Commission with requested information, unless disclosure is prohibited by law.

Section 5-43. OCOG membership diversity. The State encourages all parties with the power to appoint members to the OCOG Board of Directors to take into account the racial and ethnic diversity of the candidate city in making such appointments.

Section 5-45. Inoperability.

(a) If the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable upon that termination.

(b) If the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date.

Section 5-95. The State Finance Act is amended by adding Sections 5.719 and 6z-80 as follows:

(30 ILCS 105/5.719 new)

Sec. 5.719. The Olympic Games and Paralympic Games Trust Fund.

(30 ILCS 105/6z-80 new)

Sec. 6z-80. Appropriations from the Olympic Games and Paralympic Games Trust Fund. The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State treasury. Subject to appropriation, all money in the Olympic Games and Paralympic Games Trust Fund must be used to make payments required under the Olympic Games and Paralympic Games (2016) Law.

Section 5-96. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 4 as follows:

(30 ILCS 575/4) (from Ch. 127, par. 132.604)

(Section scheduled to be repealed on June 30, 2010)

Sec. 4. Award of State contracts.

(a) Except as provided in subsections ~~subsection~~ (b) and (c), not less than 12% of the total dollar amount of State contracts, as defined by the Secretary of the Council and approved by the Council, shall be established as a goal to be awarded to businesses owned by minorities, females, and persons with

disabilities; provided, however, that contracts representing at least five-twelfths of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to female owned businesses, and that contracts representing at least one-sixth of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to businesses owned by persons with disabilities.

The above percentage relates to the total dollar amount of State contracts during each State fiscal year, calculated by examining independently each type of contract for each agency or university which lets such contracts. Only that percentage of arrangements which represents the participation of businesses owned by minorities, females, and persons with disabilities on such contracts shall be included.

(b) In the case of State construction contracts, the provisions of subsection (a) requiring a portion of State contracts to be awarded to businesses owned and controlled by persons with disabilities do not apply. Not less than 10% of the total dollar amount of State construction contracts is established as a goal to be awarded to minority and female owned businesses, and contracts representing 50% of the amount of all State construction contracts awarded to minority and female owned businesses shall be awarded to female owned businesses.

(c) In the case of all work undertaken by the University of Illinois related to the planning, organization, and staging of the games, the University of Illinois shall establish a goal of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, and other agreements (collectively referred to as "the contracts") to minority-owned businesses or businesses owned by a person with a disability and 5% of the annual dollar value the contracts to female-owned businesses. For purposes of this subsection, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 87-701; 88-597, eff. 8-28-94.)

Section 5-97. The State Mandates Act is amended by adding Section 8.33 as follows:

(30 ILCS 805/8.33 new)

Sec. 8.33. Exempt mandate. Notwithstanding the provisions of Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

Section 95-98. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 23.1 as follows:

(70 ILCS 210/23.1) (from Ch. 85, par. 1243.1)

Sec. 23.1. Affirmative action.

(a) The Authority shall, within 90 days after the effective date of this amendatory Act of 1984, establish and maintain an affirmative action program designed to promote equal employment opportunity and eliminate the effects of past discrimination. Such program shall include a plan, including timetables where appropriate, which shall specify goals and methods for increasing participation by women and minorities in employment, including employment related to the planning, organization, and staging of the games, by the Authority and by parties which contract with the Authority. The Authority shall submit a detailed plan with the General Assembly prior to September 1 of each year. Such program shall also establish procedures and sanctions (including debarment), which the Authority shall enforce to ensure compliance with the plan established pursuant to this Section and with State and federal laws and regulations relating to the employment of women and minorities. A determination by the Authority as to whether a party to a contract with the Authority has achieved the goals or employed the methods for increasing participation by women and minorities shall be determined in accordance with the terms of such contracts or the applicable provisions of rules and regulations of the Authority existing at the time such contract was executed, including any provisions for consideration of good faith efforts at compliance which the Authority may reasonably adopt.

(b) The Authority shall adopt and maintain minority and female owned business enterprise procurement programs under the affirmative action program described in subsection (a) for any and all work, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. That work shall include, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. The programs shall establish goals of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "contracts") to minority owned businesses and 5% of the annual dollar value of all contracts to female owned businesses. Without limiting the generality of the foregoing, the programs shall require in connection with the prequalification or consideration of vendors for professional service contracts, construction contracts, and contracts for supplies, materials, equipment, and services that each proposer or

bidder submit as part of his or her proposal or bid a commitment detailing how he or she will expend 25% or more of the dollar value of his or her contracts with one or more minority owned businesses and 5% or more of the dollar value with one or more female owned businesses. Bids or proposals that do not include such detailed commitments are not responsive and shall be rejected unless the Authority deems it appropriate to grant a waiver of these requirements. In addition the Authority may, in connection with the selection of providers of professional services, reserve the right to select a minority or female owned business or businesses to fulfill the commitment to minority and female business participation. The commitment to minority and female business participation may be met by the contractor or professional service provider's status as a minority or female owned business, by joint venture or by subcontracting a portion of the work with or purchasing materials for the work from one or more such businesses, or by any combination thereof. Each contract shall require the contractor or provider to submit a certified monthly report detailing the status of that contractor or provider's compliance with the Authority's minority and female owned business enterprise procurement program. The Authority, after reviewing the monthly reports of the contractors and providers, shall compile a comprehensive report regarding compliance with this procurement program and file it quarterly with the General Assembly. If, in connection with a particular contract, the Authority determines that it is impracticable or excessively costly to obtain minority or female owned businesses to perform sufficient work to fulfill the commitment required by this subsection, the Authority shall reduce or waive the commitment in the contract, as may be appropriate. The Authority shall establish rules and regulations setting forth the standards to be used in determining whether or not a reduction or waiver is appropriate. The terms "minority owned business" and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(c) The Authority shall adopt and maintain an affirmative action program in connection with the hiring of minorities and women on the Expansion Project and on any and all construction projects, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. The program shall be designed to promote equal employment opportunity and shall specify the goals and methods for increasing the participation of minorities and women in a representative mix of job classifications required to perform the respective contracts awarded by the Authority.

(d) In connection with the Expansion Project, the Authority shall incorporate the following elements into its minority and female owned business procurement programs to the extent feasible: (1) a major contractors program that permits minority owned businesses and female owned businesses to bear significant responsibility and risk for a portion of the project; (2) a mentor/protege program that provides financial, technical, managerial, equipment, and personnel support to minority owned businesses and female owned businesses; (3) an emerging firms program that includes minority owned businesses and female owned businesses that would not otherwise qualify for the project due to inexperience or limited resources; (4) a small projects program that includes participation by smaller minority owned businesses and female owned businesses on jobs where the total dollar value is $5,000,000 or less; and (5) a set-aside program that will identify contracts requiring the expenditure of funds less than $50,000 for bids to be submitted solely by minority owned businesses and female owned businesses.

(e) The Authority is authorized to enter into agreements with contractors' associations, labor unions, and the contractors working on the Expansion Project to establish an Apprenticeship Preparedness Training Program to provide for an increase in the number of minority and female journeymen and apprentices in the building trades and to enter into agreements with Community College District 508 to provide readiness training. The Authority is further authorized to enter into contracts with public and private educational institutions and persons in the hospitality industry to provide training for employment in the hospitality industry.

(f) McCormick Place Advisory Board. There is created a McCormick Place Advisory Board composed as follows: 2 members shall be appointed by the Mayor of Chicago; 2 members shall be appointed by the Governor; 2 members shall be State Senators appointed by the President of the Senate; 2 members shall be State Senators appointed by the Minority Leader of the Senate; 2 members shall be State Representatives appointed by the Speaker of the House of Representatives; and 2 members shall be State Representatives appointed by the Minority Leader of the House of Representatives. The terms of all previously appointed members of the Advisory Board expire on the effective date of this amendatory Act of the 92nd General Assembly. A State Senator or State Representative member may appoint a designee to serve on the McCormick Place Advisory Board in his or her absence.

A "member of a minority group" shall mean a person who is a citizen or lawful permanent resident of the United States and who is

(1) Black (a person having origins in any of the black racial groups in Africa);

(2) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race);

(3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); or

(4) American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

Members of the McCormick Place Advisory Board shall serve 2-year terms and until their successors are appointed, except members who serve as a result of their elected position whose terms shall continue as long as they hold their designated elected positions. Vacancies shall be filled by appointment for the unexpired term in the same manner as original appointments are made. The McCormick Place Advisory Board shall elect its own chairperson.

Members of the McCormick Place Advisory Board shall serve without compensation but, at the Authority's discretion, shall be reimbursed for necessary expenses in connection with the performance of their duties.

The McCormick Place Advisory Board shall meet quarterly, or as needed, shall produce any reports it deems necessary, and shall:

(1) Work with the Authority on ways to improve the area physically and economically;

(2) Work with the Authority regarding potential means for providing increased economic opportunities to minorities and women produced indirectly or directly from the construction and operation of the Expansion Project;

(3) Work with the Authority to minimize any potential impact on the area surrounding the McCormick Place Expansion Project, including any impact on minority or female owned businesses, resulting from the construction and operation of the Expansion Project;

(4) Work with the Authority to find candidates for building trades apprenticeships, for employment in the hospitality industry, and to identify job training programs;

(5) Work with the Authority to implement the provisions of subsections (a) through (e) of this Section in the construction of the Expansion Project, including the Authority's goal of awarding not less than 25% and 5% of the annual dollar value of contracts to minority and female owned businesses, the outreach program for minorities and women, and the mentor/protege program for providing assistance to minority and female owned businesses.

(g) The Authority shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law. For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 91-422, eff. 1-1-00; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01.)

Section 95-99. The Chicago Park District Act is amended by adding Section 7.07 as follows:

(70 ILCS 1505/7.07 new)

Sec. 7.07. Olympic and paralympic games; contracts and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable ordinances contained in the Code of the Chicago Park District, including but not limited to Chapter I (General Provisions and Definitions), Chapter IV (Human Rights), Chapter V (Personnel), and Chapter XI (Purchasing and Contracting).

