

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SIXTH GENERAL ASSEMBLY**

**111TH LEGISLATIVE DAY**

**REGULAR & PERFUNCTORY SESSION**

**THURSDAY, MARCH 11, 2010**

**12:05 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
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The House met pursuant to adjournment.

Representative Mautino in the chair.

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

Representative Rose 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:

116 present. (ROLL CALL 1)

By unanimous consent, Representative Tracy was excused from attendance. At the hour of 2:06 o'clock p.m., by unanimous consent, Representative Hoffman was excused from attendance for the remainder of the day. At the hour of 2:39 o'clock p.m., by unanimous consent, Representative Senger was excused from attendance for the remainder of the day. At the hour of 3:24 o'clock p.m., by unanimous consent, Representative Jehan Gordon was excused from attendance for the remainder of the day.

The membership of the House was temporarily reduced to 117 as a result of the vacancy created by the resignation of Representative Brosnahan on February 11, 2010.

## REPORTS

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

Illinois Department of Juvenile Justice Quarterly Report to the Legislature - October 1, 2009, submitted by Illinois Department of Juvenile Justice on March 10, 2010.

Illinois Department of Juvenile Justice Quarterly Report to the Legislature - January 1, 2010, submitted by Illinois Department of Juvenile Justice on March 10, 2010.

Hospital Annual Report Year End 2009, submitted by Illinois Department of Public Health on March 10, 2010.

Comcast's Network Enhancement and Expansion of Basic Channels, submitted by Comcast on March 10, 2010.

Illinois Emergency Food and Shelter Program and Supportive Housing Program for Fiscal Year End 2009, submitted by Department of Human Services on March 10, 2010.

Illinois Mathematics and Science Academy Compliance Examination For the Year Ended June 30, 2009, submitted by Office of the Auditor General on March 10, 2010.

Illinois Arts Council Compliance Examination For the Two Years Ended June 30, 2009, submitted by Office of the Auditor General on March 10, 2010.

Illinois Arts Council Foundation Financial Audit and Compliance Examination For the Two Years Ended June 30, 2009, submitted by Office of the Auditor General on March 10, 2010.

Legislative Research Unit Compliance Examination For the Two Years Ended June 30, 2009, submitted by Office of the Auditor General on March 10, 2010.

Kane County Regional Office of Education #31 Financial Audit For the Year Ended June 30, 2009, submitted by Office of the Auditor General on March 10, 2010.

Taylorville Energy Center Facility Cost Report - February 26, 2010, submitted by Taylorville Energy Center on March 10, 2010.

**LETTER OF TRANSMITTAL**

March 12, 2010

Mr. Mark Mahoney  
Chief Clerk  
Illinois House of Representatives  
402 Statehouse  
Springfield, Il 62706

Dear Chief Clerk Mahoney,

I am listed as voting no of HB 5154, which passed the House on a vote of 70-39-0. However, I would like the record to reflect that I intended to vote yes.

I respectfully request that this letter be included in the journal for March 11, 2010.

Sincerely,  
s/Rosemary Mulligan  
State Representative – 65<sup>th</sup> District

**TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Acevedo replaced Representative Turner in the Committee on Rules on March 11, 2010.

Representative Eddy replaced Representative Fortner in the Committee on Youth and Family on March 11, 2010.

Representative Flowers replaced Representative Farnham in the Committee on Appropriations-Human Services on March 11, 2010.

Representative Zalewski replaced Representative Jehan Gordon in the Committee on Appropriations-Human Services on March 11, 2010.

Representative Chapa LaVia replaced Representative Sente in the Committee on Appropriations-Human Services on March 11, 2010.

Representative Monique Davis replaced Representative Walker in the Committee on Appropriations-Human Services on March 11, 2010.

Representative Farnham replaced Representative Howard in the Committee on Computer Technology on March 11, 2010.

Representative Hoffman replaced Representative Hamos in the Committee on Computer Technology on March 11, 2010.

Representative Jackson replaced Representative Yarbrough in the Committee on Computer Technology on March 11, 2010.

Representative Hannig replaced Representative Smith in the Committee on Computer Technology on March 11, 2010.

Representative Kosel replaced Representative Tracy in the Committee on Environmental Health on March 11, 2010.

Representative Hernandez replaced Representative McCarthy in the Committee on Environmental Health on March 11, 2010.

Representative Joyce replaced Representative Colvin in the Committee on Personnel and Pensions on March 11, 2010.

Representative Chapa LaVia replaced Representative Golar in the Committee on Medicaid Reform, Family & Children Services on March 11, 2010.

Representative Bost replaced Representative Reboletti in the Committee on Judiciary II - Criminal Law on March 11, 2010.

Representative Ford replaced Representative McAsey in the Committee on Judiciary II - Criminal Law on March 11, 2010.

Representative Dugan replaced Representative Franks in the Committee on Aging on March 11, 2010.

Representative Chapa LaVia replaced Representative Sente in the Committee on Aging on March 11, 2010.

Representative William Davis replaced Representative Farnham in the Committee on Aging on March 11, 2010.

Representative Ford replaced Representative McAsey in the Committee on Aging on March 11, 2010.

**REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Human Services: HOUSE AMENDMENT No. 1 to HOUSE BILL 6315.

Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 6409, HOUSE AMENDMENT No. 1 to HOUSE BILL 6450 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6474.

Revenue & Finance: HOUSE AMENDMENT No. 1 to HOUSE BILL 6335 and HOUSE AMENDMENT No. 1 to HOUSE BILL 6362.

Vehicles & Safety: HOUSE AMENDMENT No. 1 to HOUSE BILL 6449.

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

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

Y Currie(D), Chairperson

Y Black(R), Republican Spokesperson

Y Lang(D)

Y Schmitz(R)

Y Acevedo(D) (replacing Turner)

**REPORTS FROM STANDING COMMITTEES**

Representative Verschoore, Chairperson, from the Committee on Counties & Townships to which the following were referred, action taken on March 11, 2010, 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 5972 and 6235.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4877, 5934 and 6239.

The committee roll call vote on House Bills 4877 and 5972 is as follows:  
7, Yeas; 0, Nays; 0, Answering Present.

|                                     |                                 |
|-------------------------------------|---------------------------------|
| Y Verschoore(D), Chairperson        | A Zalewski(D), Vice-Chairperson |
| Y Ramey(R), Republican Spokesperson | Y Hatcher(R)                    |
| A Mitchell, Bill(R)                 | Y Moffitt(R)                    |
| Y Reitz(D)                          | Y Riley(D)                      |
| Y Rita(D)                           |                                 |

The committee roll call vote on House Bill 5934 is as follows:  
6, Yeas; 2, Nays; 0, Answering Present.

|                                     |                                 |
|-------------------------------------|---------------------------------|
| Y Verschoore(D), Chairperson        | Y Zalewski(D), Vice-Chairperson |
| Y Ramey(R), Republican Spokesperson | N Hatcher(R)                    |
| A Mitchell, Bill(R)                 | N Moffitt(R)                    |
| Y Reitz(D)                          | Y Riley(D)                      |
| Y Rita(D)                           |                                 |

The committee roll call vote on House Bills 6235 and 6239 is as follows:  
8, Yeas; 0, Nays; 0, Answering Present.

|                                     |                                 |
|-------------------------------------|---------------------------------|
| Y Verschoore(D), Chairperson        | Y Zalewski(D), Vice-Chairperson |
| Y Ramey(R), Republican Spokesperson | Y Hatcher(R)                    |
| A Mitchell, Bill(R)                 | Y Moffitt(R)                    |
| Y Reitz(D)                          | Y Riley(D)                      |
| Y Rita(D)                           |                                 |

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 3998, 5011, 5169, 5781, 5833, 6022 and 6241.

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4723, 4797, 4947, 5025, 5158, 5813, 6038 and 6126.

The committee roll call vote on House Bills 3998, 4723, 4797, 4947, 5011, 5025, 5158, 5169, 5781, 5813, 5833, 6022, 6038 and 6126 is as follows:

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

|                                       |                                |
|---------------------------------------|--------------------------------|
| Y Bradley(D), Chairperson             | Y Mautino(D), Vice-Chairperson |
| Y Biggins(R), Republican Spokesperson | Y Bassi(R)                     |
| Y Beaubien(R)                         | Y Chapa LaVia(D)               |
| Y Currie(D)                           | A Eddy(R)                      |
| A Ford(D)                             | Y Gordon, Careen(D)            |
| Y Sullivan(R)                         | Y Turner(D)                    |
| Y Zalewski(D)                         |                                |

The committee roll call vote on House Bill 6241 is as follows:  
13, Yeas; 0, Nays; 0, Answering Present.

|                                       |                                |
|---------------------------------------|--------------------------------|
| Y Bradley(D), Chairperson             | Y Mautino(D), Vice-Chairperson |
| Y Biggins(R), Republican Spokesperson | Y Bassi(R)                     |
| Y Beaubien(R)                         | Y Chapa LaVia(D)               |
| Y Currie(D)                           | Y Eddy(R)                      |
| Y Ford(D)                             | Y Gordon, Careen(D)            |

Y Sullivan(R)  
Y Zalewski(D)

Y Turner(D)

Representative Flider, Chairperson, from the Committee on Electric Generation & Commerce to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5147.

The committee roll call vote on House Bill 5147 is as follows:  
9, Yeas; 0, Nays; 0, Answering Present.

|                                       |                              |
|---------------------------------------|------------------------------|
| Y Flider(D), Chairperson              | A Reitz(D), Vice-Chairperson |
| Y Winters(R), Republican Spokesperson | A Crespo(D)                  |
| Y Cultra(R)                           | Y Durkin(R)                  |
| Y Fortner(R)                          | Y Holbrook(D)                |
| Y Osmond(R)                           | Y Phelps(D)                  |
| Y Verschoore(D)                       |                              |

Representative Feigenholtz, Chairperson, from the Committee on Appropriations-Human Services to which the following were referred, action taken on March 11, 2010, 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 5021, 5022 and 5023.

The committee roll call vote on House Bills 5021, 5022 and 5023 is as follows:  
11, Yeas; 4, Nays; 0, Answering Present.

|  |                                   |
|--|-----------------------------------|
| Y Feigenholtz(D), Chairperson          | Y Osterman(D), Vice-Chairperson   |
| N Mulligan(R), Republican Spokesperson | A Bellock(R)                      |
| N Coulson(R)                           | Y Flowers(D)(replacing Farnham)   |
| Y Zalewski(D)(replacing Gordon, Jehan) | Y Graham(D)                       |
| Y Hernandez(D)                         | Y Jackson(D)                      |
| N Leitch(R)                            | Y Mell(D)                         |
| A Saviano(R)                           | A Schmitz(R)                      |
| A Senger(R)                            | Y Chapa LaVia(D)(replacing Sente) |
| N Stephens(R)                          | Y Davis,M(D)(replacing Walker)    |
| Y Washington(D)                        |                                   |

Representative Washington, Chairperson, from the Committee on Aging to which the following were referred, action taken on March 11, 2010, 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 4909, 4910 and 5998.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 5499 and 5869.

The committee roll call vote on House Bills 4909, 4910 and 5499 is as follows:  
18, Yeas; 0, Nays; 0, Answering Present.

|                                     |                                 |
|-------------------------------------|---------------------------------|
| Y Washington(D), Chairperson        | Y Beiser(D), Vice-Chairperson   |
| Y Pihos(R), Republican Spokesperson | Y Biggins(R)                    |
| Y Cavaletto(R)                      | Y Coladipietro(R)               |
| Y D'Amico(D)                        | Y Davis,W(D)(replacing Farnham) |
| Y Dugan(D)(replacing Franks)        | Y Harris(D)                     |
| Y Hatcher(R)                        | A Jefferson(D)                  |
| Y Lyons(D)                          | Y Ford(D)(replacing McAsey)     |
| Y McGuire(D)                        | Y Mell(D)                       |

|                                   |              |
|-----------------------------------|--------------|
| Y Mitchell, Bill(R)               | Y Saviano(R) |
| Y Chapa LaVia(D)(replacing Sente) | A Tracy(R)   |

The committee roll call vote on House Bill 5998 is as follows:  
18, Yeas; 0, Nays; 0, Answering Present.

|                                     |                                 |
|-------------------------------------|---------------------------------|
| Y Washington(D), Chairperson        | Y Beiser(D), Vice-Chairperson   |
| Y Pihos(R), Republican Spokesperson | Y Biggins(R)                    |
| Y Cavaletto(R)                      | Y Coladipietro(R)               |
| Y D'Amico(D)                        | Y Davis,W(D)(replacing Farnham) |
| Y Franks(D)                         | Y Harris(D)                     |
| Y Hatcher(R)                        | A Jefferson(D)                  |
| Y Lyons(D)                          | Y Ford(D)(replacing McAsey)     |
| Y McGuire(D)                        | Y Mell(D)                       |
| Y Mitchell, Bill(R)                 | Y Saviano(R)                    |
| Y Chapa LaVia(D)(replacing Sente)   | A Tracy(R)                      |

The committee roll call vote on House Bill 5869 is as follows:  
11, Yeas; 7, Nays; 0, Answering Present.

|                                     |                                 |
|-------------------------------------|---------------------------------|
| Y Washington(D), Chairperson        | Y Beiser(D), Vice-Chairperson   |
| N Pihos(R), Republican Spokesperson | N Biggins(R)                    |
| N Cavaletto(R)                      | N Coladipietro(R)               |
| Y D'Amico(D)                        | Y Davis,W(D)(replacing Farnham) |
| Y Dugan(D)(replacing Franks)        | Y Harris(D)                     |
| N Hatcher(R)                        | A Jefferson(D)                  |
| Y Lyons(D)                          | Y Ford(D)(replacing McAsey)     |
| Y McGuire(D)                        | Y Mell(D)                       |
| N Mitchell, Bill(R)                 | N Saviano(R)                    |
| Y Chapa LaVia(D)(replacing Sente)   | A Tracy(R)                      |

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken on March 11, 2010, 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 4936 and 6115.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5180.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 884 and 912.