(b) The Chicago Park District shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(c) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

Section 95-100. The University of Illinois at Chicago Act is amended by adding Section 1.1 as follows:

(110 ILCS 320/1.1 new)

Sec. 1.1. Olympic and paralympic games; contracting and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable laws, policies, and statements, including but not limited to Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the Statement of Reaffirmation, Affirmative Action in Employment, University of Illinois at Chicago, June 2008. The University shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(b) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

ARTICLE 10.

Section 10-1. Article title. This Article may be cited as the Olympic Public Safety Law.

Section 10-5. Purpose. As part of the bid to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for the creation of a commission, known as the Chicago Olympic Public Safety Command, or COPSC, that will engage in security and public safety planning, management, and administration if Chicago is selected as the host city for the 2016 Olympic and Paralympic Games. In the event of such selection, it is intended that COPSC will contribute to the achievement of the following objectives: foster the intergovernmental cooperation of local, State, and federal public safety agencies in providing for the public safety of the Olympic and Paralympic Games; develop a comprehensive security and public safety plan; create a unified chain of command; and implement an effective and efficient public safety and security operation that does not compromise the celebratory spirit of the Olympic and Paralympic Games.

Section 10-10. Definitions. As used in this Article:

"Chicago 2016" means Chicago 2016, an Illinois not-for-profit corporation formed to bid for the opportunity of hosting the Olympic and Paralympic Games, or as the context requires, a successor in interest to Chicago 2016, such as an organizing committee for the Olympic and Paralympic Games formed after the selection of Chicago as the host city for that event.

"COPSC" means the Chicago Olympic Public Safety Command contemplated in Section 10-15.

"COPSC Chairperson" means the Chairperson of COPSC.

"ESG" means Executive Strategy Group of COPSC.

"Law enforcement and public safety services" includes programs and services to, among other things:

(1) provide for crowd and traffic safety;

(2) suppress or reduce crime;

(3) provide for or assist in criminal investigation;

(4) provide forensic, communications, and records support services;

(5) facilitate intelligence and information sharing among federal, State, and local authorities and with relevant private sector participants;

(6) deter and disrupt terrorism activity related to the Olympic and Paralympic Games through aggressive investigation and prosecution;

(7) assure that the organizational structure and plans exist to effectively prepare for, and respond to, any terrorist incidents or other emergencies in the State related to the Olympic and Paralympic Games; and

(8) assure that public safety plans are coordinated and integrated with the operations plans of Chicago 2016 for the Olympic and Paralympic Games.

"Local law enforcement agency" means any political subdivision of the State or an agency of a political subdivision that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"Local public safety agency" means a political subdivision of the State or an agency of a political subdivision of the State that exists to provide:

(1) fire service;

(2) emergency medical services; or

(3) emergency management and communication.

"Olympic and Paralympic Games" means the 2016 Olympic and Paralympic Games that may be hosted by the City of Chicago.

"Period of the Olympic and Paralympic Games" means the period commencing 21 days before the opening ceremony of the 2016 Olympic Games and concluding 14 days after the closing ceremony of the 2016 Paralympic Games.

"State" means the State of Illinois.

"State agency" means any department, division, commission, council, board, bureau, committee, institution, government, corporation, or other establishment or official of the State, except the Legislature, and for purposes of this Article includes a State institution of higher education.

"State law enforcement agency" means any entity administered by the State that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"State public safety agency" means an entity administered by the State that exists to provide:

(1) fire service;

(2) emergency medical services; or

(3) emergency management and communication.

"Venue Commander" means a person who shall direct and coordinate law enforcement and public safety personnel and responsibilities at a designated Olympic venue during the period of the Olympic and Paralympic Games, as set forth in this Article.

Section 10-15. Chicago Olympic Public Safety Command.

(a) If the International Olympic Committee selects the City of Chicago to host the Olympic and Paralympic Games, then the Chicago Olympic Public Safety Command (COPSC) shall be established.

(b) The policymaking responsibility of COPSC shall be vested in ESG.

(c) ESG shall consist of the following initial members:

(1) the COPSC Chairperson;

(2) the Executive Director of COPSC (non-voting member);

(3) the Commissioner of the Chicago Fire Department;

(4) a representative of Chicago 2016 appointed by the COPSC Chairperson;

(5) the Executive Director for the Office of Emergency Management and Communications of the City of Chicago;

(6) the Special Agent-In-Charge of the Chicago Division of the United States Federal Bureau of Investigation, or other representative designated by the United States Federal Bureau of Investigation;

(7) the Special Agent-In-Charge of the Chicago Division of the United States Secret Service, or other representative designated by the United States Secret Service;

(8) the Regional Director for the Federal Emergency Management Agency;

(9) a representative appointed by the Director of the Illinois State Police; and

(10) the Superintendent of the Chicago Police Department, if the COPSC Chairperson is someone other than the Superintendent of the Chicago Police Department.

(d) Each member of COPSC, including those of ESG and the Executive Director of COPSC, shall serve without additional compensation from the State of Illinois.

(e) The COPSC Chairperson shall be the Superintendent of the Chicago Police Department, or such other suitably qualified person appointed by the Mayor of the City of Chicago. The COPSC Chairperson shall chair COPSC and ESG and shall call meetings of each from time to time in furtherance of the purposes of this Article. A majority of the members of ESG constitutes a quorum for the transaction of business. All members of ESG other than the Executive Director of COPSC shall be voting members, and the action of a majority of a quorum of ESG shall constitute the action of ESG.

(f) The COPSC Chairperson may appoint additional members of ESG at a properly constituted meeting of ESG, but each such appointment shall be subject to written consent by a majority of the other members of ESG present at the same or a subsequent properly constituted meeting of ESG.

(g) ESG shall establish a strategic plan for law enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies.

(h) ESG shall define the composition, organizational structure, and high-level administrative policies of COPSC.

(i) COPSC shall:

(1) in furtherance of the strategic plan developed by ESG, and in consultation with State, local, and federal law enforcement and public safety agencies, establish a detailed plan for law enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies;

(2) develop any policies necessary to inform and direct COPSC in the implementation of that plan;

(3) amend that plan to promote the effective, efficient, and cooperative implementation of the plan and the preservation of public safety;

(4) integrate that plan with the operations plans of Chicago 2016 for the Olympic and Paralympic Games; and

(5) perform such other functions as directed by the COPSC Chairperson or ESG, consistent with the purposes of this Article.

(j) All State and local law enforcement and public safety agencies shall cooperate with the planning and coordination efforts of COPSC, as requested by COPSC and subject to applicable law. COPSC shall, unless it relinquishes such authority in whole or part, and subject to applicable superior federal law or authority, have primary responsibility for law enforcement and public safety services at each Olympic venue in the

State (including an area extending up to approximately 300 yards from the secure perimeter of each Olympic site, as defined and promulgated by COPSC) during the period of the Olympic and Paralympic Games. Designated Venue Commanders at each such Olympic venue shall direct and coordinate on-scene law enforcement and public safety personnel and responsibilities and shall be managed by the COPSC Chairperson or his or her designee.

Section 10-20. COPSC Chairperson; Venue Commanders.

(a) The COPSC Chairperson shall appoint qualified individuals to serve as Venue Commanders at Olympic venues during the period of the Olympic and Paralympic Games.

(b) The COPSC Chairperson shall coordinate law enforcement and public safety agency activities during the Olympic and Paralympic Games with respect to Olympic venues and events, and shall direct the execution of the plan established by COPSC.

Section 10-25. Executive Director of COPSC.

(a) The COPSC Chairperson shall appoint a representative of Chicago 2016 as the Executive Director of COPSC.

(b) The Executive Director of COPSC shall report to the COPSC Chairperson and manage the day-to-day activities of COPSC.

Section 10-30. Deputization. COPSC may enter into agreements with political subdivisions of the State and with other states, regional authorities, and the federal Government. Pursuant to these agreements, the COPSC Chairperson may deputize or otherwise designate qualified law enforcement personnel from those other governmental units to assist COPSC in performing specifically described activities under this Article during the period of the Olympic and Paralympic Games. Those deputized or designated persons shall have the status of a peace officer in the State during the period of the Olympic and Paralympic Games, and shall have all the powers possessed by policemen in cities and by sheriffs, including the power to make arrests for violations of State statutes or municipal or county ordinances, except that those powers (i) may be exercised only within the geographic areas affirmatively authorized in writing by the COPSC Chairperson and (ii) may be otherwise restricted or limited by the COPSC Chairperson in that writing. Any authorization for deputization or designation pursuant to this subsection shall be made in writing, and should be carried by each such deputized or designated person (or kept in reasonable proximity thereto) and produced upon demand by another peace officer.

Section 10-35. Inoperability. This Article shall be inoperable as follows:

(a) if the City of Chicago terminates its candidacy to become the host city for the Olympic and Paralympic Games, then this Article is inoperable upon that termination;

(b) if the International Olympic Committee does not select the City of Chicago as of the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the City of Chicago is chosen as the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 15.

Section 15-1. Article title. This Article may be cited as the Olympic and Paralympic Trademark Protection Law.

Section 15-5. Purpose. As part of the bid of Chicago 2016, an Illinois not-for-profit corporation, and the City of Chicago to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for additional protection for trademarks used by or reserved for exclusive use by the United States Olympic Committee and Chicago 2016 and its successor organizing committee for the Games (the OCOG) in the marketing, promotion, and operation of such Games. This Article amends the Trademark Registration and Protection Act to: prohibit any third party from registering trade names or trademarks used by the USOC, Chicago 2016, or the OCOG; protect against infringement of Olympic trademarks; and provide the USOC, Chicago 2016, and the OCOG, with exclusive rights to use certain words, emblems, slogans, mascots, and symbols for the Games, and the ability to enforce those rights against others who use them in commerce, including in Circuit Court in Cook County. This Article also amends the Business Corporation Act of 1983, the General Not For Profit Corporation Act of 1986, and the Limited Liability Company Act to prohibit registration of business names featuring certain Olympic trademarks from and after the effective date of this Article.