The committee roll call vote on House Bill 6115 is as follows:  
9, Yeas; 3, Nays; 0, Answering Present.

|                             |                                    |
|-----------------------------|------------------------------------|
| Y May(D), Chairperson       | Y Hernandez(D)(replacing McCarthy) |
| Y Kosel(R)(replacing Tracy) | Y Froehlich(D)                     |
| Y Hamos(D)                  | Y Jakobsson(D)                     |
| A Nekritz(D)                | Y Rita(D)                          |
| N Rose(R)                   | N Schmitz(R)                       |
| N Stephens(R)               | Y Tryon(R)                         |
| Y Winters(R)                | A Yarbrough(D)                     |

The committee roll call vote on House Resolutions 884, 912, House Bills 4936 and 5180 is as follows:  
14, Yeas; 0, Nays; 0, Answering Present.

|                             |                                    |
|-----------------------------|------------------------------------|
| Y May(D), Chairperson       | Y Hernandez(D)(replacing McCarthy) |
| Y Kosel(R)(replacing Tracy) | Y Froehlich(D)                     |

Y Hamos(D)  
 Y Nekritz(D)  
 Y Rose(R)  
 Y Stephens(R)  
 Y Winters(R)

Y Jakobsson(D)  
 Y Rita(D)  
 Y Schmitz(R)  
 Y Tryon(R)  
 Y Yarbrough(D)

Representative Graham, Chairperson, from the Committee on Renewable Energy to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 6202.

The committee roll call vote on House Bill 6202 is as follows:

7, Yeas; 3, Nays; 0, Answering Present.

Y Graham(D), Chairperson  
 N Cultra(R), Republican Spokesperson  
 Y Collins(D)  
 Y May(D)  
 N Reis(R)

Y Flider(D), Vice-Chairperson  
 Y Cole(R)  
 Y Holbrook(D)  
 N Myers(R)  
 Y Sente(D)

Representative Bellock, Chairperson, from the Committee on Medicaid Reform, Family & Children Services to which the following were referred, action taken on March 11, 2010, 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 5242 and 6277.

The committee roll call vote on House Bills 5242 and 6277 is as follows:

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

Y Bellock(R), Chairperson  
 Y Mulligan(R), Republican Spokesperson  
 Y Dugan(D)  
 Y Chapa LaVia(D)(replacing Golar)  
 Y Nekritz(D)

Y Hernandez(D), Vice-Chairperson  
 Y Beaubien(R)  
 Y Flowers(D)  
 Y Kosel(R)  
 Y Watson(R)

Representative McAuliffe, Chairperson, from the Committee on Veterans' Affairs to which the following were referred, action taken on March 11, 2010, 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 BILL 5823.

That the resolution be reported “recommends be adopted” and be placed on the House Calendar: HOUSE RESOLUTIONS 678, 890 and 906.

The committee roll call vote on House Resolution 906 is as follows:

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

Y McAuliffe(R), Chairperson  
 Y Bost(R), Republican Spokesperson  
 Y Dugan(D)  
 Y Flider(D)  
 Y Gordon, Jehan(D)  
 Y Lyons(D)  
 Y Mitchell, Jerry(R)  
 A Nekritz(D)  
 A Phelps(D)  
 Y Reboletti(R)

Y Chapa LaVia(D), Vice-Chairperson  
 Y Connelly(R)  
 Y Farnham(D)  
 A Franks(D)  
 Y Joyce(D)  
 Y McAsey(D)  
 Y Moffitt(R)  
 Y Osmond(R)  
 Y Pritchard(R)  
 A Sacia(R)



|                 |             |
|-----------------|-------------|
| Y Verschoore(D) | A Wait(R)   |
| Y Walker(D)     | A Watson(R) |

The committee roll call vote on House Bill 5823 is as follows:  
19, Yeas; 0, Nays; 2, Answering Present.

|                                    |                                    |
|------------------------------------|------------------------------------|
| Y McAuliffe(R), Chairperson        | P Chapa LaVia(D), Vice-Chairperson |
| Y Bost(R), Republican Spokesperson | Y Connelly(R)                      |
| Y Dugan(D)                         | Y Farnham(D)                       |
| Y Flider(D)                        | A Franks(D)                        |
| Y Gordon, Jehan(D)                 | Y Joyce(D)                         |
| Y Lyons(D)                         | Y McAsey(D)                        |
| Y Mitchell, Jerry(R)               | Y Moffitt(R)                       |
| Y Nekritz(D)                       | Y Osmond(R)                        |
| P Phelps(D)                        | Y Pritchard(R)                     |
| Y Reboletti(R)                     | A Sacia(R)                         |
| Y Verschoore(D)                    | A Wait(R)                          |
| Y Walker(D)                        | Y Watson(R)                        |

The committee roll call vote on House Resolutions 678 and 890 is as follows:  
21, Yeas; 0, Nays; 0, Answering Present.

|                                    |                                    |
|------------------------------------|------------------------------------|
| Y McAuliffe(R), Chairperson        | Y Chapa LaVia(D), Vice-Chairperson |
| Y Bost(R), Republican Spokesperson | Y Connelly(R)                      |
| Y Dugan(D)                         | Y Farnham(D)                       |
| Y Flider(D)                        | A Franks(D)                        |
| Y Gordon, Jehan(D)                 | Y Joyce(D)                         |
| Y Lyons(D)                         | Y McAsey(D)                        |
| Y Mitchell, Jerry(R)               | Y Moffitt(R)                       |
| Y Nekritz(D)                       | Y Osmond(R)                        |
| Y Phelps(D)                        | Y Pritchard(R)                     |
| Y Reboletti(R)                     | A Sacia(R)                         |
| Y Verschoore(D)                    | A Wait(R)                          |
| Y Walker(D)                        | Y Watson(R)                        |

Representative McCarthy, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on March 11, 2010, 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 4788, 5057, 5149 and 6018.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4657 and 5416.

The committee roll call vote on House Bill 4657 is as follows:  
6, Yeas; 3, Nays; 0, Answering Present.

|                                   |                               |
|-----------------------------------|-------------------------------|
| Y McCarthy(D), Chairperson        | Y Colvin(D), Vice-Chairperson |
| A Poe(R), Republican Spokesperson | Y Acevedo(D)                  |
| N Brady(R)                        | N Brauer(R)                   |
| Y Burke(D)                        | Y Graham(D)                   |
| Y McAuliffe(R)                    | N Nekritz(D)                  |

The committee roll call vote on House Bill 4788 is as follows:  
10, Yeas; 0, Nays; 0, Answering Present.

|                                   |                              |
|-----------------------------------|------------------------------|
| Y McCarthy(D), Chairperson        | Y Joyce(D)(replacing Colvin) |
| Y Poe(R), Republican Spokesperson | Y Acevedo(D)                 |

|                |              |
|----------------|--------------|
| Y Brady(R)     | Y Brauer(R)  |
| Y Burke(D)     | Y Graham(D)  |
| Y McAuliffe(R) | Y Nekritz(D) |

The committee roll call vote on House Bill 6018 is as follows:  
 7, Yeas; 3, Nays; 0, Answering Present.

|                                   |                               |
|-----------------------------------|-------------------------------|
| Y McCarthy(D), Chairperson        | Y Colvin(D), Vice-Chairperson |
| N Poe(R), Republican Spokesperson | Y Acevedo(D)                  |
| N Brady(R)                        | N Brauer(R)                   |
| Y Burke(D)                        | Y Graham(D)                   |
| Y McAuliffe(R)                    | Y Nekritz(D)                  |

The committee roll call vote on House Bills 5057, 5149 and 5416 is as follows:  
 10, Yeas; 0, Nays; 0, Answering Present.

|                                   |                               |
|-----------------------------------|-------------------------------|
| Y McCarthy(D), Chairperson        | Y Colvin(D), Vice-Chairperson |
| Y Poe(R), Republican Spokesperson | Y Acevedo(D)                  |
| Y Brady(R)                        | Y Brauer(R)                   |
| Y Burke(D)                        | Y Graham(D)                   |
| Y McAuliffe(R)                    | Y Nekritz(D)                  |

Representative Howard, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on March 11, 2010, 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 5321, 5402, 5489, 5525, 5745, 5932, 6101, 6213 and 6224.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4578, 5218, 5399, 5749, 5762, 5947, 6234 and HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 19 .

That the bill be reported "do pass" and be placed on the order of Second Reading-- Standard Debate: HOUSE BILLS 5164 and 6123.

The committee roll call vote on House Bill 5164 is as follows:  
 4, Yeas; 3, Nays; 0, Answering Present.

|   |                                |
|---|--------------------------------|
| N Howard(D), Chairperson                | N Collins(D), Vice-Chairperson |
| Y Reboletti(R), Republican Spokesperson | N Golar(D)                     |
| Y Ford(D)(replacing McAsey)             | Y Sacia(R)                     |
| Y Wait(R)                               |                                |

The committee roll call vote on House Bill 6123 is as follows:  
 4, Yeas; 3, Nays; 0, Answering Present.

|                                |                                |
|--------------------------------|--------------------------------|
| Y Howard(D), Chairperson       | N Collins(D), Vice-Chairperson |
| N Bost(R)(replacing Reboletti) | Y Golar(D)                     |
| Y McAsey(D)                    | Y Sacia(R)                     |
| N Wait(R)                      |                                |

The committee roll call vote on House Bill 5525 is as follows:  
 6, Yeas; 0, Nays; 0, Answering Present.

|                                |                                |
|--------------------------------|--------------------------------|
| Y Howard(D), Chairperson       | Y Collins(D), Vice-Chairperson |
| A Bost(R)(replacing Reboletti) | Y Golar(D)                     |
| Y McAsey(D)                    | Y Sacia(R)                     |
| Y Wait(R)                      |                                |

The committee roll call vote on House Bill 5762 is as follows:  
6, Yeas; 1, Nays; 0, Answering Present.

|   |                                |
|---|--------------------------------|
| Y Howard(D), Chairperson                | N Collins(D), Vice-Chairperson |
| Y Reboletti(R), Republican Spokesperson | Y Golar(D)                     |
| Y McAsey(D)                             | Y Sacia(R)                     |
| Y Wait(R)                               |                                |

The committee roll call vote on House Bills 5947 and 6234 is as follows:  
7, Yeas; 0, Nays; 0, Answering Present.

|                                 |                                |
|---------------------------------|--------------------------------|
| Y Howard(D), Chairperson        | Y Collins(D), Vice-Chairperson |
| Y Bost(R),(replacing Reboletti) | Y Golar(D)                     |
| Y McAsey(D)                     | Y Sacia(R)                     |
| Y Wait(R)                       |                                |

The committee roll call vote on House Bills 4578, 5745, 6213 and 6224 is as follows:  
7, Yeas; 0, Nays; 0, Answering Present.

|   |                                |
|---|--------------------------------|
| Y Howard(D), Chairperson                | Y Collins(D), Vice-Chairperson |
| Y Reboletti(R), Republican Spokesperson | Y Golar(D)                     |
| Y Ford(D)(replacing McAsey)             | Y Sacia(R)                     |
| Y Wait(R)                               |                                |

The committee roll call vote on House Bills 5218, 5321, 5399, 5402, 5489, 5749, 5932, 6101 and House Joint Resolution Constitutional Amendment 19 is as follows:  
7, Yeas; 0, Nays; 0, Answering Present.

|   |                                |
|---|--------------------------------|
| Y Howard(D), Chairperson                | Y Collins(D), Vice-Chairperson |
| Y Reboletti(R), Republican Spokesperson | Y Golar(D)                     |
| Y McAsey(D)                             | Y Sacia(R)                     |
| Y Wait(R)                               |                                |

### **MOTIONS SUBMITTED**

Representative Ford 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 BILL 6259.