Section 15-10. The Trademark Registration and Protection Act is amended by changing Section 10 and by adding Section 62 as follows:

(765 ILCS 1036/10)

Sec. 10. Registrability. A mark by which the goods or services of an applicant for registration may be

distinguished from the goods or services of others shall not be registered if it:

(a) consists of or comprises immoral, deceptive, or scandalous matter; or

(b) consists of or comprises matter that may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute; or

(c) consists of or comprises the flag or coat of arms or other insignia of the United States, or of any state or municipality, or of any foreign nation, or any simulation thereof; or

(d) consists of or comprises the name, signature or portrait identifying a particular living individual, except by the individual's written consent; or

(e) consists of a mark which: (1) when used on or in connection with the goods or services of the applicant, is merely descriptive or deceptively misdescriptive of them, or (2) when used on or in connection with the goods or services of the applicant is primarily geographically descriptive or deceptively misdescriptive of them, or (3) is primarily merely a surname; however, nothing in this subsection (e) shall prevent the registration of a mark used by the applicant which has become distinctive of the applicant's goods or services. The Secretary may accept as evidence that the mark has become distinctive, as used on or in connection with the applicant's goods or services, proof of continuous use thereof as a mark by the applicant in this State for the 5 years before the date on which the claim of distinctiveness is made; or

(f) consists of or comprises a mark which so resembles a mark registered in this State of a mark of tradename previously used by another and not abandoned, as to be likely, when used on or in connection with the goods or services of the applicant, to cause confusion or mistake or to deceive; or ~~.~~

(g) without the consent of the United States Olympic Committee:

(1) contains or consists of the symbol of the International Olympic Committee, consisting of 5 interlocking rings, or the symbol of the International Paralympic Committee;

(2) contains or consists of the terms "Olympic", "Olympiad", "Paralympic", "Paralympiad", "Citius Altius Fortius", or "Chicago 2016"; or

(3) is substantially identical to any other mark or trade name used by the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, or Chicago 2016 or its successor organizing committee for the 2016 Olympic and Paralympic Games.

(Source: P.A. 90-231, eff. 1-1-98.)

(765 ILCS 1036/62 new)

Sec. 62. Infringement of Olympic marks. Notwithstanding any other Section of this Act:

(a) The United States Olympic Committee has the exclusive right to use, and license for use, in this State any of the following:

(1) any mark to which the United States Olympic Committee has exclusive rights under 36 U.S.C. 220506;

(2) the designations "Chicago 2016", "CHICOG", "Chicago Organizing Committee for the 2016 Olympic and Paralympic Games", "Chicago Olympic Committee" and "Chicago Paralympic Committee";

(3) the emblem of Chicago 2016, featuring a stylized design of a 6-pointed star superimposed over vertical stripes, and any other official emblem adopted by Chicago 2016;

(4) the slogan "Stir the Soul" and any other official slogan adopted by Chicago 2016;

(5) any official mascot or mascots adopted by Chicago 2016; and

(6) the phrases "Chicago Olympic Games", "Chicago Olympics", "Chicago Paralympic Games", and "Chicago Paralympics" and any other official phrase adopted by Chicago 2016.

(b) The United States Olympic Committee, Chicago 2016 as designee of the United States Olympic Committee, or both, may file a civil action in the Circuit Court of Cook County, or any other circuit court in the State of Illinois permitted by law, against any person for the remedies provided under Section 70 of this Act if the person, without the consent of the United States Olympic Committee or Chicago 2016, uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition:

(1) any mark registered in Illinois to the United States Olympic Committee or Chicago 2016;

(2) any mark referenced in subsection (a) of this Section; or

(3) any word, symbol, design, graphic, or image, or combination thereof, tending to cause confusion or mistake, to deceive, or to falsely suggest a connection or association with, or authorization by, the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, Chicago 2016, or any Olympic or Paralympic activity.

(c) If any provision of this Section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Section which can be given effect without the invalid provision, and to this end the provisions of this Section are severable.

(d) For the purposes of this Section, references to Chicago 2016 include the Illinois not-for-profit corporation of that name and its successor organizing committee for the 2016 Olympic and Paralympic Games.

(e) Nothing in this Section is intended to limit any rights or remedies provided under the Counterfeit Trademark Act.

Section 15-15. The Business Corporation Act of 1983 is amended by changing Sections 4.05 and 4.15 as follows:

(805 ILCS 5/4.05) (from Ch. 32, par. 4.05)

Sec. 4.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:

(1) Shall contain, separate and apart from any other word or abbreviation in such name, the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of such words, and if the name of a foreign corporation does not contain, separate and apart from any other word or abbreviation, one of such words or abbreviations, the corporation shall add at the end of its name, as a separate word or abbreviation, one of such words or an abbreviation of one of such words.

(2) Shall not contain any word or phrase which indicates or implies that the corporation (i) is authorized or empowered to conduct the business of insurance, assurance, indemnity, or the acceptance of savings deposits; (ii) is authorized or empowered to conduct the business of banking unless otherwise permitted by the Commissioner of Banks and Real Estate pursuant to Section 46 of the Illinois Banking Act; or (iii) is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a corporation only if it has first complied with Section 1-9 of the Corporate Fiduciary Act. The word "bank", "banker" or "banking" may only be used by a corporation if it has first complied with Section 46 of the Illinois Banking Act.

(3) Shall be distinguishable upon the records in the office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether profit or not for profit, existing under any Act of this State or of the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether profit or not for profit, authorized to transact business in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to transact business in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporate name or names in accordance with Section 4.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to transact business in this State only under such assumed corporate name or names.

(4) Shall contain the word "trust", if it be a domestic corporation organized for the purpose of accepting and executing trusts, shall contain the word "pawners", if it be a domestic corporation organized as a pawners' society, and shall contain the word "cooperative", if it be a domestic corporation organized as a cooperative association for pecuniary profit.

(5) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with.

(6) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State.

(7) Shall be the name under which the corporation shall transact business in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name.

(8) (Blank).

(9) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the

United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) the word "corporation", "company", "incorporated", or "limited", "limited liability" or an abbreviation of one of such words;

(2) articles, conjunctions, contractions, abbreviations, different tenses or number of the same word;

(c) Nothing in this Section or Sections 4.15 or 4.20 shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any.

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of names or symbols.

(Source: P.A. 92-33, eff. 7-1-01.)

(805 ILCS 5/4.15) (from Ch. 32, par. 4.15)

Sec. 4.15. Assumed corporate name.

(a) A domestic corporation or a foreign corporation admitted to transact business or attempting to gain admission to transact business may elect to adopt an assumed corporate name that complies with the requirements of paragraphs (2), (3), (4), (5), ~~and~~ (6) , and (9) of subsection (a) of Section 4.05 of this Act with respect to corporate names.

(b) As used in this Act, "assumed corporate name" means any corporate name other than the true corporate name, except that the following shall not constitute the use of an assumed corporate name under this Act:

(1) the identification by a corporation of its business with a trademark or service mark of which it is the owner or licensed user; and

(2) the use of a name of a division, not separately incorporated and not containing the word "corporation", "incorporated", or "limited" or an abbreviation of one of such words, provided the corporation also clearly discloses its corporate name.

(c) Before transacting any business in this State under an assumed corporate name or names, the corporation shall, for each assumed corporate name, pursuant to resolution by its board of directors, execute and file in duplicate in accordance with Section 1.10 of this Act, an application setting forth:

(1) The true corporate name.

(2) The state or country under the laws of which it is organized.

(3) That it intends to transact business under an assumed corporate name.

(4) The assumed corporate name which it proposes to use.

(d) The right to use an assumed corporate name shall be effective from the date of filing by the Secretary of State until the first day of the anniversary month of the corporation that falls within the next calendar year evenly divisible by 5, however, if an application is filed within the 2 months immediately preceding the anniversary month of a corporation that falls within a calendar year evenly divisible by 5, the right to use the assumed corporate name shall be effective until the first day of the anniversary month of the corporation that falls within the next succeeding calendar year evenly divisible by 5.

(e) A corporation shall renew the right to use its assumed corporate name or names, if any, within the 60 days preceding the expiration of such right, for a period of 5 years, by making an election to do so at the time of filing its annual report form and by paying the renewal fee as prescribed by this Act.

(f) Once an application for an assumed corporate name has been filed by the Secretary of State, one copy thereof may be filed for record in the office of the recorder of the county in which the registered office of the corporation is situated in this State.

(g) A foreign corporation may not use an assumed or fictitious name in the conduct of its business to intentionally misrepresent the geographic origin or location of the corporation within Illinois.

(Source: P.A. 91-906, eff. 1-1-01.)

Section 15-20. The General Not For Profit Corporation Act of 1986 is amended by changing Section 104.05 as follows:

(805 ILCS 105/104.05) (from Ch. 32, par. 104.05)

Sec. 104.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:

(1) May contain, separate and apart from any other word or abbreviation in such name, the word "corporation," "company," "incorporated," or "limited," or an abbreviation of one of such words;

(2) Must end with the letters "NFP" if the corporate name contains any word or phrase which indicates or implies that the corporation is organized for any purpose other than a purpose for which corporations may be organized under this Act or a purpose other than a purpose set forth in the corporation's articles of incorporation;

(3) Shall be distinguishable upon the records in the ~~the~~ office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether for profit or not for profit, existing under any Act of this State or the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether for profit or not for profit, authorized to transact business or conduct affairs in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to conduct its affairs in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporation name or names in accordance with Section 104.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to conduct affairs in this State only under such assumed corporate name or names;

(4) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with;

(5) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State;

(6) Shall not contain the words "regular democrat," "regular democratic," "regular republican," "democrat," "democratic," or "republican," nor the name of any other established political party, unless consent to usage of such words or name is given to the corporation by the State central committee of such established political party; notwithstanding any other provisions of this Act, any corporation, whose name at the time this amendatory Act takes effect contains any of the words listed in this paragraph shall certify to the Secretary of State no later than January 1, 1989, that consent has been given by the State central committee; consent given to a corporation by the State central committee to use the above listed words may be revoked upon notification to the corporation and the Secretary of State; ~~and~~

(7) Shall be the name under which the corporation shall conduct affairs in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name; and ~~.~~

(8) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "corporation," "company," "incorporated," or "limited" or an abbreviation of one of such words;

(2) Articles, conjunctions, contractions, abbreviations, different tenses or number of the same word.