Representative Ford 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 BILL 6221.

Representative Ford 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 BILL 6222.

Representative Ford 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 BILL 6220.

Representative Ford 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 BILL 4620.

Representative Ford 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 BILL 4678.

Representative Ford 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 BILL 6223.

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

**MOTION**

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which HOUSE BILL 4583 passed in the House on March 11, 2010.

Representative Flowers withdrew the following written motion that was previously placed on the order of Motions in Writing:

**MOTION**

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which HOUSE BILL 4583 passed in the House on March 11, 2010.

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

**MOTION**

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 4662 and advance to the order of Second Reading - Standard Debate.

**FISCAL NOTE SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILLS 1545, 3631, as amended, 5109, 5766, as amended, 6061, 6088, as amended and 6112.

**STATE MANDATES FISCAL NOTE SUPPLIED**

A State Mandates Fiscal Note has been supplied for HOUSE BILL 4965.

**REQUEST FOR FISCAL NOTE**

Representative Mautino requested that a Fiscal Note be supplied for HOUSE BILL 5696.

Representative Reis requested that a Fiscal Note be supplied for HOUSE BILL 6205 as amended.

Representative Burns requested that a Fiscal Note be supplied for HOUSE BILL 6202.

**REQUEST FOR STATE MANDATES FISCAL NOTE**

Representative Reis requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 6205 as amended.

Representative Burns requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 6202.

**REQUEST FOR BALANCED BUDGET NOTE**

Representative Burns requested that a Balanced Budget Note be supplied for HOUSE BILL 6202.

**REQUEST FOR CORRECTIONAL NOTE**

Representative Burns requested that a Correctional Note be supplied for HOUSE BILL 6202.

**REQUEST FOR HOME RULE NOTE**

Representative Burns requested that a Home Rule Note be supplied for HOUSE BILL 6202.

**REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE**

Representative Burns requested that a Housing Affordability Impact Note be supplied for HOUSE BILL 6202.

**REQUEST FOR JUDICIAL NOTE**

Representative Burns requested that a Judicial Note be supplied for HOUSE BILL 6202.

**REQUEST FOR LAND CONVEYANCE APPRAISAL NOTE**

Representative Burns requested that a Land Conveyance Appraisal Note be supplied for HOUSE BILL 6202.

**REQUEST FOR PENSION NOTE**

Representative Burns requested that a Pension Note be supplied for HOUSE BILL 6202.

**REQUEST FOR STATE DEBT IMPACT NOTE**

Representative Burns requested that a State Debt Impact Note be supplied for HOUSE BILL 6202.

**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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 2603  
A bill for AN ACT concerning local government.  
SENATE BILL NO. 2614  
A bill for AN ACT concerning local government.  
SENATE BILL NO. 2615  
A bill for AN ACT concerning education.  
SENATE BILL NO. 2622  
A bill for AN ACT concerning children.  
SENATE BILL NO. 2632  
A bill for AN ACT concerning public land.  
SENATE BILL NO. 2647  
A bill for AN ACT concerning education.  
SENATE BILL NO. 2799  
A bill for AN ACT concerning professional regulation.  
SENATE BILL NO. 2800  
A bill for AN ACT concerning professional regulation.  
SENATE BILL NO. 2801  
A bill for AN ACT concerning finance.  
SENATE BILL NO. 2804  
A bill for AN ACT concerning transportation.  
SENATE BILL NO. 2807  
A bill for AN ACT concerning business.  
Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 2603, 2614, 2615, 2622, 2632, 2647, 2799, 2800, 2801, 2804 and 2807 were ordered reproduced and placed on the appropriate order of business.

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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 2819  
A bill for AN ACT concerning insurance.  
SENATE BILL NO. 2952  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 2969  
A bill for AN ACT concerning transportation.  
SENATE BILL NO. 2983  
A bill for AN ACT concerning local government.  
SENATE BILL NO. 2987  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 2992  
A bill for AN ACT regarding disabled persons.  
SENATE BILL NO. 3013  
A bill for AN ACT concerning education.  
SENATE BILL NO. 3014  
A bill for AN ACT concerning education.  
SENATE BILL NO. 3023  
A bill for AN ACT concerning transportation.

SENATE BILL NO. 3024  
 A bill for AN ACT concerning transportation.  
 SENATE BILL NO. 3028  
 A bill for AN ACT concerning criminal law.  
 SENATE BILL NO. 3035  
 A bill for AN ACT concerning regulation.  
 SENATE BILL NO. 3037  
 A bill for AN ACT concerning State government.  
 SENATE BILL NO. 3039  
 A bill for AN ACT concerning civil law.  
 Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 2819, 2952, 2969, 2983, 2987, 2992, 3013, 3014, 3023, 3024, 3028, 3035, 3037 and 3039 were ordered reproduced and placed on the appropriate order of business.

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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 3041  
 A bill for AN ACT concerning transportation.  
 SENATE BILL NO. 3045  
 A bill for AN ACT concerning State government.  
 SENATE BILL NO. 3117  
 A bill for AN ACT concerning education.  
 SENATE BILL NO. 3128  
 A bill for AN ACT concerning veterans.  
 SENATE BILL NO. 3136  
 A bill for AN ACT concerning liquor.  
 SENATE BILL NO. 3146  
 A bill for AN ACT concerning gaming.  
 SENATE BILL NO. 3176  
 A bill for AN ACT concerning sex offenders.  
 SENATE BILL NO. 3183  
 A bill for AN ACT concerning government.  
 SENATE BILL NO. 3198  
 A bill for AN ACT concerning corrections.  
 SENATE BILL NO. 3272  
 A bill for AN ACT concerning transportation.  
 SENATE BILL NO. 3281  
 A bill for AN ACT concerning State government.  
 SENATE BILL NO. 3286  
 A bill for AN ACT concerning business.  
 SENATE BILL NO. 3287  
 A bill for AN ACT concerning business.  
 Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 3041, 3045, 3117, 3128, 3136, 3146, 3176, 3183, 3198, 3272, 3281, 3286 and 3287 were ordered reproduced and placed on the appropriate order of business.

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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 3172  
A bill for AN ACT concerning revenue.  
SENATE BILL NO. 3173  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 3174  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 3288  
A bill for AN ACT concerning State government.  
SENATE BILL NO. 3289  
A bill for AN ACT concerning professional regulation.  
SENATE BILL NO. 3291  
A bill for AN ACT concerning public aid.  
SENATE BILL NO. 3295  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 3304  
A bill for AN ACT in relation to criminal law.  
SENATE BILL NO. 3305  
A bill for AN ACT concerning violent offenders against youth.  
SENATE BILL NO. 3315  
A bill for AN ACT concerning professional regulation.  
Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 3172, 3173, 3174, 3288, 3289, 3291, 3295, 3304, 3305 and 3315 were ordered reproduced and placed on the appropriate order of business.

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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 3389  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 3390  
A bill for AN ACT concerning transportation.  
SENATE BILL NO. 3391  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 3430  
A bill for AN ACT concerning local government.  
SENATE BILL NO. 3433  
A bill for AN ACT concerning the transfer of real property.  
SENATE BILL NO. 3446  
A bill for AN ACT concerning revenue.  
SENATE BILL NO. 3461  
A bill for AN ACT concerning State government.  
SENATE BILL NO. 3462  
A bill for AN ACT concerning revenue.  
SENATE BILL NO. 3464



A bill for AN ACT concerning utilities.

SENATE BILL NO. 3491

A bill for AN ACT concerning government.

SENATE BILL NO. 3494

A bill for AN ACT concerning employment.

Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 3389, 3390, 3391, 3430, 3433, 3446, 3461, 3462, 3464, 3491 and 3494 were ordered reproduced and placed on the appropriate order of business.

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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 3323

A bill for AN ACT concerning local government.

SENATE BILL NO. 3372

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 3385

A bill for AN ACT concerning professional regulation.

SENATE BILL NO. 3387

A bill for AN ACT concerning business.

Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 3323, 3372, 3385 and 3387 were ordered reproduced and placed on the appropriate order of business.

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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 3552

A bill for AN ACT concerning revenue.

SENATE BILL NO. 3728

A bill for AN ACT concerning education.

Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 3552 and 3728 were ordered reproduced and placed on the appropriate order of business.

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 bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 3503  
A bill for AN ACT concerning criminal law.  
SENATE BILL NO. 3505  
A bill for AN ACT concerning finance.  
SENATE BILL NO. 3508  
A bill for AN ACT concerning courts.  
SENATE BILL NO. 3546  
A bill for AN ACT concerning transportation.  
Passed by the Senate, March 10, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 3503, 3505, 3508 and 3546 were ordered reproduced and placed on the appropriate order of business.

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. 82

WHEREAS, During the 96th General Assembly, the Parents and Community Accountability Study Committee was created pursuant to Senate Joint Resolution 5 to examine issues related to racial and socioeconomic disparities affecting the pro-social development of children and youth; identify ways to engage more parents in being accountable for the actions of their children; identify ways to engage more communities in being accountable for investing in pro-social development of children and families; research the types of supports needed to help parents develop the necessary skills to ensure that their children achieve positive youth development and to reduce factors that lead to violence in the community, home, and school; and study what systems are needed to assist communities to reinvest in and support children and families; and

WHEREAS, More time is needed for the Parents and Community Accountability Study Committee to complete its work; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Parents and Community Accountability Study Committee is extended; and be it further

RESOLVED, That the Parents and Community Accountability Study Committee shall submit a report, as established in its authorizing resolution, before December 31, 2010; and be it further

RESOLVED, That with this reporting extension, the Committee shall continue to operate pursuant to its authorizing resolution.

Adopted by the Senate, March 11, 2010.

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. 87

WHEREAS, The State of Illinois is located in the Upper Mississippi River Valley; and

WHEREAS, Recent floods have demonstrated the tremendous toll that catastrophic flooding can take on our communities and how unprepared our nation remains to deal with such disasters; and

WHEREAS, The Great Flood of 1993 resulted in the loss of life, property damage, and billions of dollars in other damages, lost earnings, and wages; and

WHEREAS, Over the last 2 decades, floods in the Upper Mississippi River Valley have required the expenditure of billions of dollars for flood fighting and restoration; and

WHEREAS, Flood control protects urban and rural areas, highways, railroads, water and sewage treatment plants, schools, homes, businesses, and wildlife areas; and

WHEREAS, The lives and livelihoods of our citizens depend in great part on robust flood protection; and

WHEREAS, The U.S. Army Corps of Engineers developed a systemic, integrated strategy and implementation plan for flood damage reduction and related environmental restoration; and

WHEREAS, This Comprehensive Plan was developed in coordination with Illinois, Iowa, Minnesota, Missouri, and Wisconsin; the Upper Mississippi River Basin Association; and non-governmental organizations; and

WHEREAS, This Comprehensive Plan, if implemented, would provide the greatest level of protection to the greatest number of residents in the Upper Mississippi River Valley by ensuring enhanced flood protection for most currently-protected urban and agricultural areas; and

WHEREAS, A study conducted by the Tennessee Valley Authority shows that every \$1 spent on flood control in the 500-year floodplain of the Upper Mississippi River Valley generates a nearly 5-fold economic return in, among other things, costs avoided and increased income; and

WHEREAS, The United States Congress must authorize and fund the Comprehensive Plan in order for it to be implemented; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we urge the Congress of the United States to authorize and fund the U.S. Army Corps of Engineers' Comprehensive Plan for Flood Control in the Upper Mississippi River Valley; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the members of the Illinois congressional delegation.

Adopted by the Senate, March 11, 2010.