(c) Nothing in this Section or Sections 104.15 or 104.20 of this Act shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any; or

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of name or symbols.

(Source: P.A. 92-33, eff. 7-1-01; revised 10-28-08.)

Section 15-25. The Limited Liability Company Act is amended by changing Section 1-10 as follows:

(805 ILCS 180/1-10)

Sec. 1-10. Limited liability company name.

(a) The name of each limited liability company as set forth in its articles of organization:

(1) shall contain the terms "limited liability company", "L.L.C.", or "LLC";

(2) may not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless the restriction has been complied with;

(3) shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the Office of the Secretary of State;

(4) shall not contain any of the following terms: "Corporation," "Corp.," "Incorporated," "Inc.," "Ltd.," "Co.," "Limited Partnership" or "L.P.";

(5) shall be the name under which the limited liability company transacts business in this State unless the limited liability company also elects to adopt an assumed name or names as provided in this Act; provided, however, that the limited liability company may use any divisional designation or trade name without complying with the requirements of this Act, provided the limited liability company also clearly discloses its name;

(6) shall not contain any word or phrase that indicates or implies that the limited liability company is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of the Office of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a limited liability company only if it has first complied with Section 1-9 of the Corporate Fiduciary Act; ~~and~~

(7) shall contain the word "trust", if it is a limited liability company organized for the purpose of accepting and executing trusts; and ~~.~~

(8) shall not, as to any limited liability company organized or amending its company name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) Nothing in this Section or Section 1-20 shall abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States of America with respect to the right to acquire and protect copyrights, trade names, trademarks, service marks, service names, or any other right to the exclusive use of names or symbols.

(c) (Blank).

(d) The name shall be distinguishable upon the records in the Office of the Secretary of State from all of the following:

(1) Any limited liability company that has articles of organization filed with the Secretary of State under Section 5-5.

(2) Any foreign limited liability company admitted to transact business in this State.

(3) Any name for which an exclusive right has been reserved in the Office of the Secretary of State under Section 1-15.

(4) Any assumed name that is registered with the Secretary of State under Section 1-20.

(5) Any corporate name or assumed corporate name of a domestic or foreign corporation subject to the provisions of Section 4.05 of the Business Corporation Act of 1983 or Section 104.05 of the General Not For Profit Corporation Act of 1986.

(e) The provisions of subsection (d) of this Section shall not apply if the organizer files with the Secretary of State a certified copy of a final decree of a court of competent jurisdiction establishing the prior right of the applicant to the use of that name in this State.

(f) The Secretary of State shall determine whether a name is "distinguishable" from another name for the

purposes of this Act. Without excluding other names that may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "limited", "liability" or "company" or an abbreviation of one of those words.

(2) Articles, conjunctions, contractions, abbreviations, or different tenses or number of the same word.

(Source: P.A. 92-33, eff. 7-1-01; 93-59, eff. 7-1-03.)

ARTICLE 20.

Section 20-5. Article title. This Article may be cited as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-10. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-350 as follows:

(20 ILCS 2105/2105-350 new)

Sec. 2105-350. Licensing exemptions related to the 2016 Olympic and Paralympic Games.

(a) Definitions. For purposes of this Section:

"Eligible personnel" means individuals formally accredited by the OCOG under IOC procedures and regulations, or in the case of a sanctioned test event, the individuals formally designated by the OCOG under specific procedures applicable to the sanctioned test event.

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be the host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities, including, without limitation, training activities, for the games or sanctioned test events as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

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

"Foreign licensing body" means (i) another state or territory of the United States of America, or (ii) a foreign country or other political entity recognized by the United States of America as sovereign, or a political subdivision thereof.

"Games" means the 2016 Olympic and Paralympic Games, including all associated meetings, ceremonies, performances, and events.

"IOC" means the International Olympic Committee.

"NOC" means a National Olympic Committee.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities, including, without limitation, the Olympic village, broadcast and media center, live sites, hospitality sites, and administrative and operational offices, for the games or sanctioned test events, as determined by the IOC, the USOC, or the OCOG or the candidate city.

"NPC" means a National Paralympic Committee.

"OCOG" means the bid committee or the same as may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation to be established by the candidate city and the bid committee, which is to serve as the organizing committee for the games.

"Period of the games" means the period commencing 28 days prior to the opening ceremony of the 2016 Olympic Games and concluding 28 days after the closing ceremony of the 2016 Paralympic Games.

"Representative" means an individual formally accredited by the OCOG under IOC procedures and regulations as a member or guest of an NOC or NPC delegation participating in the games, or an individual formally designated by the OCOG or another applicable organizing committee of a sanctioned test event as being a member or guest of an NOC or NPC delegation, or athletic team, participating in the sanctioned test event.

"Sanctioned test event" means an event designated in writing by the OCOG to the Department at least 30 days in advance and which is conducted for the purpose of preparing or evaluating the ability and preparedness of the OCOG or the candidate city to host the games.

"Specified occupation" means the following occupations or professions: physician, chiropractic physician, advanced practice nurse, practical nurse, licensed practical nurse, registered nurse, registered professional nurse, physical therapist, physical therapist assistant, physician assistant, athletic trainer,

veterinarian, veterinary technician, and massage therapist.

"Sponsoring delegation" means an NOC or NPC delegation or another accredited delegation for the games, or in the case of a sanctioned test event, an NOC or NPC delegation or athletic team, which engages, funds, supports, or otherwise requires the attendance and participation of the individual or entity to whom or which a licensing exception contained in this Section would apply.

"State" means the State of Illinois.

"USOC" means the U.S. Olympic Committee.

"Venues" means, collectively, the competition and non-competition venues.

(b) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department or by the Department of Public Health of the State, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a foreign licensing body;

(2) provides services at the invitation of an OCOG for the professional purpose of caring for or attending to the needs of individuals participating in or attending the games;

(3) restricts his, her or its licensed or authorized services and duties solely to the provision of care or service at one or more venues as specified by the OCOG, and in the case of venues without access control, restricts his, her or its licensed or authorized services and duties solely to the provision of care or service to eligible personnel;

(4) provides only the care or services that the individual or entity is licensed or otherwise authorized by the foreign licensing body to provide; and

(5) restricts the provision of the care or services to the period of the games or to the period of a sanctioned test event, together with any necessary period before and after the test event.

(c) Any person or entity practicing or providing services of a specified occupation as set forth in subsection (b) who, in good faith, provides emergency care without fee to a person, shall not be liable for civil damages or professional liability as a result of his, her, or its acts or omissions, except to the extent that the person or entity engages in willful or wanton misconduct in providing that care. This subsection (c) shall also apply to any person or entity that provides emergency care without fee but that is duly licensed or authorized to do so by the Department or the Department of Public Health of the State.

(d) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a foreign licensing body;

(2) provides services for the professional purposes of attending to the needs of the representatives of a sponsoring delegation;

(3) restricts his or her or its licensed or authorized services and duties solely to the representatives of the sponsoring delegation during the representatives' stay in the State;

(4) provides services at the invitation of a sponsoring delegation;

(5) provides only those services of a specified occupation that the individual or entity is licensed or otherwise authorized to provide by the foreign licensing body; and

(6) restricts the provision of said care or services to the period of the games, or in the case of a sanctioned test event, to the period of said sanctioned test event together with any necessary period before and after said sanctioned test event, which period shall not commence more than 28 days before said sanctioned test event or terminate more than 28 days after said sanctioned test event.

(e) The requirements of this Section 2105-350 do not apply to the exemptions authorized by the Department pursuant to Section 2105-400 of this Act.

(f) This Section becomes inoperable as provided in Section 20-15 of the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-15. Inoperability. This Article, including Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, shall be inoperable as follows:

(a) if the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable upon that termination;

(b) if the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the candidate city is chosen as the host city for the games on or before December 1, 2009, then this

Article is inoperable on and after June 30, 2017; except that subsection (c) of Section 20-10 of this Article shall survive until the expiration of all relevant statutes of limitation.

Section 20-20. The Illinois Athletic Trainers Practice Act is amended by changing Section 4 as follows:

(225 ILCS 5/4) (from Ch. 111, par. 7604)

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

Sec. 4. Licensure requirement - Exempt activities. After the effective date of this Act, no person shall provide any of the services set forth in subsection (4) of Section 3 of this Act, or use the title "athletic trainer" or "certified athletic trainer" or "athletic trainer certified" or the letters "A.T.", "C.A.T.", "A.T.C.", "A.C.T.", or "I.A.T.L." after his name, unless licensed under this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed or registered in this State by any other law from engaging in the profession or occupation for which he or she is licensed or registered.

(2) Any person employed as an athletic trainer by the Government of the United States, if such person provides athletic training solely under the direction or control of the organization by which he or she is employed.

(3) Any person pursuing a course of study leading to a degree or certificate in athletic training at an accredited educational program if such activities and services constitute a part of a supervised course of study involving daily personal or verbal contact at the site of supervision between the athletic training student and the licensed athletic trainer who plans, directs, advises, and evaluates the student's athletic training clinical education. The supervising licensed athletic trainer must be on-site where the athletic training clinical education is being obtained. A person meeting the criteria under this paragraph (3) must be designated by a title which clearly indicates his or her status as a student or trainee.

(4) (Blank).

(5) The practice of athletic training under the supervision of a licensed athletic trainer by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 except the passing of the examination to be eligible to receive such license. In no event shall this exemption extend to any person for longer than 3 months. Anyone who has previously failed the examination, or who fails the examination during this 3-month period, shall immediately cease practice as an athletic trainer and shall not engage in the practice of athletic training again until he or she passes the examination.

(6) Any person in a coaching position from rendering emergency care on an as needed basis to the athletes under his or her supervision when a licensed athletic trainer is not available.

(7) Any person who is an athletic trainer from another nation, state, or territory acting as an athletic trainer while performing his duties for his or her respective non-Illinois based team or organization, so long as he or she restricts his or her duties to his or her team or organization during the course of his or her team's or organization's stay in this State. For the purposes of this Act, a team shall be considered based in Illinois if its home contests are held in Illinois, regardless of the location of the team's administrative offices.

(8) The practice of athletic training by persons licensed in another state who have applied in writing to the Department for licensure by endorsement for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(9) The practice of athletic training by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(10) The practice of athletic training by persons actively licensed as an athletic trainer in another state, or currently certified by the National Athletic Trainers Association Board of Certification, Inc., or its successor entity, at a special athletic tournament or event conducted by a sanctioned amateur athletic organization, including, but not limited to, the Prairie State Games and the Special Olympics, for no more than 14 days. This shall not include contests or events that are part of a scheduled series of regular season events.

(11) Athletic trainer aides from performing patient care activities under the on-site supervision of a licensed athletic trainer. These patient care activities shall not include interpretation of referrals or evaluation procedures, planning or major modifications of patient programs, administration of medication, or solo practice or event coverage without immediate access to a licensed athletic trainer.

(12) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant

to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 94-246, eff. 1-1-06.)

Section 20-25. The Massage Licensing Act is amended by changing Section 25 as follows:

(225 ILCS 57/25)

(Section scheduled to be repealed on January 1, 2012)

Sec. 25. Exemptions.

(a) This Act does not prohibit a person licensed under any other Act in this State from engaging in the practice for which he or she is licensed.

(b) Persons exempted under this Section include, but are not limited to, physicians, podiatrists, naprapaths, and physical therapists.

(c) Nothing in this Act prohibits qualified members of other professional groups, including but not limited to nurses, occupational therapists, cosmetologists, and estheticians, from performing massage in a manner consistent with their training and the code of ethics of their respective professions.

(d) Nothing in this Act prohibits a student of an approved massage school or program from performing massage, provided that the student does not hold himself or herself out as a licensed massage therapist and does not charge a fee for massage therapy services.

(e) Nothing in this Act prohibits practitioners that do not involve intentional soft tissue manipulation, including but not limited to Alexander Technique, Feldenkrais, Reike, and Therapeutic Touch, from practicing.

(f) Practitioners of certain service marked bodywork approaches that do involve intentional soft tissue manipulation, including but not limited to Rolfing, Trager Approach, Polarity Therapy, and Orthobionomy, are exempt from this Act if they are approved by their governing body based on a minimum level of training, demonstration of competency, and adherence to ethical standards.

(g) Practitioners of Asian bodywork approaches are exempt from this Act if they are members of the American Organization of Bodywork Therapies of Asia as certified practitioners or if they are approved by an Asian bodywork organization based on a minimum level of training, demonstration of competency, and adherence to ethical standards set by their governing body.

(h) Practitioners of other forms of bodywork who restrict manipulation of soft tissue to the feet, hands, and ears, and who do not have the client disrobe, such as reflexology, are exempt from this Act.

(i) Nothing in this Act applies to massage therapists from other states or countries when providing educational programs or services for a period not exceeding 30 days within a calendar year.

(j) Nothing in this Act prohibits a person from treating ailments by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.

(k) Nothing in this Act applies to persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 92-860, eff. 6-1-03.)

Section 20-30. The Medical Practice Act of 1987 is amended by changing Section 4 as follows:

(225 ILCS 60/4) (from Ch. 111, par. 4400-4)

(Section scheduled to be repealed on December 31, 2010)

Sec. 4. Exemptions.

(a) This Act does not apply to the following:

(1) persons lawfully carrying on their particular profession or business under any valid existing regulatory Act of this State;

(2) persons rendering gratuitous services in cases of emergency; ~~or~~

(3) persons treating human ailments by prayer or spiritual means as an exercise or enjoyment of religious freedom; or ~~.~~

(4) persons practicing the specified occupations set forth in in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(b) (Blank).

(Source: P.A. 93-379, eff. 7-24-03.)

Section 20-35. The Nurse Practice Act is amended by changing Section 50-15 as follows:

(225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

(Section scheduled to be repealed on January 1, 2018)

Sec. 50-15. Policy; application of Act.

(a) For the protection of life and the promotion of health, and the prevention of illness and communicable diseases, any person practicing or offering to practice advanced, professional, or practical nursing in Illinois shall submit evidence that he or she is qualified to practice, and shall be licensed as provided under this Act. No person shall practice or offer to practice advanced, professional, or practical nursing in Illinois or use any title, sign, card or device to indicate that such a person is practicing professional or practical nursing unless such person has been licensed under the provisions of this Act.

(b) This Act does not prohibit the following:

(1) The practice of nursing in Federal employment in the discharge of the employee's duties by a person who is employed by the United States government or any bureau, division or agency thereof and is a legally qualified and licensed nurse of another state or territory and not in conflict with Sections 50-50, 55-10, 60-10, and 70-5 of this Act.

(2) Nursing that is included in the program of study by students enrolled in programs of nursing or in current nurse practice update courses approved by the Department.

(3) The furnishing of nursing assistance in an emergency.

(4) The practice of nursing by a nurse who holds an active license in another state when providing services to patients in Illinois during a bonafide emergency or in immediate preparation for or during interstate transit.

(5) The incidental care of the sick by members of the family, domestic servants or housekeepers, or care of the sick where treatment is by prayer or spiritual means.

(6) Persons from being employed as unlicensed assistive personnel in private homes, long term care facilities, nurseries, hospitals or other institutions.

(7) The practice of practical nursing by one who is a licensed practical nurse under the laws of another U.S. jurisdiction and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(8) The practice of advanced practice nursing by one who is an advanced practice nurse under the laws of another state, territory of the United States, or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an advanced practice nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(9) The practice of professional nursing by one who is a registered professional nurse under the laws of another state, territory of the United States or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a registered professional nurse and who is qualified to receive such license under Section 55-10, until (1) the expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(10) The practice of professional nursing that is included in a program of study by one who is a registered professional nurse under the laws of another state or territory of the United States or foreign country, territory or province and who is enrolled in a graduate nursing education program or a program for the completion of a baccalaureate nursing degree in this State, which includes clinical supervision by faculty as determined by the educational institution offering the program and the health care organization where the practice of nursing occurs.

(11) Any person licensed in this State under any other Act from engaging in the practice for which she or he is licensed.

(12) Delegation to authorized direct care staff trained under Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act consistent with the policies of the Department.

(13) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois,

but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician, dentist, or podiatrist to a licensed practical nurse, a registered professional nurse, or other persons.

(Source: P.A. 95-639, eff. 10-5-07; 95-876, eff. 8-21-08.)

Section 20-40. The Illinois Physical Therapy Act is amended by changing Section 2 as follows:

(225 ILCS 90/2) (from Ch. 111, par. 4252)

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

Sec. 2. Licensure requirement; exempt activities. Practice without a license forbidden - exception. No person shall after the date of August 31, 1965 begin to practice physical therapy in this State or hold himself out as being able to practice this profession, unless he is licensed as such in accordance with the provisions of this Act. After the effective date of this amendatory Act of 1990, no person shall practice or hold himself out as a physical therapist assistant unless he is licensed as such under this Act. A physical therapist shall use the initials "PT" in connection with his or her name to denote licensure under this Act, and a physical therapist assistant shall use the initials "PTA" in connection with his or her name to denote licensure under this Act.

This Act does not prohibit:

(1) Any person licensed in this State under any other Act from engaging in the practice for which he is licensed.

(2) The practice of physical therapy by those persons, practicing under the supervision of a licensed physical therapist and who have met all of the qualifications as provided in Sections 7, 8.1, and 9 of this Act, until the next examination is given for physical therapists or physical therapist assistants and the results have been received by the Department and the Department has determined the applicant's eligibility for a license. Anyone failing to pass said examination shall not again practice physical therapy until such time as an examination has been successfully passed by such person.

(3) The practice of physical therapy for a period not exceeding 6 months by a person who is in this State on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project, and who meets the qualifications for a physical therapist as set forth in Sections 7 and 8 of this Act and is licensed in another state as a physical therapist.

(4) Practice of physical therapy by qualified persons who have filed for endorsement for no longer than one year or until such time that notification of licensure has been granted or denied, whichever period of time is lesser.

(5) One or more licensed physical therapists from forming a professional service corporation under the provisions of the "Professional Service Corporation Act", approved September 15, 1969, as now or hereafter amended, and licensing such corporation for the practice of physical therapy.

(6) Physical therapy aides from performing patient care activities under the on-site supervision of a licensed physical therapist or licensed physical therapist assistant. These patient care activities shall not include interpretation of referrals, evaluation procedures, the planning of or major modifications of, patient programs.

(7) Physical Therapist Assistants from performing patient care activities under the general supervision of a licensed physical therapist. The physical therapist must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction to insure the safety and welfare of the patient.

(8) The practice of physical therapy by a physical therapy student or a physical therapist assistant student under the on-site supervision of a licensed physical therapist. The physical therapist shall be readily available for direct supervision and instruction to insure the safety and welfare of the patient.