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. 88

WHEREAS, The Illinois Public Agenda for College and Career Success has documented the critical role higher education plays in economic recovery and growth, particularly in ensuring this State has an educated workforce to meet the needs of business and industry; and

WHEREAS, The Illinois Public Agenda also has documented the fact that at least some postsecondary education is an essential credential for jobs in the present and future global marketplace; and

WHEREAS, 40.8% of Illinois adults held a college degree in 2008, while the best-performing countries in the world averaged 55% of adults holding a college degree; and

WHEREAS, To achieve a level of 60% of adults holding a college degree by 2025, the National Center for Higher Education Management Systems estimates that this State will need to increase the number of degrees awarded by 4,671 each year, for a total of 635,243 additional degrees between 2010 and 2025; and

WHEREAS, The State of Illinois and its higher education institutions have a responsibility for student success, including improved student retention, program completion, and graduation; and

WHEREAS, Funding for community colleges and public universities in Fiscal Year 2010 is \$592 million, or 26% below appropriations in Fiscal Year 2002 after accounting for inflation; and

WHEREAS, Tuition and fee rates for entering students have escalated 86% at public universities between Fiscal Year 2004 and Fiscal Year 2010 and by 52% at community colleges during that period; and

WHEREAS, Between Fiscal Year 2002 and Fiscal Year 2010, appropriations for the Monetary Award Program, the State's premier, need-based, student financial aid program, fell by nearly \$57 million or 12%, after accounting for inflation; and

WHEREAS, Many public universities and community colleges have experienced severe cash flow crises due to delinquent payments of Fiscal Year 2010 State appropriations; and

WHEREAS, The Illinois Public Agenda for College and Career Success has recommended that the Board of Higher Education, in consultation with other higher education agencies, "develop a comprehensive funding strategy that makes more explicit and intentional the links between state appropriations, tuition, and need-based student financial aid"; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Board of Higher Education establish a Higher Education Finance Study Commission; and be it further

RESOLVED, That the Commission shall be comprised of 11 members, including one senator appointed by the President of the Senate, one senator appointed by the Minority Leader of the Senate, one representative appointed by the Speaker of the House, and one representative appointed by the Minority Leader of the House and the remaining 7 members appointed by the Board of Higher Education to represent a cross-section of the higher education community as well as experts in higher education finance; and be it further

RESOLVED, That the Commission's study shall include, but not be limited to, the following:

(1) examining the history and means of higher education funding in this State, comparing funding with other states and peer institutions, and reviewing funding mechanisms for adequacy, equity, and reliability;

(2) comparing the productivity of Illinois higher education to other state systems and the productivity of public colleges and universities to peer institutions;

(3) analyzing best practices implemented in other states, such as Ohio and Indiana, for incentivizing certificate and degree completion, including incentives for students and for institutions;

(4) reviewing tuition and financial aid policies and practices and their roles in improving certificate and degree completion; and

(5) considering alternative funding mechanisms that will advance the goals of the Illinois Public Agenda; and be it further

RESOLVED, That the Commission consult with representatives of other states or other higher education finance experts, as appropriate, to inform the Commission about best practices; and be it further

RESOLVED, That the Commission shall report its findings and recommendations to the Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission for adoption by these agencies; and be it further

RESOLVED, That the Commission shall report its findings and recommendations to the General Assembly and the Governor on or before December 1, 2010; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the chairpersons of the Board of Higher Education, the Illinois Community College Board, and the Illinois Student Assistance Commission.

Adopted by the Senate, March 11, 2010.

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 concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 66

Concurred in the Senate, March 11, 2010.

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 concurred with the House in the adoption of the following joint resolution, to-wit:  
HOUSE JOINT RESOLUTION NO. 72  
Concurred in the Senate, March 11, 2010.

Jillayne Rock, Secretary of the Senate

### **CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Senger was removed as principal sponsor, and Representative Schmitz became the new principal sponsor of HOUSE BILL 4938.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Flowers became the new principal sponsor of HOUSE BILL 6474.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Chapa LaVia became the new principal sponsor of HOUSE BILL 6335.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Osterman became the new principal sponsor of HOUSE BILL 6362.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Flider became the new principal sponsor of HOUSE BILL 6449.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Jefferson became the new principal sponsor of HOUSE BILL 6315.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Flowers became the new principal sponsor of HOUSE BILL 6409.

With the consent of the affected members, Representative Holbrook was removed as principal sponsor, and Representative Beiser became the new principal sponsor of HOUSE BILL 2520.

### **AGREED RESOLUTIONS**

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

#### **HOUSE RESOLUTION 1004**

Offered by Representative Howard:  
Congratulates the women of Alpha Kappa Alpha on their 76th Regional Conference.

#### **HOUSE RESOLUTION 1005**

Offered by Representative Jakobsson:  
Mourns the death of Geraldine A. "Gerrie" Parr of Champaign.

HOUSE RESOLUTION 1007

Offered by Representative Pihos:

Honors Natalie Insley and Loretta Peteck for their exemplary dedication to volunteerism.

HOUSE RESOLUTION 1008

Offered by Representative Jakobsson:

Congratulates Jonathan Kuck on the occasion of his silver medal victory in the team pursuit speed skating competition at the 2010 Winter Olympic Games in Vancouver, Canada.

HOUSE RESOLUTION 1009

Offered by Representative Washington:

Honors the African-American veterans of the United States Navy during World War II and U.S. military personnel of all wars for their great courage and noble sacrifices during times of war.

**RECALL**

At the request of the principal sponsor, Representative Sente, HOUSE BILL 4817 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

**SENATE BILL ON SECOND READING**

Having been read by title a second time on March 10, 2010 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 355.

**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 Nekritz, SENATE BILL 355 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: 114, Yeas; 1, Nay; 1, 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.

**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 Bradley, HOUSE BILL 3869 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 3)

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

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

### **SENATE 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: SENATE BILL 365.

### **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 Black, HOUSE BILL 4580 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 4)

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

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

On motion of Representative Senger, HOUSE BILL 4583 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: 114, Yeas; 1, Nay; 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 Zalewski, HOUSE BILL 4691 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: 88, Yeas; 20, Nays; 7, 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.

On motion of Representative Bill Mitchell, HOUSE BILL 4699 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 94, Yeas; 21, 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.

On motion of Representative Mulligan, HOUSE BILL 4703 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: 114, Yeas; 0, 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.

On motion of Representative Feigenholtz, HOUSE BILL 4722 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: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 9)

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

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

On motion of Representative Hannig, HOUSE BILL 4737 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: 87, Yeas; 27, Nays; 1, 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 Bassi, HOUSE BILL 4769 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: 111, Yeas; 2, Nays; 1, 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.

On motion of Representative Moffitt, HOUSE BILL 4778 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; 3, Nays; 1, Answering Present.

(ROLL CALL 12)

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

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

On motion of Representative Reis, HOUSE BILL 4835 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 67, Yeas; 44, Nays; 3, Answering Present.

(ROLL CALL 13)

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

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

On motion of Representative Reis, HOUSE BILL 4836 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: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 14)



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

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

On motion of Representative Bradley, HOUSE BILL 4846 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 15)

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

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

On motion of Representative Phelps, HOUSE BILL 4859 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: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 16)

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

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

On motion of Representative Nekritz, HOUSE BILL 4934 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: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 17)

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

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

On motion of Representative Mulligan, HOUSE BILL 4922 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: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 18)

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

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

On motion of Representative Senger, HOUSE BILL 4940 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: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 19)

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

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

### RECALL

At the request of the principal sponsor, Representative Moffitt, HOUSE BILL 4779 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### **ACTION ON MOTIONS**

Pursuant to Rule 18(g), Representative Black moved for unanimous consent to discharge the Committee on Rules from further consideration of HOUSE BILL 4662, and requested a record vote on the motion.

Representative Currie was recognized and announced her opposition to the motion.

The Chair ruled that a record vote was not necessary because the motion was already lost due to the denial of unanimous consent.

Representative Black moved to appeal from the ruling of the Chair.

On the question of sustaining the ruling of the Chair, a vote was taken resulting as follows:

68, Yeas; 46, Nays; 0, Answering Present.

(ROLL CALL 20)

The motion prevailed and the Chair was sustained.

### **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 Poe, HOUSE BILL 4960 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:

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

(ROLL CALL 21)

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

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

On motion of Representative Farnham, HOUSE BILL 4968 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:

98, Yeas; 16, Nays; 0, Answering Present.

(ROLL CALL 22)

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

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

On motion of Representative Holbrook, HOUSE BILL 4987 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 23)

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

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

### **RECALL**

At the request of the principal sponsor, Representative Phelps, HOUSE BILL 4990 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

**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 Harris, HOUSE BILL 5079 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 24)

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

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

On motion of Representative Lang, HOUSE BILL 5055 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 25)

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

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

On motion of Representative Cross, HOUSE BILL 5095 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 26)

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

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

On motion of Representative Mathias, HOUSE BILL 5133 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 27)

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

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

On motion of Representative Moffitt, HOUSE BILL 5139 was taken up and read by title a third time. Pending discussion, Representative Brauer 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: 110, Yeas; 2, Nays; 0, Answering Present.  
(ROLL CALL 28)

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

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

On motion of Representative Connelly, HOUSE BILL 5144 was taken up and read by title a third time. Pending discussion, Representative McCarthy 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; 37, Nays; 3, Answering Present.  
(ROLL CALL 29)

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

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

On motion of Representative Chapa LaVia, HOUSE BILL 5154 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:  
70, Yeas; 39, Nays; 0, Answering Present.  
(ROLL CALL 30)

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

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

On motion of Representative Jakobsson, HOUSE BILL 5157 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; 0, Nays; 0, Answering Present.  
(ROLL CALL 31)

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 Winters, HOUSE BILL 5178 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:  
102, Yeas; 8, Nays; 0, Answering Present.  
(ROLL CALL 32)

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.

### **RESOLUTION**

Having been reported out of the Committee on International Trade & Commerce on March 10, 2010, HOUSE JOINT RESOLUTION 107 was taken up for consideration.

Representative Mendoza moved the adoption of the resolution.

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

106, Yeas; 4, Nays; 1, Answering Present.  
(ROLL CALL 33)

The motion prevailed and the resolution was adopted.

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

### **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 5495.

HOUSE BILL 5510. Having been recalled on March 9, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Farnham offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 5510 on page 1, immediately below line 3, by inserting the following:

"Section 3. The Code of Criminal Procedure of 1963 is amended by changing Section 112A-17 as follows:

(725 ILCS 5/112A-17) (from Ch. 38, par. 112A-17)

Sec. 112A-17. Emergency order of protection.

(a) Prerequisites. An emergency order of protection shall issue if petitioner satisfies the requirements of this subsection for one or more of the requested remedies. For each remedy requested, petitioner shall establish that:

- (1) The court has jurisdiction under Section 112A-9;
- (2) The requirements of Section 112A-14 are satisfied; and
- (3) There is good cause to grant the remedy, regardless of prior service of process or of notice upon the respondent, because:

(i) For the remedies of "prohibition of abuse" described in Section 112A-14(b)(1), "stay away order and additional prohibitions" described in Section 112A-14(b)(3), "removal or concealment of minor child" described in Section 112A-14(b)(8), "order to appear" described in Section 112A-14(b)(9), "physical care and possession of the minor child" described in Section 112A-14(b)(5), "protection of property" described in Section 112A-14(b)(11), "prohibition of entry" described in Section 112A-14(b)(14), "prohibition of access to records" described in Section 112A-14(b)(15), and "injunctive relief" described in Section 112A-14(b)(16), the harm which that remedy is intended to prevent would be likely to occur if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief;

(ii) For the remedy of "grant of exclusive possession of residence" described in Section 112A-14(b)(2), the immediate danger of further abuse of petitioner by respondent, if petitioner chooses or had chosen to remain in the residence or household while respondent was given any prior notice or greater notice than was actually given of petitioner's efforts to obtain judicial relief, outweighs the hardships to respondent of an emergency order granting petitioner exclusive possession of the residence or household. This remedy shall not be denied because petitioner has or could obtain temporary shelter elsewhere while prior notice is given to respondent, unless the hardships to respondent from exclusion from the home substantially outweigh those to petitioner.

(iii) For the remedy of "possession of personal property" described in Section 112A-14(b)(10), improper disposition of the personal property would be likely to occur if respondent were given any prior notice, or greater notice than was actually given, of petitioner's efforts to obtain judicial relief, or petitioner has an immediate and pressing need for possession of that property.

An emergency order may not include the counseling, legal custody, payment of support or monetary compensation remedies.

(b) Appearance by respondent. If respondent appears in court for this hearing for an emergency order, he or she may elect to file a general appearance and testify. Any resulting order may be an emergency order, governed by this Section. Notwithstanding the requirements of this Section, if all requirements of Section 112A-18 have been met, the Court may issue a 30-day interim order.

(c) Emergency orders: court holidays and evenings.

(1) Prerequisites. When the court is unavailable at the close of business, the petitioner may file a petition for a 21-day emergency order before any available circuit judge or associate judge who may grant relief under this Article. If the judge finds that there is an immediate and present danger of abuse to petitioner and that petitioner has satisfied the prerequisites set forth in subsection (a) of Section 112A-17, that judge may issue an emergency order of protection.

(1.5) Issuance of order. The chief judge of the circuit court may designate for each county in the circuit at least one judge to be reasonably available to issue orally, by telephone, by facsimile, or otherwise, an emergency order of protection at all times, whether or not the court is in session.

(2) Certification and transfer. The judge who issued the order under this Section shall promptly communicate or convey the order to the sheriff to facilitate the entry of the order into the Law Enforcement Agencies Data System by the Department of State Police pursuant to Section 112A-28. Any order issued under this Section and any

documentation in support thereof shall be certified on the next court day to the appropriate court. The clerk of that court shall immediately assign a case number, file the petition, order and other documents

with the court and enter the order of record and file it with the sheriff for service, in accordance with Section 112A-22. Filing the petition shall commence proceedings for further relief, under Section 112A-2. Failure to comply with the requirements of this subsection shall not affect the validity of the order.  
(Source: P.A. 90-392, eff. 1-1-98.)"