(9) The practice of physical therapy as part of an educational program by a physical therapist licensed in another state or country for a period not to exceed 6 months.

(10) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 93-1010, eff. 8-24-04.)

Section 20-45. The Physician Assistant Practice Act of 1987 is amended by changing Section 5 as

follows:

(225 ILCS 95/5) (from Ch. 111, par. 4605)

(Section scheduled to be repealed on January 1, 2018)

Sec. 5. This Act does not prohibit:

1. Any person licensed in this State under any other Act from engaging in the practice for which he is licensed;

2. The practice as a physician assistant by a person who is employed by the United States government or any bureau, division or agency thereof while in the discharge of the employee's official duties;

3. The practice as a physician assistant which is included in their program of study by students enrolled in schools or in refresher courses approved by the Department.

4. The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 85-1209.)

Section 20-50. The Veterinary Medicine and Surgery Practice Act of 2004 is amended by changing Section 4 as follows:

(225 ILCS 115/4) (from Ch. 111, par. 7004)

(Section scheduled to be repealed on January 1, 2014)

Sec. 4. Exemptions. Nothing in this Act shall apply to any of the following:

(1) Veterinarians employed by the federal or State government while engaged in their official duties.

(2) Licensed veterinarians from other states who are invited to Illinois for consultation or lecturing.

(3) Veterinarians employed by colleges or universities while engaged in the performance of their official duties, or faculty engaged in animal husbandry or animal management programs of colleges or universities.

(4) A veterinarian employed by an accredited college of veterinary medicine providing assistance requested by a veterinarian licensed in Illinois, acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.

(5) Veterinary students in an accredited college, university, department of a university, or other institution of veterinary medicine and surgery engaged in duties assigned by their instructors.

(6) Any person engaged in bona fide scientific research which requires the use of animals.

(7) An owner of livestock and any of the owner's employees or the owner and employees of a service and care provider of livestock caring for and treating livestock belonging to the owner or under a provider's care, including but not limited to, the performance of husbandry and livestock management practices such as dehorning, castration, emasculation, or docking of cattle, horses, sheep, goats, and swine, artificial insemination, and drawing of semen. Nor shall this Act be construed to prohibit any person from administering in a humane manner medicinal or surgical treatment to any livestock in the care of such person. However, any such services shall comply with the Humane Care for Animals Act.

(8) An owner of an animal, or an agent of the owner acting with the owner's approval, in caring for, training, or treating an animal belonging to the owner, so long as that individual or agent does not represent himself or herself as a veterinarian or use any title associated with the practice of veterinary medicine or surgery or diagnose, prescribe drugs, or perform surgery. The agent shall provide the owner with a written statement summarizing the nature of the services provided and obtain a signed acknowledgment from the owner that they accept the services provided. The services shall comply with the Humane Care for Animals Act. The provisions of this item (8) do not apply to a person who is exempt under item (7).

(9) A member in good standing of another licensed or regulated profession within any state or a member of an organization or group approved by the Department by rule providing assistance requested by a veterinarian licensed in this State acting with informed consent from the client and acting

under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient, as defined by rule. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.

(10) A graduate of a non-accredited college of veterinary medicine who is in the process of obtaining a certificate of educational equivalence and is performing duties or actions assigned by instructors in an approved college of veterinary medicine.

(11) A certified euthanasia technician who is authorized to perform euthanasia in the course and scope of his or her employment.

(12) A person who, without expectation of compensation, provides emergency veterinary care in an emergency or disaster situation so long as he or she does not represent himself or herself as a veterinarian or use a title or degree pertaining to the practice of veterinary medicine and surgery.

(13) An employee of a licensed veterinarian performing duties other than diagnosis, prognosis, prescription, or surgery under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee.

(14) An approved humane investigator regulated under the Humane Care for Animals Act or employee of a shelter licensed under the Animal Welfare Act, working under the indirect supervision of a licensed veterinarian.

(15) An individual providing equine dentistry services requested by a veterinarian licensed to practice in this State, an owner, or an owner's agent. For the purposes of this item (15), "equine dentistry services" means floating teeth without the use of drugs or extraction.

(16) Private treaty sale of animals unless otherwise provided by law.

(17) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 92-449, eff. 1-1-02; 93-281, eff. 12-31-03.)

ARTICLE 25.

Section 25-1. Article title. This Article may be cited as the Illinois 2016 Olympic and Paralympic Games Shooting Competition Exemption Law.

Section 25-5. Purpose. It is the intent of the Legislature in enacting this Article to ensure that competitive shooting athletes may bring into the State, possess, transport, and use competition firearms that are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation (the international governing body for shooting competitions), or USA Shooting (the national governing body for Olympic shooting sports in the United States) in connection with the athletes' participation in official shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games should the City of Chicago be selected to host the 2016 Olympic and Paralympic Games. These provisions only have the effect of allowing possession of, transport of, and use of, firearms for Olympic-style shooting by athletes in such competitions, without affecting other firearms regulated under existing law.

Section 25-10. The Firearm Owners Identification Card Act is amended by changing Section 2 as follows:

(430 ILCS 65/2) (from Ch. 38, par. 83-2)

Sec. 2. Firearm Owner's Identification Card required; exceptions.

(a) (1) No person may acquire or possess any firearm, stun gun, or taser within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.

(2) No person may acquire or possess firearm ammunition within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms, firearm ammunition, stun guns, and tasers do not apply to:

(1) United States Marshals, while engaged in the operation of their official duties;

(2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;

(3) Federal officials required to carry firearms, while engaged in the operation of their official duties;

(4) Members of bona fide veterans organizations which receive firearms directly from

the armed forces of the United States, while using the firearms for ceremonial purposes with blank ammunition;

(5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Natural Resources owned or managed sites;

(7) Nonresidents while on a firing or shooting range recognized by the Department of State Police; however, these persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;

(8) Nonresidents while at a firearm showing or display recognized by the Department of State Police; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(9) Nonresidents whose firearms are unloaded and enclosed in a case;

(10) Nonresidents who are currently licensed or registered to possess a firearm in their resident state;

(11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to the minor if the parent or legal guardian or other person in loco parentis to the minor has a currently valid Firearm Owner's Identification Card;

(12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition;

(13) Nonresident hunters whose state of residence does not require them to be licensed or registered to possess a firearm and only during hunting season, with valid hunting licenses, while accompanied by, and using a firearm owned by, a person who possesses a valid Firearm Owner's Identification Card and while in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled, but in no instance upon sites owned or managed by the Department of Natural Resources;

(14) Resident hunters who are properly authorized to hunt and, while accompanied by a person who possesses a valid Firearm Owner's Identification Card, hunt in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled; ~~and~~

(15) A person who is otherwise eligible to obtain a Firearm Owner's Identification Card under this Act and is under the direct supervision of a holder of a Firearm Owner's Identification Card who is 21 years of age or older while the person is on a firing or shooting range or is a participant in a firearms safety and training course recognized by a law enforcement agency or a national, statewide shooting sports organization; and ~~.~~

(16) Competitive shooting athletes whose competition firearms are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athletes' training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(c) The provisions of this Section regarding the acquisition and possession of firearms, firearm ammunition, stun guns, and tasers do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties.

(Source: P.A. 94-6, eff. 1-1-06.)

Section 25-15. The Criminal Code of 1961 is amended by changing Section 24-2 as follows:

(720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official

duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subdivision (a)(5) shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Professional Regulation as prescribed by Section 28 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, prior to becoming eligible for this exemption. The Department of Professional Regulation shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry

weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, those devices shall be detached from any weapon or not immediately accessible.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

(Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07; 95-885, eff. 1-1-09.)

Section 25-20. Inoperability. This Article shall be inoperable as follows:

(a) if the City of Chicago terminates its candidacy to become the host city for the 2016 Olympic and Paralympic Games, then this Article is inoperable upon that termination;

(b) if the International Olympic Committee does not select the City of Chicago as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the City of Chicago is chosen as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 99.

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

AMENDMENT NO. 3. Amend Senate Bill 2016, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 15, line 12, after "2011." by inserting the following:
"The State encourages all parties with the power to appoint members to the Commission to take into account a broad range of experience, including but not limited to experience in government, small business ownership or management, civic or community involvement, and advocacy of equal opportunity for minorities, women, and the disabled in employment and contracting."; and
on page 15, line 18, by replacing "reports" with "report".

The foregoing motions prevailed and the amendments were adopted.

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

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 Madigan, SENATE BILL 2016 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:

100, Yeas; 14, Nays; 0, Answering Present.

(ROLL CALL 12)

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

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

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 1559.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 800 and 4205.

HOUSE BILL 184. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Computer Technology, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 184 on page 1, line 23, by deleting "16G-13,"; and
on page 2, line 1, by deleting "16G-14, 16G-15, 16G-20,".

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 2475. Having been reproduced, was taken up and read by title a second time.

Representative Howard offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2475 as follows:
on page 8, by replacing lines 9 through 22 with the following:
"(D) Exceptions.
(1) Nothing in this Section shall be deemed to:

(a) conflict with or affect the application of security regulations or rules in employment established by the United States, the State of Illinois, or local government; nor

(b) prohibit or prevent any financial institution, in which deposits are insured by a federal agency having jurisdiction over the financial institution, from denying employment to or discharging from employment any person who has been convicted of any criminal offense involving dishonesty or a breach of trust, unless it has the prior written consent of the federal agency having jurisdiction over the financial institution to hire or retain the person.

(2) This Section does not apply to the Department of Corrections and the Department of Juvenile Justice.".

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 advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 2314.