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 5540.

HOUSE BILL 5664. Having been reproduced, was taken up and read by title a second time.  
The following amendments were offered in the Committee on Fire Protection, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5664 on page 3, immediately below line 8, by inserting the following:

"Section 25. Interpretation of Act. Nothing in this Act shall be construed to apply to the standards already governed by the Fire Sprinkler Dormitory Act."

AMENDMENT NO. 2. Amend House Bill 5664 on page 3, immediately below line 8, by inserting the following:

"Section 25. Local ordinances. If a unit of local government has adopted an ordinance that requires automatic fire suppression systems in housing units under this Act that is more stringent than this Act, then the local ordinance shall control."

There being no further amendments, the foregoing Amendments numbered 1 and 2 were 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 5666.

HOUSE BILL 5668. Having been reproduced, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Personnel and Pensions, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5668 by replacing everything after the enacting clause with the following:

"Section 5. The Firemen's Disciplinary Act is amended by changing Section 2 as follows:  
(50 ILCS 745/2) (from Ch. 85, par. 2502)

Sec. 2. Definitions. For the purposes of this Act, unless clearly required otherwise, the terms defined in this Section have the meaning ascribed herein:

(a) "Fireman" means a person who is a "firefighter" or "fireman" as defined in Sections 4-106 or 6-106 of the Illinois Pension Code, a paramedic employed by a unit of local government, or an EMT employed by a unit of local government, and includes a person who is an "employee" as defined in Section 15-107 of the Illinois Pension Code and whose primary duties relate to firefighting.

(b) "Informal inquiry" means a meeting by supervisory or command personnel with a fireman upon whom an allegation of misconduct has come to the attention of such supervisory or command personnel, the purpose of which meeting is to mediate a citizen complaint or discuss the facts to determine whether a formal investigation should be commenced.

(c) "Formal investigation" means the process of investigation ordered by a commanding officer during

which the questioning of a fireman is intended to gather evidence of misconduct which may be the basis for filing charges seeking his or her removal, discharge, or suspension from duty in excess of 24 duty hours.

(d) "Interrogation" means the questioning of a fireman pursuant to an investigation initiated by the respective State or local governmental unit in connection with an alleged violation of such unit's rules which may be the basis for filing charges seeking his or her suspension, removal, or discharge. The term does not include questioning as part of an informal inquiry as to allegations of misconduct relating to minor infractions of agency rules which may be noted on the fireman's record but which may not in themselves result in removal, discharge, or suspension from duty in excess of 24 duty hours.

(e) "Administrative proceeding" means any non-judicial hearing which is authorized to recommend, approve or order the suspension, removal, or discharge of a fireman.

(Source: P.A. 94-188, eff. 7-12-05.)

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 5669. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Disability Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5669 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Identification Card Act is amended by changing Section 11A as follows:

(15 ILCS 335/11A)

Sec. 11A. Emergency contact database.

(a) The Secretary of State shall establish a database of the emergency contacts of persons who hold identification cards. Information in the database shall be accessible only to employees of the Office of the Secretary and law enforcement officers employed by a law enforcement agency. Law enforcement officers may share information contained in the emergency contact database, including disabilities and special needs information, with other public safety workers on scene, as needed to conduct official law enforcement duties.

(b) Any person holding an identification card shall be afforded the opportunity to provide the Secretary of State, in a manner and form designated by the Secretary of State, the name, address, telephone number, and relationship to the holder of no more than 2 emergency contact persons whom the holder wishes to be contacted by a law enforcement officer if the holder is involved in a motor vehicle accident or other emergency situation and the holder is unable to communicate with the contact person or persons and may designate whether the holder has a disability or is a special needs individual. A contact person need not be the holder's next of kin.

(c) The Secretary shall adopt rules to implement this Section. At a minimum, the rules shall address all of the following:

(1) the method whereby a holder may provide the Secretary of State with emergency contact disability, and special needs information;

(2) the method whereby a holder may provide the Secretary of State with a change to the emergency contact, disability, and special needs information; and

(3) any other aspect of the database or its operation that the Secretary determines is necessary to implement this Section.

(d) If a person involved in a motor vehicle accident or other emergency situation is unable to communicate with the contact person or persons specified in the database, a law enforcement officer shall make a good faith effort to notify the contact person or persons of the situation. Neither the law enforcement officer nor the law enforcement agency that employs that law enforcement officer incurs any liability, however, if the law enforcement officer is not able to make contact with the contact person. Except for willful or wanton misconduct, neither the law enforcement officer, nor the law enforcement agency that employs the law enforcement officer, shall incur any liability relating to the reporting or use of the database during a motor vehicle accident or other emergency situation.

(e) The Secretary of State shall make a good faith effort to maintain accurate data as provided by the identification card holder and to provide that information to law enforcement as

provided in subsection (a). The Secretary of State is not liable for any damages, costs, or expenses, including, without limitation, consequential damages, arising or resulting from any inaccurate or incomplete data or system unavailability. Except for willful or wanton misconduct, the Secretary of State shall not incur any liability relating to the reporting of disabilities or special needs individuals.

(f) As used in this Section:

"Disability" means an individual's physical or mental impairment that substantially limits one or more of the major life activities; a record of such impairment; or when the individual is regarded as having such impairment.

"Public safety worker" means a person employed by this State or a political subdivision thereof that provides firefighting, law enforcement, medical, or other emergency services.

"Special needs individuals" means those individuals who have or are at increased risk for a chronic physical, developmental, behavioral, or emotional condition and who also require health and related services of a type or amount beyond that required by individuals generally.

(Source: P.A. 95-898, eff. 7-1-09.)

Section 10. The Illinois Vehicle Code is amended by changing Section 6-117.2 as follows:

(625 ILCS 5/6-117.2)

Sec. 6-117.2. Emergency contact database.

(a) The Secretary of State shall establish a database of the emergency contacts of persons who hold a driver's license, instruction permit, or any other type of driving permit issued by the Secretary of State. Information in the database shall be accessible only to employees of the Office of the Secretary and law enforcement officers employed by a law enforcement agency. Law enforcement officers may share information contained in the emergency contact database, including disabilities and special needs information, with other public safety workers on scene, as needed to conduct official law enforcement duties.

(b) Any person holding a driver's license, instruction permit, or any other type of driving permit issued by the Secretary of State shall be afforded the opportunity to provide the Secretary of State, in a manner and form designated by the Secretary of State, the name, address, telephone number, and relationship to the holder of no more than 2 emergency contact persons whom the holder wishes to be contacted by a law enforcement officer if the holder is involved in a motor vehicle accident or other emergency situation and the holder is unable to communicate with the contact person or persons and may designate whether the holder has a disability or is a special needs individual. A contact person need not be the holder's next of kin.

(c) The Secretary shall adopt rules to implement this Section. At a minimum, the rules shall address all of the following:

- (1) the method whereby a holder may provide the Secretary of State with emergency contact disability, and special needs information;
- (2) the method whereby a holder may provide the Secretary of State with a change to the emergency contact, disability, and special needs information; and
- (3) any other aspect of the database or its operation that the Secretary determines is necessary to implement this Section.

(d) If a person involved in a motor vehicle accident or other emergency situation is unable to communicate with the contact person or persons specified in the database, a law enforcement officer shall make a good faith effort to notify the contact person or persons of the situation. Neither the law enforcement officer nor the law enforcement agency that employs that law enforcement officer incurs any liability, however, if the law enforcement officer is not able to make contact with the contact person. Except for willful or wanton misconduct, neither the law enforcement officer, nor the law enforcement agency that employs the law enforcement officer, shall incur any liability relating to the reporting or use of the database during a motor vehicle accident or other emergency situation.

(e) The Secretary of State shall make a good faith effort to maintain accurate data as provided by the driver's license or instruction permit holder and to provide that information to law enforcement as provided in subsection (a). The Secretary of State is not liable for any damages, costs, or expenses, including, without limitation, consequential damages, arising or resulting from any inaccurate or incomplete data or system unavailability. Except for willful or wanton misconduct, the Secretary of State shall not incur any liability relating to the reporting of disabilities or special needs individuals.

(f) As used in this Section:

"Disability" means an individual's physical or mental impairment that substantially limits one or more of the major life activities; a record of such impairment; or when the individual is regarded as having such impairment.



"Public safety worker" means a person employed by this State or a political subdivision thereof that provides firefighting, law enforcement, medical or other emergency services.

"Special needs individuals" means those individuals who have or are at increased risk for a chronic physical, developmental, behavioral, or emotional condition and who also require health and related services of a type or amount beyond that required by individuals generally.

(Source: P.A. 95-898, eff. 7-1-09.)

Section 99. Effective date. This Act takes effect January 1, 2011."

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 5673 and 5675.

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 5696.

HOUSE BILL 5712. Having been reproduced, was taken up and read by title a second time. Representative Nekritz offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 5712 on page 3, by replacing lines 8 through 11 with the following:

"(13) a violation of Section 11-1201, relating to failure to stop for an approaching railroad train or railroad track equipment or signals; or".

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.

HOUSE BILL 5720. Having been reproduced, was taken up and read by title a second time. Representative Mathias offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 5720 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 6-204 and 6-206 as follows:

(625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)

Sec. 6-204. When Court to forward License and Reports.

(a) For the purpose of providing to the Secretary of State the records essential to the performance of the Secretary's duties under this Code to cancel, revoke or suspend the driver's license and privilege to drive motor vehicles of certain minors adjudicated truant minors in need of supervision, addicted, or delinquent and of persons found guilty of the criminal offenses or traffic violations which this Code recognizes as evidence relating to unfitness to safely operate motor vehicles, the following duties are imposed upon public officials:

(1) Whenever any person is convicted of any offense for which this Code makes mandatory the cancellation or revocation of the driver's license or permit of such person by the Secretary of State, the judge of the court in which such conviction is had shall require the surrender to the clerk of the court of all driver's licenses or permits then held by the person so convicted, and the clerk of the court shall, within 5 days thereafter, forward the same, together with a report of such conviction, to the Secretary.

(2) Whenever any person is convicted of any offense under this Code or similar offenses under a municipal ordinance, other than regulations governing standing, parking or weights of vehicles, and excepting the following enumerated Sections of this Code: Sections 11-1406 (obstruction to driver's view or control), 11-1407 (improper opening of door into traffic), 11-1410 (coasting on downgrade),

11-1411 (following fire apparatus), 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving vehicle which is in unsafe condition or improperly equipped), 12-201(a) (daytime lights on motorcycles), 12-202 (clearance, identification and side marker lamps), 12-204 (lamp or flag on projecting load), 12-205 (failure to display the safety lights required), 12-401 (restrictions as to tire equipment), 12-502 (mirrors), 12-503 (windshields must be unobstructed and equipped with wipers), 12-601 (horns and warning devices), 12-602 (mufflers, prevention of noise or smoke), 12-603 (seat safety belts), 12-702 (certain vehicles to carry flares or other warning devices), 12-703 (vehicles for oiling roads operated on highways), 12-710 (splash guards and replacements), 13-101 (safety tests), 15-101 (size, weight and load), 15-102 (width), 15-103 (height), 15-104 (name and address on second division vehicles), 15-107 (length of vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights), 15-112 (weights), 15-301 (weights), 15-316 (weights), 15-318 (weights), and also excepting the following enumerated Sections of the Chicago Municipal Code: Sections 27-245 (following fire apparatus), 27-254 (obstruction of traffic), 27-258 (driving vehicle which is in unsafe condition), 27-259 (coasting on downgrade), 27-264 (use of horns and signal devices), 27-265 (obstruction to driver's view or driver mechanism), 27-267 (dimming of headlights), 27-268 (unattended motor vehicle), 27-272 (illegal funeral procession), 27-273 (funeral procession on boulevard), 27-275 (driving freight hauling vehicles on boulevard), 27-276 (stopping and standing of buses or taxicabs), 27-277 (cruising of public passenger vehicles), 27-305 (parallel parking), 27-306 (diagonal parking), 27-307 (parking not to obstruct traffic), 27-308 (stopping, standing or parking regulated), 27-311 (parking regulations), 27-312 (parking regulations), 27-313 (parking regulations), 27-314 (parking regulations), 27-315 (parking regulations), 27-316 (parking regulations), 27-317 (parking regulations), 27-318 (parking regulations), 27-319 (parking regulations), 27-320 (parking regulations), 27-321 (parking regulations), 27-322 (parking regulations), 27-324 (loading and unloading at an angle), 27-333 (wheel and axle loads), 27-334 (load restrictions in the downtown district), 27-335 (load restrictions in residential areas), 27-338 (width of vehicles), 27-339 (height of vehicles), 27-340 (length of vehicles), 27-352 (reflectors on trailers), 27-353 (mufflers), 27-354 (display of plates), 27-355 (display of city vehicle tax sticker), 27-357 (identification of vehicles), 27-358 (projecting of loads), and also excepting the following enumerated paragraphs of Section 2-201 of the Rules and Regulations of the Illinois State Toll Highway Authority: (l) (driving unsafe vehicle on tollway), (m) (vehicles transporting dangerous cargo not properly indicated), it shall be the duty of the clerk of the court in which such conviction is had within 5 days thereafter to forward to the Secretary of State a report of the conviction and the court may recommend the suspension of the driver's license or permit of the person so convicted.