HOUSE BILL 271. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Business & Occupational Licenses, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 271 on page 5, by replacing lines 13 through 17 with the following:

"witness, respectively, unless the conduct that gave rise to the action was willful or wanton misconduct."; and

on page 7, line 1, by changing "United States citizen" to "citizen or legal permanent resident of the United States"; and

on page 7, line 2, by replacing "a felony." with the following:

"forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any other similar offense, or a felony involving moral turpitude, in any court of competent jurisdiction in this State or any other state, district, or territory of the United States or of a foreign country, unless the Board waives this qualification after taking into account the nature of the applicant's conduct, any aggravating or extenuating circumstances, the time elapsed since the conviction, the rehabilitation or restitution performed by the applicant, and any other factors that the Board deems relevant.".

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.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3900.

HOUSE BILL 272. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 272 on page 1, immediately below line 3, by inserting the following:

"Section 3. The State Finance Act is amended by adding Section 5.719 as follows:

(30 ILCS 105/5.719 new)

Sec. 5.719. The Performance-enhancing Substance Testing Fund."; and

on page 6, by replacing lines 3 through 7 with the following:

"(f) The Performance-enhancing Substance Testing Fund is created as a special fund in the State treasury. All money in the Fund shall be used, subject to appropriation, by the Department of Public Health

to distribute as grants to pay the costs of the performance-enhancing substance testing program established under subsection (d) of this Section."; and

on page 7, immediately below line 10, by inserting the following:

"Section 10. The Unified Code of Corrections is amended by changing Section 5-9-1.1 as follows:

(730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1)

(Text of Section from P.A. 94-550)

Sec. 5-9-1.1. Drug related offenses.

(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance, other than methamphetamine, as defined in the Cannabis Control Act, as amended, or the Illinois Controlled Substances Act, as amended, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of $100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma Center Fund for distribution as provided under Section 3.225 of the Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of $5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of a controlled substance, other than methamphetamine, as defined in the Illinois Controlled Substances Act, a fee of $50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of $50 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(Source: P.A. 94-550, eff. 1-1-06.)

(Text of Section from P.A. 94-556)

Sec. 5-9-1.1. Drug related offenses.

(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of $100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma Center Fund for distribution as provided under Section 3.225 of the Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of $5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of $5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of a controlled substance, other than methamphetamine, as defined in the Illinois Controlled Substances Act, a fee of $50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of $50 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either

before or after sentencing.
(Source: P.A. 94-556, eff. 9-11-05.)".

Floor Amendments numbered 2 and 3 remained in the Committee on Rules.

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.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 193, 196 and 197 were taken up for consideration.
Representative Currie moved the adoption of the agreed resolutions.
The motion prevailed and the agreed resolutions were adopted.

ADJOURNMENT RESOLUTION
HOUSE JOINT RESOLUTION 38

Representative Currie offered the following resolution:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, March 19, 2009, they stand adjourned until Tuesday, March 24, 2009 at 12:00 o'clock noon.

HOUSE JOINT RESOLUTION 38 was taken up for immediate consideration.
Representative Currie moved the adoption of the resolution.
The motion prevailed and the resolution was adopted.
Ordered that the Clerk inform the Senate and ask their concurrence.

RECALL

At the request of the principal sponsor, Representative Leitch, HOUSE BILL 2686 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the hour of 1:11 o'clock p.m., Representative Currie moved that the House do now adjourn, allowing perfunctory time for the Clerk.
The motion prevailed.
And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 38, the House stood adjourned until Tuesday, March 24, 2009, at 12:00 o'clock noon.

NO. 1

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

March 19, 2009

0 YEAS 0 NAYS 114 PRESENT

P Acevedo	P Davis, Monique	P Jefferson	P Reis
P Arroyo	P Davis, William	P Joyce	P Reitz
P Bassi	P DeLuca	P Kosel	P Riley
P Beaubien	P Dugan	P Lang	P Rita
P Beiser	P Dunkin	P Leitch	P Rose
P Bellock	P Durkin	A Lyons	A Ryg
P Berrios	P Eddy	P Mathias	P Sacia
P Biggins	P Farnham	P Mautino	P Saviano
E Black	P Feigenholtz	P May	P Schmitz
P Boland	P Flider	P McAsey	P Senger (ADDED)
P Bost	P Flowers	P McAuliffe	P Smith
P Bradley	P Ford	P McCarthy	P Sommer
P Brady	P Fortner	P McGuire	P Soto
P Brauer	P Franks	P Mell	P Stephens
P Brosnahan	P Fritchey	P Mendoza	P Sullivan
P Burke	P Froehlich	P Miller	P Thapedi
P Burns	P Golar	P Mitchell, Bill	P Tracy
P Cavaletto	P Gordon, Careen	P Mitchell, Jerry	P Tryon
P Chapa LaVia	P Gordon, Jehan	P Moffitt	P Turner
P Coladipietro	P Graham	P Mulligan (ADDED)	P Verschoore
P Cole	P Hamos	P Myers	P Wait
P Collins	P Hannig	P Nekritz	P Walker
P Colvin	P Harris	P Osmond	P Washington
P Connelly	P Hatcher	P Osterman	P Watson
P Coulson	P Hernandez	P Phelps	P Winters
E Crespo	P Hoffman	P Pihos	P Yarbrough
P Cross	P Holbrook	P Poe	P Zalewski
P Cultra	P Howard	P Pritchard	P Mr. Speaker
P Currie	P Jackson	P Ramey	
P D'Amico	P Jakobsson	P Reboletti	

E - Denotes Excused Absence

NO. 2

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 402
PRIV SEWAGE ACT-SPECIAL FUND
THIRD READING
PASSED

March 19, 2009

93 YEAS 19 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	N Jefferson	N Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	Y Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	N Leitch	N Rose
Y Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	N Eddy	Y Mathias	Y Sacia
Y Biggins	N Farnham	Y Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	Y Flider	Y McAsey	E Senger
N Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	N Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	N Franks	Y Mell	N Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	Y Tracy
N Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	Y Tryon
N Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	E Mulligan	Y Verschoore
Y Cole	Y Hamos	Y Myers	N Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	N Hatcher	Y Osterman	N Watson
Y Coulson	Y Hernandez	Y Phelps	Y Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
N Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	N Ramey	
Y D'Amico	Y Jakobsson	N Reboletti	

E - Denotes Excused Absence

NO. 3

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1055
TAX RECOVERY-WILL AIRPORT
THIRD READING
PASSED

March 19, 2009

109 YEAS 3 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	Y Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	Y Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	Y Leitch	Y Rose
Y Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	Y Eddy	Y Mathias	Y Sacia
Y Biggins	Y Farnham	Y Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	Y Flider	Y McAsey	E Senger
Y Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	Y Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	N Franks	Y Mell	Y Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	Y Mitchell, Bill	Y Tracy
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	Y Tryon
Y Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	E Mulligan	Y Verschoore
Y Cole	Y Hamos	Y Myers	N Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	Y Hatcher	Y Osterman	Y Watson
N Coulson	Y Hernandez	Y Phelps	Y Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
Y Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	Y Reboletti	

E - Denotes Excused Absence

NO. 4

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1115
INS CD - CREATE DEPT OF INS
THIRD READING
PASSED

March 19, 2009

110 YEAS 1 NAY 1 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	Y Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	Y Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	Y Leitch	Y Rose
Y Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	Y Eddy	Y Mathias	Y Sacia
Y Biggins	Y Farnham	Y Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	Y Flider	Y McAsey	E Senger
Y Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	Y Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	Y Franks	Y Mell	Y Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	Y Mitchell, Bill	Y Tracy
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	Y Tryon
Y Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	E Mulligan	Y Verschoore
Y Cole	P Hamos	Y Myers	Y Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	Y Osmond	N Washington
Y Connelly	Y Hatcher	Y Osterman	Y Watson
Y Coulson	Y Hernandez	Y Phelps	Y Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
Y Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	Y Reboletti	

E - Denotes Excused Absence

NO. 5

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 288
STUDENT SILENT REFLECTION
THIRD READING
PASSED

March 19, 2009

79 YEAS 33 NAYS 0 PRESENT

Y Acevedo	N Davis, Monique	Y Jefferson	N Reis
Y Arroyo	N Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	N Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	N Leitch	N Rose
Y Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	Y Eddy	Y Mathias	N Sacia
N Biggins	Y Farnham	N Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	Y Flider	Y McAsey	E Senger
N Bost	Y Flowers	N McAuliffe	Y Smith
N Bradley	Y Ford	Y McCarthy	N Sommer
N Brady	N Fortner	Y McGuire	Y Soto
Y Brauer	Y Franks	Y Mell	N Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	N Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	Y Tracy
N Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	N Tryon
N Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	E Mulligan	Y Verschoore
Y Cole	Y Hamos	N Myers	N Wait
N Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	N Osmond	Y Washington
N Connelly	N Hatcher	Y Osterman	N Watson
Y Coulson	Y Hernandez	N Phelps	N Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
N Cultra	Y Howard	N Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	N Reboletti	

E - Denotes Excused Absence

NO. 6

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 658
EPA--PHARMACEUTICAL TASK FORCE
THIRD READING
PASSED

March 19, 2009

112 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	Y Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	Y Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	Y Leitch	Y Rose
Y Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	Y Eddy	Y Mathias	Y Sacia
Y Biggins	Y Farnham	Y Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	Y Flider	Y McAsey	E Senger
Y Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	Y Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	Y Franks	Y Mell	Y Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	Y Mitchell, Bill	Y Tracy
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	Y Tryon
Y Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	E Mulligan	Y Verschoore
Y Cole	Y Hamos	Y Myers	Y Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	Y Hatcher	Y Osterman	Y Watson
Y Coulson	Y Hernandez	Y Phelps	Y Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
Y Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	Y Reboletti	

E - Denotes Excused Absence

NO. 7

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 567
ELECTIONS-COMMUNITY INTEGRATED
THIRD READING
PASSED

March 19, 2009

112 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	Y Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	Y Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	Y Leitch	Y Rose
Y Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	Y Eddy	Y Mathias	Y Sacia
Y Biggins	Y Farnham	Y Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	Y Flider	Y McAsey	E Senger
Y Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	Y Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	Y Franks	Y Mell	Y Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	Y Mitchell, Bill	Y Tracy
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	Y Tryon
Y Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	E Mulligan	Y Verschoore
Y Cole	Y Hamos	Y Myers	Y Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	Y Hatcher	Y Osterman	Y Watson
Y Coulson	Y Hernandez	Y Phelps	Y Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
Y Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	Y Reboletti	