The reporting requirements of this subsection shall apply to all violations stated in paragraphs (1) and (2) of this subsection when the individual has been adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987. Such reporting requirements shall also apply to individuals adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987 who have committed a violation of Section 11-501 of this Code, or similar provision of a local ordinance, or Section 9-3 of the Criminal Code of 1961, as amended, relating to the offense of reckless homicide. These reporting requirements also apply to individuals adjudicated under the Juvenile Court Act of 1987 based on any offense determined to have been committed in furtherance of the criminal activities of an organized gang, as provided in Section 5-710 of that Act, and that involved the operation or use of a motor vehicle or the use of a driver's license or permit. The reporting requirements of this subsection shall also apply to a truant minor in need of supervision, an addicted minor, or a delinquent minor and whose driver's license and privilege to drive a motor vehicle has been ordered suspended for such times as determined by the Court, but only until he or she attains 18 years of age. It shall be the duty of the clerk of the court in which adjudication is had within 5 days thereafter to forward to the Secretary of State a report of the adjudication and the court order requiring the Secretary of State to suspend the minor's driver's license and driving privilege for such time as determined by the Court, but only until he or she attains the age of 18 years. All juvenile court dispositions reported to the Secretary of State under this provision shall be processed by the Secretary of State as if the cases had been adjudicated in traffic or criminal court. However, information reported relative to the offense of reckless homicide, or Section 11-501 of this Code, or a similar provision of a local ordinance, shall be privileged and available only to the Secretary of State, courts, and police officers.

The reporting requirements of this subsection (a) apply to all violations listed in paragraphs (1) and (2) of this subsection (a), excluding parking violations, when the driver holds a CDL, regardless of the type of vehicle in which the violation occurred, or when any driver committed the violation in a commercial motor vehicle as defined in Section 6-500 of this Code.

(3) Whenever an order is entered vacating the forfeiture of any bail, security or bond given to secure appearance for any offense under this Code or similar offenses under municipal

ordinance, it shall be the duty of the clerk of the court in which such vacation was had or the judge of such court if such court has no clerk, within 5 days thereafter to forward to the Secretary of State a report of the vacation.

(4) A report of any disposition of court supervision for a violation of Sections 6-303, 11-401, 11-501 or a similar provision of a local ordinance, 11-503, 11-504, and 11-506 shall be forwarded to the Secretary of State. A report of any disposition of court supervision for a violation of an offense defined as a serious traffic violation in this Code or a similar provision of a local ordinance committed by a person under the age of 21 years shall be forwarded to the Secretary of State.

(5) Reports of conviction under this Code and sentencing hearings under the Juvenile Court Act of 1987 in an electronic format or a computer processible medium shall be forwarded to the Secretary of State via the Supreme Court in the form and format required by the Illinois Supreme Court and established by a written agreement between the Supreme Court and the Secretary of State. In counties with a population over 300,000, instead of forwarding reports to the Supreme Court, reports of conviction under this Code and sentencing hearings under the Juvenile Court Act of 1987 in an electronic format or a computer processible medium may be forwarded to the Secretary of State by the Circuit Court Clerk in a form and format required by the Secretary of State and established by written agreement between the Circuit Court Clerk and the Secretary of State. Failure to forward the reports of conviction or sentencing hearing under the Juvenile Court Act of 1987 as required by this Section shall be deemed an omission of duty and it shall be the duty of the several State's Attorneys to enforce the requirements of this Section.

(6) Whenever any person has been found guilty of, received a disposition of court supervision for, or received a disposition pursuant to the provisions of the Juvenile Court Act of 1987 for a violation of the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act, the clerk of the court shall, within 5 days thereafter, forward a report of such conviction to the Secretary.

(b) Whenever a restricted driving permit is forwarded to a court, as a result of confiscation by a police officer pursuant to the authority in Section 6-113(f), it shall be the duty of the clerk, or judge, if the court has no clerk, to forward such restricted driving permit and a facsimile of the officer's citation to the Secretary of State as expeditiously as practicable.

(c) For the purposes of this Code, a forfeiture of bail or collateral deposited to secure a defendant's appearance in court when forfeiture has not been vacated, or the failure of a defendant to appear for trial after depositing his driver's license in lieu of other bail, shall be equivalent to a conviction.

(d) For the purpose of providing the Secretary of State with records necessary to properly monitor and assess driver performance and assist the courts in the proper disposition of repeat traffic law offenders, the clerk of the court shall forward to the Secretary of State, on a form prescribed by the Secretary, records of a driver's participation in a driver remedial or rehabilitative program which was required, through a court order or court supervision, in relation to the driver's arrest for a violation of Section 11-501 of this Code or a similar provision of a local ordinance. The clerk of the court shall also forward to the Secretary, either on paper or in an electronic format or a computer processible medium as required under paragraph (5) of subsection (a) of this Section, any disposition of court supervision for any traffic violation, excluding those offenses listed in paragraph (2) of subsection (a) of this Section. These reports shall be sent within 5 days after disposition, or, if the driver is referred to a driver remedial or rehabilitative program, within 5 days of the driver's referral to that program. These reports received by the Secretary of State, including those required to be forwarded under paragraph (a)(4), shall be privileged information, available only (i) to the affected driver, (ii) to the parent or guardian of a person under the age of 18 years holding an instruction permit or a graduated driver's license, and (iii) for use by the courts, police officers, prosecuting authorities, the Secretary of State, and the driver licensing administrator of any other state. In accordance with 49 C.F.R. Part 384, all reports of court supervision, except violations related to parking, shall be forwarded to the Secretary of State for all holders of a CDL or any driver who commits an offense while driving a commercial motor vehicle. These reports shall be recorded to the driver's record as a conviction for use in the disqualification of the driver's commercial motor vehicle privileges and shall not be privileged information.

(Source: P.A. 94-307, eff. 9-30-05; 94-930, eff. 6-26-06; 95-201, eff. 1-1-08; 95-310, eff. 1-1-08; 95-337, eff. 6-1-08; 95-382, eff. 8-23-07; 95-876, eff. 8-21-08.)

(625 ILCS 5/6-206) (from Ch. 95 1/2, par. 6-206)

Sec. 6-206. Discretionary authority to suspend or revoke license or permit; Right to a hearing.

(a) The Secretary of State is authorized to suspend or revoke the driving privileges of any person without

preliminary hearing upon a showing of the person's records or other sufficient evidence that the person:

1. Has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction;
2. Has been convicted of not less than 3 offenses against traffic regulations governing the movement of vehicles committed within any 12 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
3. Has been repeatedly involved as a driver in motor vehicle collisions or has been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree that indicates lack of ability to exercise ordinary and reasonable care in the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;
4. Has by the unlawful operation of a motor vehicle caused or contributed to an accident resulting in death or injury requiring immediate professional treatment in a medical facility or doctor's office to any person, except that any suspension or revocation imposed by the Secretary of State under the provisions of this subsection shall start no later than 6 months after being convicted of violating a law or ordinance regulating the movement of traffic, which violation is related to the accident, or shall start not more than one year after the date of the accident, whichever date occurs later;
5. Has permitted an unlawful or fraudulent use of a driver's license, identification card, or permit;
6. Has been lawfully convicted of an offense or offenses in another state, including the authorization contained in Section 6-203.1, which if committed within this State would be grounds for suspension or revocation;
7. Has refused or failed to submit to an examination provided for by Section 6-207 or has failed to pass the examination;
8. Is ineligible for a driver's license or permit under the provisions of Section 6-103;
9. Has made a false statement or knowingly concealed a material fact or has used false information or identification in any application for a license, identification card, or permit;
10. Has possessed, displayed, or attempted to fraudulently use any license, identification card, or permit not issued to the person;
11. Has operated a motor vehicle upon a highway of this State when the person's driving privilege or privilege to obtain a driver's license or permit was revoked or suspended unless the operation was authorized by a monitoring device driving permit, judicial driving permit issued prior to January 1, 2009, probationary license to drive, or a restricted driving permit issued under this Code;
12. Has submitted to any portion of the application process for another person or has obtained the services of another person to submit to any portion of the application process for the purpose of obtaining a license, identification card, or permit for some other person;
13. Has operated a motor vehicle upon a highway of this State when the person's driver's license or permit was invalid under the provisions of Sections 6-107.1 and 6-110;
14. Has committed a violation of Section 6-301, 6-301.1, or 6-301.2 of this Act, or Section 14, 14A, or 14B of the Illinois Identification Card Act;
15. Has been convicted of violating Section 21-2 of the Criminal Code of 1961 relating to criminal trespass to vehicles in which case, the suspension shall be for one year;
16. Has been convicted of violating Section 11-204 of this Code relating to fleeing from a peace officer;
17. Has refused to submit to a test, or tests, as required under Section 11-501.1 of this Code and the person has not sought a hearing as provided for in Section 11-501.1;
18. Has, since issuance of a driver's license or permit, been adjudged to be afflicted with or suffering from any mental disability or disease;
19. Has committed a violation of paragraph (a) or (b) of Section 6-101 relating to driving without a driver's license;
20. Has been convicted of violating Section 6-104 relating to classification of driver's license;
21. Has been convicted of violating Section 11-402 of this Code relating to leaving the scene of an accident resulting in damage to a vehicle in excess of \$1,000, in which case the suspension shall be for one year;
22. Has used a motor vehicle in violating paragraph (3), (4), (7), or (9) of subsection (a) of Section 24-1 of the Criminal Code of 1961 relating to unlawful use of weapons, in which case the suspension shall be for one year;

23. Has, as a driver, been convicted of committing a violation of paragraph (a) of Section 11-502 of this Code for a second or subsequent time within one year of a similar violation;
24. Has been convicted by a court-martial or punished by non-judicial punishment by military authorities of the United States at a military installation in Illinois of or for a traffic related offense that is the same as or similar to an offense specified under Section 6-205 or 6-206 of this Code;
25. Has permitted any form of identification to be used by another in the application process in order to obtain or attempt to obtain a license, identification card, or permit;
26. Has altered or attempted to alter a license or has possessed an altered license, identification card, or permit;
27. Has violated Section 6-16 of the Liquor Control Act of 1934;
28. Has been convicted of the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for one year, and any driver who is convicted of a second or subsequent offense, within 5 years of a previous conviction, for the illegal possession, while operating or in actual physical control, as a driver, of a motor vehicle, of any controlled substance prohibited under the Illinois Controlled Substances Act, any cannabis prohibited under the Cannabis Control Act, or any methamphetamine prohibited under the Methamphetamine Control and Community Protection Act shall be suspended for 5 years. Any defendant found guilty of this offense while operating a motor vehicle, shall have an entry made in the court record by the presiding judge that this offense did occur while the defendant was operating a motor vehicle and order the clerk of the court to report the violation to the Secretary of State;
29. Has been convicted of the following offenses that were committed while the person was operating or in actual physical control, as a driver, of a motor vehicle: criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, juvenile pimping, soliciting for a juvenile prostitute and the manufacture, sale or delivery of controlled substances or instruments used for illegal drug use or abuse in which case the driver's driving privileges shall be suspended for one year;
30. Has been convicted a second or subsequent time for any combination of the offenses named in paragraph 29 of this subsection, in which case the person's driving privileges shall be suspended for 5 years;
31. Has refused to submit to a test as required by Section 11-501.6 or has submitted to a test resulting in an alcohol concentration of 0.08 or more or any amount of a drug, substance, or compound resulting from the unlawful use or consumption of cannabis as listed in the Cannabis Control Act, a controlled substance as listed in the Illinois Controlled Substances Act, an intoxicating compound as listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act, in which case the penalty shall be as prescribed in Section 6-208.1;
32. Has been convicted of Section 24-1.2 of the Criminal Code of 1961 relating to the aggravated discharge of a firearm if the offender was located in a motor vehicle at the time the firearm was discharged, in which case the suspension shall be for 3 years;
33. Has as a driver, who was less than 21 years of age on the date of the offense, been convicted a first time of a violation of paragraph (a) of Section 11-502 of this Code or a similar provision of a local ordinance;
34. Has committed a violation of Section 11-1301.5 of this Code;
35. Has committed a violation of Section 11-1301.6 of this Code;
36. Is under the age of 21 years at the time of arrest and has been convicted of not less than 2 offenses against traffic regulations governing the movement of vehicles committed within any 24 month period. No revocation or suspension shall be entered more than 6 months after the date of last conviction;
37. Has committed a violation of subsection (c) of Section 11-907 of this Code that resulted in damage to the property of another or the death or injury of another;
38. Has been convicted of a violation of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance;
39. Has committed a second or subsequent violation of Section 11-1201 of this Code;
40. Has committed a violation of subsection (a-1) of Section 11-908 of this Code;