E - Denotes Excused Absence

NO. 8

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 471
MUNI CD-HOTEL TAX
THIRD READING
PASSED

March 19, 2009

72 YEAS 39 NAYS 1 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	N Reis
Y Arroyo	Y Davis, William	N Joyce	Y Reitz
N Bassi	Y DeLuca	N Kosel	Y Riley
N Beaubien	N Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	Y Leitch	N Rose
N Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	Y Eddy	Y Mathias	Y Sacia
Y Biggins	N Farnham	Y Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	N Schmitz
N Boland	N Flider	N McAsey	E Senger
Y Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	Y Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	N Franks	Y Mell	N Stephens
N Brosnahan	N Fritchey	Y Mendoza	Y Sullivan
Y Burke	N Froehlich	N Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	N Tracy
N Cavaletto	N Gordon, Careen	Y Mitchell, Jerry	N Tryon
N Chapa LaVia	N Gordon, Jehan	Y Moffitt	Y Turner
N Coladipietro	P Graham	E Mulligan	Y Verschoore
N Cole	Y Hamos	N Myers	N Wait
Y Collins	N Hannig	Y Nekritz	N Walker
Y Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	N Hatcher	Y Osterman	N Watson
N Coulson	Y Hernandez	Y Phelps	Y Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	N Zalewski
Y Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	N Ramey	
N D'Amico	Y Jakobsson	N Reboletti	

E - Denotes Excused Absence

NO. 9

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 312
$GEN ASSEMBLY-TECH
THIRD READING
PASSED

March 19, 2009

65 YEAS 49 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	N Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
N Bassi	Y DeLuca	N Kosel	Y Riley
N Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	N Leitch	N Rose
N Bellock	N Durkin	A Lyons	A Ryg
Y Berrios	N Eddy	N Mathias	N Sacia
N Biggins	Y Farnham	Y Mautino	N Saviano
E Black	Y Feigenholtz	Y May	N Schmitz
Y Boland	Y Flider	Y McAsey	N Senger
N Bost	Y Flowers	N McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	N Sommer
N Brady	N Fortner	Y McGuire	Y Soto
N Brauer	N Franks	Y Mell	N Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	N Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	N Tracy
N Cavaletto	Y Gordon, Careen	N Mitchell, Jerry	N Tryon
N Chapa LaVia	Y Gordon, Jehan	N Moffitt	Y Turner
N Coladipietro	Y Graham	N Mulligan	Y Verschoore
N Cole	Y Hamos	N Myers	N Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	N Osmond	Y Washington
N Connelly	N Hatcher	Y Osterman	N Watson
N Coulson	Y Hernandez	Y Phelps	N Winters
E Crespo	Y Hoffman	N Pihos	Y Yarbrough
N Cross	Y Holbrook	N Poe	Y Zalewski
N Cultra	Y Howard	N Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	N Ramey	
Y D'Amico	Y Jakobsson	N Reboletti	

E - Denotes Excused Absence

NO. 10

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 314
$GEN ASSEMBLY-TECH
THIRD READING
PASSED

March 19, 2009

62 YEAS 51 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	N Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
N Bassi	Y DeLuca	N Kosel	Y Riley
N Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	N Leitch	N Rose
N Bellock	N Durkin	A Lyons	A Ryg
Y Berrios	N Eddy	N Mathias	N Sacia
N Biggins	N Farnham	Y Mautino	N Saviano
E Black	Y Feigenholtz	NV May	N Schmitz
Y Boland	Y Flider	Y McAsey	N Senger
N Bost	Y Flowers	N McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	N Sommer
N Brady	N Fortner	Y McGuire	Y Soto
N Brauer	N Franks	Y Mell	N Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	N Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	N Tracy
N Cavaletto	Y Gordon, Careen	N Mitchell, Jerry	N Tryon
N Chapa LaVia	Y Gordon, Jehan	N Moffitt	Y Turner
N Coladipietro	Y Graham	N Mulligan	Y Verschoore
N Cole	Y Hamos	N Myers	N Wait
Y Collins	Y Hannig	Y Nekritz	N Walker
Y Colvin	Y Harris	N Osmond	Y Washington
N Connelly	N Hatcher	Y Osterman	N Watson
N Coulson	Y Hernandez	Y Phelps	N Winters
E Crespo	Y Hoffman	N Pihos	Y Yarbrough
N Cross	Y Holbrook	N Poe	Y Zalewski
N Cultra	Y Howard	N Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	N Ramey	
Y D'Amico	Y Jakobsson	N Reboletti	

E - Denotes Excused Absence

NO. 11

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 313
$GEN ASSEMBLY-TECH
THIRD READING
PASSED

March 19, 2009

65 YEAS 49 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	N Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
N Bassi	Y DeLuca	N Kosel	Y Riley
N Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	N Leitch	N Rose
N Bellock	N Durkin	A Lyons	A Ryg
Y Berrios	N Eddy	N Mathias	N Sacia
N Biggins	N Farnham	Y Mautino	N Saviano
E Black	Y Feigenholtz	Y May	N Schmitz
Y Boland	Y Flider	Y McAsey	N Senger
N Bost	Y Flowers	N McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	N Sommer
N Brady	N Fortner	Y McGuire	Y Soto
N Brauer	N Franks	Y Mell	N Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	N Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	N Tracy
N Cavaletto	Y Gordon, Careen	N Mitchell, Jerry	N Tryon
N Chapa LaVia	Y Gordon, Jehan	N Moffitt	Y Turner
N Coladipietro	Y Graham	N Mulligan	Y Verschoore
N Cole	Y Hamos	N Myers	N Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
Y Colvin	Y Harris	N Osmond	Y Washington
N Connelly	N Hatcher	Y Osterman	N Watson
Y Coulson	Y Hernandez	Y Phelps	N Winters
E Crespo	Y Hoffman	N Pihos	Y Yarbrough
N Cross	Y Holbrook	N Poe	Y Zalewski
N Cultra	Y Howard	N Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	N Ramey	
Y D'Amico	Y Jakobsson	N Reboletti	

E - Denotes Excused Absence

NO. 12

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2016
OLYMPIC GAMES-TECH
THIRD READING
PASSED

March 19, 2009

100 YEAS 14 NAYS 0 PRESENT

Y Acevedo	Y Davis, Monique	Y Jefferson	N Reis
Y Arroyo	Y Davis, William	Y Joyce	Y Reitz
Y Bassi	Y DeLuca	Y Kosel	Y Riley
Y Beaubien	Y Dugan	Y Lang	Y Rita
Y Beiser	Y Dunkin	Y Leitch	Y Rose
Y Bellock	Y Durkin	A Lyons	A Ryg
Y Berrios	Y Eddy	Y Mathias	Y Sacia
Y Biggins	N Farnham	Y Mautino	Y Saviano
E Black	Y Feigenholtz	Y May	Y Schmitz
Y Boland	N Flider	N McAsey	Y Senger
Y Bost	Y Flowers	Y McAuliffe	Y Smith
Y Bradley	Y Ford	Y McCarthy	N Sommer
Y Brady	Y Fortner	Y McGuire	Y Soto
Y Brauer	Y Franks	Y Mell	Y Stephens
Y Brosnahan	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	N Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	Y Tracy
N Cavaletto	Y Gordon, Careen	Y Mitchell, Jerry	Y Tryon
Y Chapa LaVia	N Gordon, Jehan	N Moffitt	Y Turner
Y Coladipietro	Y Graham	Y Mulligan	Y Verschoore
N Cole	Y Hamos	Y Myers	Y Wait
Y Collins	Y Hannig	Y Nekritz	N Walker
Y Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	N Hatcher	Y Osterman	N Watson
Y Coulson	Y Hernandez	Y Phelps	Y Winters
E Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
Y Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	Y Reboletti	

E - Denotes Excused Absence

29TH LEGISLATIVE DAY

Perfunctory Session

THURSDAY, MARCH 19, 2009

At the hour of 1:22 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 4412. Introduced by Representative Black, AN ACT concerning appropriations.

HOUSE BILL 4413. Introduced by Representative Jefferson, AN ACT concerning appropriations.

HOUSE RESOLUTION

The following resolution was offered and placed in the Committee on Rules.

HOUSE RESOLUTION 195

Offered by Representative Chapa LaVia:

WHEREAS, The Midwest Shelter for Homeless Veterans, located in Wheaton, Illinois, has been established as an Illinois not-for-profit corporation and has been designated a 501(c)(3) charitable organization by the U.S. Internal Revenue Service; and

WHEREAS, The Midwest Shelter was officially opened on January 20, 2007, and has been in continuous operation ever since; and

WHEREAS, That organization's purpose is to provide transitional services to homeless veterans of the United States military so that they can return to useful and productive lives; and

WHEREAS, The problems of veterans returning from Iraq and Afghanistan continue to reveal serious problems of mental illness, substance abuse, alcoholism, unemployment, and homelessness; and

WHEREAS, There is an obvious and growing need for such a facility for veterans returning from the conflicts in Iraq and Afghanistan; and

WHEREAS, The Illinois Department of Veterans' Affairs in the past has provided some funds to the Shelter from the Illinois Veterans Assistance Fund; and

WHEREAS, The members of the Illinois House of Representatives recognize that the State has a major responsibility to its growing number of veterans who have served, and will be serving, in the United States military services; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we strongly urge the Illinois Department of Veterans' Affairs to provide technical and financial services to the Midwest Shelter for Homeless Veterans so it can continue to provide needed services to homeless veterans of the United States military as soon as possible; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Director of the Department of Veterans' Affairs.

At the hour of 1:23 o'clock p.m., the House Perfunctory Session adjourned.