41. Has committed a second or subsequent violation of Section 11-605.1 of this Code within 2 years of the date of the previous violation, in which case the suspension shall be for 90 days;
42. Has committed a violation of subsection (a-1) of Section 11-1301.3 of this Code;
43. Has received a disposition of court supervision for a violation of subsection (a), (d), or (e) of Section 6-20 of the Liquor Control Act of 1934 or a similar provision of a local ordinance, in which case the suspension shall be for a period of 3 months;
44. Is under the age of 21 years at the time of arrest and has been convicted of an offense against traffic regulations governing the movement of vehicles after having previously had his or her driving privileges suspended or revoked pursuant to subparagraph 36 of this Section; ~~or~~
45. Has, in connection with or during the course of a formal hearing conducted under Section 2-118 of this Code: (i) committed perjury; (ii) submitted fraudulent or falsified documents; (iii) submitted documents that have been materially altered; or (iv) submitted, as his or her own, documents that were in fact prepared or composed for another person; -
46. Has been found guilty of, received a disposition of court supervision for, or received a disposition pursuant to the provisions of the Juvenile Court Act of 1987 for a violation of the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act, in which case the person's driving privileges shall be suspended for 6 months. This paragraph shall not apply if the person has committed a violation described in paragraph 28 of this subsection; or
47. Has been found guilty of, received a disposition of court supervision for, or received a disposition pursuant to the provisions of the Juvenile Court Act of 1987 for a second or subsequent violation of the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act in a period of 5 years, in which case the person's driving privileges shall be suspended for one year. This paragraph shall not apply if the person has committed a violation described in paragraph 28 of this subsection.

For purposes of paragraphs 5, 9, 10, 12, 14, 19, 25, 26, and 27 of this subsection, license means any driver's license, any traffic ticket issued when the person's driver's license is deposited in lieu of bail, a suspension notice issued by the Secretary of State, a duplicate or corrected driver's license, a probationary driver's license or a temporary driver's license.

(b) If any conviction forming the basis of a suspension or revocation authorized under this Section is appealed, the Secretary of State may rescind or withhold the entry of the order of suspension or revocation, as the case may be, provided that a certified copy of a stay order of a court is filed with the Secretary of State. If the conviction is affirmed on appeal, the date of the conviction shall relate back to the time the original judgment of conviction was entered and the 6 month limitation prescribed shall not apply.

(c) 1. Upon suspending or revoking the driver's license or permit of any person as authorized in this Section, the Secretary of State shall immediately notify the person in writing of the revocation or suspension. The notice to be deposited in the United States mail, postage prepaid, to the last known address of the person.

2. If the Secretary of State suspends the driver's license of a person under subsection 2 of paragraph (a) of this Section, a person's privilege to operate a vehicle as an occupation shall not be suspended, provided an affidavit is properly completed, the appropriate fee received, and a permit issued prior to the effective date of the suspension, unless 5 offenses were committed, at least 2 of which occurred while operating a commercial vehicle in connection with the driver's regular occupation. All other driving privileges shall be suspended by the Secretary of State. Any driver prior to operating a vehicle for occupational purposes only must submit the affidavit on forms to be provided by the Secretary of State setting forth the facts of the person's occupation. The affidavit shall also state the number of offenses committed while operating a vehicle in connection with the driver's regular occupation. The affidavit shall be accompanied by the driver's license. Upon receipt of a properly completed affidavit, the Secretary of State shall issue the driver a permit to operate a vehicle in connection with the driver's regular occupation only. Unless the permit is issued by the Secretary of State prior to the date of suspension, the privilege to drive any motor vehicle shall be suspended as set forth in the notice that was mailed under this Section. If an affidavit is received subsequent to the effective date of this suspension, a permit may be issued for the remainder of the suspension period.

The provisions of this subparagraph shall not apply to any driver required to possess a CDL for the purpose of operating a commercial motor vehicle.

Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 and upon conviction thereof shall have all driving privileges revoked without further rights.

3. At the conclusion of a hearing under Section 2-118 of this Code, the Secretary of State shall either rescind or continue an order of revocation or shall substitute an order of suspension; or, good cause appearing therefor, rescind, continue, change, or extend the order of suspension. If the Secretary of State does not rescind the order, the Secretary may upon application, to relieve undue hardship (as defined by the rules of the Secretary of State), issue a restricted driving permit granting the privilege of driving a motor vehicle between the petitioner's residence and petitioner's place of employment or within the scope of the petitioner's employment related duties, or to allow the petitioner to transport himself or herself, or a family member of the petitioner's household to a medical facility, to receive necessary medical care, to allow the petitioner to transport himself or herself to and from alcohol or drug remedial or rehabilitative activity recommended by a licensed service provider, or to allow the petitioner to transport himself or herself or a family member of the petitioner's household to classes, as a student, at an accredited educational institution, or to allow the petitioner to transport children living in the petitioner's household to and from daycare. The petitioner must demonstrate that no alternative means of transportation is reasonably available and that the petitioner will not endanger the public safety or welfare. Those multiple offenders identified in subdivision (b)4 of Section 6-208 of this Code, however, shall not be eligible for the issuance of a restricted driving permit.

(A) If a person's license or permit is revoked or suspended due to 2 or more convictions of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense, or a combination of these offenses, arising out of separate occurrences, that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(B) If a person's license or permit is revoked or suspended 2 or more times within a 10 year period due to any combination of:

(i) a single conviction of violating Section 11-501 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961, where the use of alcohol or other drugs is recited as an element of the offense, or a similar out-of-state offense; or

(ii) a statutory summary suspension under Section 11-501.1; or

(iii) a suspension under Section 6-203.1;

arising out of separate occurrences; that person, if issued a restricted driving permit, may not operate a vehicle unless it has been equipped with an ignition interlock device as defined in Section 1-129.1.

(C) The person issued a permit conditioned upon the use of an ignition interlock device must pay to the Secretary of State DUI Administration Fund an amount not to exceed \$30 per month. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(D) If the restricted driving permit is issued for employment purposes, then the prohibition against operating a motor vehicle that is not equipped with an ignition interlock device does not apply to the operation of an occupational vehicle owned or leased by that person's employer when used solely for employment purposes.

(E) In each case the Secretary may issue a restricted driving permit for a period deemed appropriate, except that all permits shall expire within one year from the date of issuance. The Secretary may not, however, issue a restricted driving permit to any person whose current revocation is the result of a second or subsequent conviction for a violation of Section 11-501 of this Code or a similar provision of a local ordinance or any similar out-of-state offense, or Section 9-3 of the Criminal Code of 1961, where the use of alcohol or other drugs is recited as an element of the offense, or any similar out-of-state offense, or any combination of those offenses, until the expiration of at least one year from the date of the revocation. A restricted driving permit issued under this Section shall be subject to cancellation, revocation, and suspension by the Secretary of State in like manner and for like cause as a driver's license issued under this Code may be cancelled, revoked, or suspended; except that a conviction upon one or more offenses against laws or ordinances regulating the movement of traffic shall be deemed sufficient cause for the revocation, suspension, or cancellation of a restricted driving permit. The Secretary of State may, as a condition to the issuance of a restricted driving permit, require the applicant to participate in a designated driver remedial or rehabilitative program. The Secretary of State is authorized to cancel a restricted driving permit if the permit holder does not

successfully complete the program.

(c-3) In the case of a suspension under paragraph 43 of subsection (a), reports received by the Secretary of State under this Section shall, except during the actual time the suspension is in effect, be privileged information and for use only by the courts, police officers, prosecuting authorities, the driver licensing administrator of any other state, the Secretary of State, or the parent or legal guardian of a driver under the age of 18. However, beginning January 1, 2008, if the person is a CDL holder, the suspension shall also be made available to the driver licensing administrator of any other state, the U.S. Department of Transportation, and the affected driver or motor carrier or prospective motor carrier upon request.

(c-4) In the case of a suspension under paragraph 43 of subsection (a), the Secretary of State shall notify the person by mail that his or her driving privileges and driver's license will be suspended one month after the date of the mailing of the notice.

(c-5) The Secretary of State may, as a condition of the reissuance of a driver's license or permit to an applicant whose driver's license or permit has been suspended before he or she reached the age of 21 years pursuant to any of the provisions of this Section, require the applicant to participate in a driver remedial education course and be retested under Section 6-109 of this Code.

(d) This Section is subject to the provisions of the Drivers License Compact.

(e) The Secretary of State shall not issue a restricted driving permit to a person under the age of 16 years whose driving privileges have been suspended or revoked under any provisions of this Code.

(f) In accordance with 49 C.F.R. 384, the Secretary of State may not issue a restricted driving permit for the operation of a commercial motor vehicle to a person holding a CDL whose driving privileges have been suspended, revoked, cancelled, or disqualified under any provisions of this Code.

(Source: P.A. 95-166, eff. 1-1-08; 95-310, eff. 1-1-08; 95-382, eff. 8-23-07; 95-400, eff. 1-1-09; 95-627, eff. 6-1-08; 95-848, eff. 1-1-09; 95-876, eff. 8-21-08; 95-894, eff. 1-1-09; 96-328, eff. 8-11-09; 96-607, eff. 8-24-09.)

Section 99. Effective date. This Act takes effect July 1, 2011."

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 5727, 5728 and 5755.

HOUSE BILL 5764. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5764 as follows:  
on page 1, line 1, by replacing "An ACT concerning regulation." with "An ACT concerning regulation, which may be referred to as Seth's 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 5766. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5766 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health



insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, ~~and 356z.13, and 356z.14, 356z.15 and 356z.14, and 356z.17 356z.15 , and 356z.19~~ of the Illinois Insurance Code. The program of health benefits must comply with Section 155.37 of the Illinois Insurance Code.

Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General Assembly~~, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; 95-1044, eff. 3-26-09; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; 96-639, eff. 1-1-10; revised 10-22-09.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, ~~and 356z.13, and 356z.14, and 356z.15 356z.14 , and 356z.19~~ of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General Assembly~~, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; revised 10-22-09.)

Section 15. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:

(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, ~~and 356z.13, and 356z.14, and 356z.15 356z.14 , and 356z.19~~ of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General Assembly~~, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; revised 10-23-09.)

Section 20. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, ~~and 356z.14, and 356z.15 356z.14 , and 356z.19~~ of the Illinois Insurance Code.

Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General~~

Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, 12-12-08; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-139, eff. 1-1-10; 96-328, eff. 8-11-09; revised 10-23-09.)

Section 25. The Illinois Insurance Code is amended by adding Section 356z.19 as follows:

(215 ILCS 5/356z.19 new)

Sec. 356z.19. Tobacco use cessation programs.

(a) This Section may be referred to as the Tobacco Dependence Coverage Law.

(b) Tobacco use is the number one cause of preventable disease and death in Illinois, costing \$4.1 billion annually in direct health care costs and an additional \$4.35 billion in lost productivity. In Illinois, the smoking rates are highest among African Americans (25.8%). Smoking rates among lesbian, gay, and bisexual adults range from 25% to 44%. The U.S. Public Health Service Clinical Practice Guideline 2008 Update found that tobacco dependence treatments are both clinically effective and highly cost effective. A study in the Journal of Preventive Medicine concluded that comprehensive smoking cessation treatment is one of the 3 most important and cost effective preventive services that can be provided in medical practice. Greater efforts are needed to achieve more of this potential value by increasing current low levels of performance.

(c) In this Section, "tobacco use cessation program" means a program recommended by a physician that follows evidence-based treatment, such as is outlined in the United States Public Health Service guidelines for tobacco use cessation. "Tobacco use cessation program" includes education and medical treatment components designed to assist a person in ceasing the use of tobacco products. "Tobacco use cessation program" includes education and counseling by physicians or associated medical personnel and all FDA approved medications for the treatment of tobacco dependence irrespective of whether they are available only over the counter, only by prescription, or both over the counter and by prescription.

(d) A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 96th General Assembly to a resident of this State must provide coverage or reimbursement of up to \$500 annually for a tobacco use cessation program for a person enrolled in the plan who is 18 years of age or older.

(e) Written notice of the availability of coverage under this Section shall be delivered to the insured upon enrollment and annually thereafter. An insurer may not deny to an insured eligibility or continued eligibility to enroll or to renew coverage under the terms of the plan solely for the purpose of avoiding the requirements of this Section. An insurer may not penalize or reduce or limit the reimbursement of an attending provider or provide incentives, monetary or otherwise, to an attending provider to induce the provider to provide care to an insured in a manner inconsistent with this Section.

Section 30. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

(Text of Section before amendment by P.A. 96-833)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 137, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 355.2, 356g.5-1, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, ~~356z.15~~ ~~356z.14~~, ~~356z.17~~ ~~356z.15~~, 356z.19, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(g) Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General~~

Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-328, eff. 8-11-09; 96-639, eff. 1-1-10; revised 10-23-09.)

(Text of Section after amendment by P.A. 96-833)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 137, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 355.2, 356g.5-1, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of

the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(g) Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-328, eff. 8-11-09; 96-639, eff. 1-1-10; 96-833, eff. 6-1-10.)

Section 35. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

(215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 137, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 355.2, 356v, 356z.10, ~~356z.19~~, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code. For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

(1) a corporation under the laws of this State; or

(2) a corporation organized under the laws of another state, 30% of more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a domestic company under Article VIII 1/2 of the Illinois Insurance Code.

(Source: P.A. 95-520, eff. 8-28-07; 95-876, eff. 8-21-08.)

Section 40. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

(215 ILCS 165/10) (from Ch. 32, par. 604)

(Text of Section before amendment by P.A. 96-833)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 140, 143, 143c, 149, 155.37, 354, 355.2, 356g, 356g.5, 356g.5-1, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, ~~356z.15~~ ~~356z.14~~, ~~356z.19~~, 364.01, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General~~

Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-189, eff. 8-16-07; 95-331, eff. 8-21-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-328, eff. 8-11-09; revised 9-25-09.)

(Text of Section after amendment by P.A. 96-833)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 140, 143, 143c, 149, 155.37, 354, 355.2, 356g, 356g.5, 356g.5-1, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 364.01, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-189, eff. 8-16-07; 95-331, eff. 8-21-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09; 95-978, eff. 1-1-09; 95-1005, eff. 12-12-08; 95-1045, eff. 3-27-09; 95-1049, eff. 1-1-10; 96-328, eff. 8-11-09; 96-833, eff. 6-1-10.)

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

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 bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 5772.

HOUSE BILL 5783. 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 5783 on page 1, line 7, after "1-11," by inserting "3-8,"; and

on page 10, immediately below line 11, by inserting the following:

"(225 ILCS 410/3-8) (from Ch. 111, par. 1703-8)

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

Sec. 3-8. Cosmetologists, cosmetology teachers, and cosmetology clinic teachers registered or licensed elsewhere.

(a) Except as otherwise provided in this Act, upon payment of the required fee, an applicant who is a cosmetologist, cosmetology teacher, or cosmetology clinic teacher registered or licensed under the laws of another state or territory of the United States or of a foreign country or province may, without examination, be granted a license as a licensed cosmetologist, cosmetology teacher, or cosmetology clinic teacher by the Department in its discretion upon the following conditions:

(1) ~~(a)~~ The cosmetologist applicant is at least 16 years of age and the cosmetology teacher or cosmetology clinic teacher applicant is at least 18 years of age; and

(2) ~~(b)~~ The requirements for the registration or licensing of cosmetologists, cosmetology teachers, or cosmetology clinic teachers in the particular ~~state, territory,~~ country, or province were, at the date of the license, substantially equivalent to the requirements then in force for cosmetologists, cosmetology teachers, or cosmetology clinic teachers in this State; or the applicant has established proof of legal practice as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher in another jurisdiction for at least 3 years; and

(3) ~~(e)~~ The applicant has ~~Has~~ met any other requirements of this Act.

The Department shall prescribe reasonable rules governing the recognition of and the credit to be given to the study of cosmetology under a cosmetologist registered or licensed under the laws of ~~another state or territory of the United States~~ or a foreign country or province by an applicant for a license as a cosmetologist, and for the recognition of legal practice in another jurisdiction towards the education required under this Act.

(b) Except as otherwise provided in this Act, upon payment of the required fee, an applicant who is a cosmetologist, cosmetology teacher, or cosmetology clinic teacher registered or licensed under the laws of another state or territory of the United States shall, without examination, be granted a license as a licensed cosmetologist, cosmetology teacher, or cosmetology clinic teacher, whichever is applicable, by the Department upon the following conditions:

(1) The cosmetologist applicant is at least 16 years of age and the cosmetology teacher or cosmetology clinic teacher applicant is at least 18 years of age; and

(2) The applicant submits to the Department satisfactory evidence that the applicant is registered or licensed in another state or territory as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher; and

(3) The applicant has met any other requirements of this Act.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)".

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 5790 and 5791.

HOUSE BILL 5832. 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 5832 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Section 24-1.6 as follows:

(720 ILCS 5/24-1.6)

Sec. 24-1.6. Aggravated unlawful use of a weapon.

(a) A person commits the offense of aggravated unlawful use of a weapon when he or she knowingly:

(1) Carries on or about his or her person or in any vehicle or concealed on or about his or her person except when on his or her land or in his or her abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission, any pistol, revolver, stun gun or taser or other firearm; or

(2) Carries or possesses on or about his or her person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his or her own land or in his or her own abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission, any pistol, revolver, stun gun or taser or other firearm; and

(3) One of the following factors is present:

(A) the firearm possessed was uncased, loaded and immediately accessible at the time of the offense; or

(B) the firearm possessed was uncased, unloaded and the ammunition for the weapon was immediately accessible at the time of the offense; or

(C) the person possessing the firearm has not been issued a currently valid Firearm Owner's Identification Card; or

(D) the person possessing the weapon was previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a felony; or

(E) the person possessing the weapon was engaged in a misdemeanor violation of the

Cannabis Control Act, in a misdemeanor violation of the Illinois Controlled Substances Act, or in a misdemeanor violation of the Methamphetamine Control and Community Protection Act; or

(F) (blank); or

(G) the person possessing the weapon had a order of protection issued against him or her within the previous 2 years; or

(H) the person possessing the weapon was engaged in the commission or attempted commission of a misdemeanor involving the use or threat of violence against the person or property of another; or

(I) the person possessing the weapon was under 21 years of age and in possession of a handgun as defined in Section 24-3, unless the person under 21 is engaged in lawful activities under the Wildlife Code or described in subsection 24-2(b)(1), (b)(3), or 24-2(f).

(b) "Stun gun or taser" as used in this Section has the same definition given to it in Section 24-1 of this Code.

(c) This Section does not apply to or affect the transportation or possession of weapons that:

(i) are broken down in a non-functioning state; or

(ii) are not immediately accessible; or

(iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card.

(d) Sentence.

(1) Aggravated unlawful use of a weapon is a Class 4 felony; a second or subsequent offense is a Class 2 felony for which the person shall be sentenced to a term of imprisonment of not less than 3 years and not more than 7 years.

(2) Except as otherwise provided in paragraphs (3) and (4) of this subsection (d), a first offense of aggravated unlawful use of a weapon committed with a firearm by a person 18 years of age or older where the factors listed in both items (A) and (C) of paragraph (3) of subsection (a) are present is a Class 4 felony, for which the person shall be sentenced to a term of imprisonment of not less than one year and not more than 3 years.

(3) Aggravated unlawful use of a weapon by a person who has been previously convicted of a felony in this State or another jurisdiction is a Class 2 felony for which the person shall be sentenced to a term of imprisonment of not less than 3 years and not more than 7 years.

(4) Aggravated unlawful use of a weapon while wearing or in possession of body armor as defined in Section 33F-1 by a person who has not been issued a valid Firearms Owner's Identification Card in accordance with Section 5 of the Firearm Owners Identification Card Act is a Class X felony.

(e) The possession of each firearm in violation of this Section constitutes a single and separate violation.

(Source: P.A. 95-331, eff. 8-21-07; 96-742, eff. 8-25-09; 96-829, eff. 12-3-09.)"

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 5838. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5838 by replacing everything after the enacting clause with the following:

"Section 5. The Physical Fitness Facility Medical Emergency Preparedness Act is amended by changing Section 50 as follows:

(210 ILCS 74/50)

Sec. 50. Compliance dates; private and public physical fitness facilities.

(a) Privately owned indoor physical fitness facilities. Every privately owned or operated indoor physical fitness facility must be in compliance with this Act on or before July 1, 2006.

(a-5) Privately owned outdoor physical fitness facilities. Every privately owned or operated outdoor physical fitness facility must be in compliance with this Act on or before July 1, 2009.

(b) Publicly owned indoor physical fitness facilities. A public entity owning or operating 4 or fewer indoor physical fitness facilities must have at least one such facility in compliance with this Act on or before July 1, 2006; its second facility in compliance by July 1, 2007; its third facility in compliance by



July 1, 2008; and its fourth facility in compliance by July 1, 2009.

A public entity owning or operating more than 4 indoor physical fitness facilities must have 25% of those facilities in compliance by July 1, 2006; 50% of those facilities in compliance by July 1, 2007; 75% of those facilities in compliance by July 1, 2008; and 100% of those facilities in compliance by July 1, 2009.

(b-5) Publicly owned outdoor physical fitness facilities. A public entity owning or operating 4 or fewer outdoor physical fitness facilities must have at least one such facility in compliance with this Act on or before July 1, 2009; its second facility in compliance by July 1, 2010; its third facility in compliance by July 1, 2011; and its fourth facility in compliance by July 1, 2012.

(b-10) A public entity owning or operating more than 4 outdoor physical fitness facilities must have 10% of those facilities in compliance by July 1, 2012; 20% of those facilities in compliance by July 1, 2013; 30% of those facilities in compliance by July 1, 2014; 40% of those facilities in compliance by July 1, 2015; 50% of those facilities in compliance by July 1, 2016; 60% of those facilities in compliance by July 1, 2017; 70% of those facilities in compliance by July 1, 2018; 80% of those facilities in compliance by July 1, 2019; and 90% of those facilities in compliance by July 1, 2020; and 100% of those facilities in compliance by July 1, 2021. A public entity owning or operating more than 4 outdoor physical fitness facilities must have 25% of those facilities in compliance by July 1, 2009; 50% of those facilities in compliance by July 1, 2010; 75% of those facilities in compliance by July 1, 2011; and 100% of those facilities in compliance by July 1, 2012.

(Source: P.A. 95-712, eff. 1-1-09)."

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 5842, 5846 and 5849.

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 5853, 5854 and 5871.

HOUSE BILL 5873. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5873 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 3-143 and 4-134 as follows:

(40 ILCS 5/3-143) (from Ch. 108 1/2, par. 3-143)

Sec. 3-143. Report by pension board.

(a) The pension board shall report annually to the city council or board of trustees of the municipality on the condition of the pension fund at the end of its most recently completed fiscal year. The report shall be made prior to the council or board meeting held for the levying of taxes for the year for which the report is made.

The pension board shall certify and provide the following information to the city council or board of trustees of the municipality:

- (1) the total assets of the fund in its custody at the end of the fiscal year and the current market value of those assets;
- (2) the estimated receipts during the next succeeding fiscal year from deductions from the salaries of police officers, and from all other sources;
- (3) the estimated amount required during the next succeeding fiscal year to (a) pay all pensions and other obligations provided in this Article, and (b) to meet the annual requirements of the fund as provided in Sections 3-125 and 3-127;
- (4) the total net income received from investment of assets along with the assumed investment return and actual investment return received by the fund during its most recently completed

fiscal year compared to the total net income, assumed investment return, and actual investment return received during the preceding fiscal year;

(5) the total number of active employees who are financially contributing to the fund;

(6) the total amount that was disbursed in benefits during the fiscal year, including the number of and total amount disbursed to (i) annuitants in receipt of a regular retirement pension, (ii) recipients being paid a disability pension, and (iii) survivors and children in receipt of benefits;

(7) the funded ratio of the fund;

(8) the unfunded liability carried by the fund, along with an actuarial explanation of the unfunded liability; and

(9) the investment policy of the pension board under the statutory investment restrictions imposed on the fund.

Before the pension board makes its report, the municipality shall have the assets of the fund and their current market value verified by an independent certified public accountant of its choice.

(b) The municipality is authorized to publish the report submitted under this Section. This publication may be made, without limitation, by publication in a local newspaper of general circulation in the municipality or by publication on the municipality's Internet website. If the municipality publishes the report, then that publication must include all of the information submitted by the pension board under subsection (a).

(c) Upon issuing the report to the municipality, the pension board shall also provide the report to the Department of Insurance. The Department shall compile these reports on an annual basis into a comprehensive report and shall make this report available to the General Assembly and the Governor before January 1, 2011 and before January 1 of each subsequent year.

(Source: P.A. 95-950, eff. 8-29-08.)

(40 ILCS 5/4-134) (from Ch. 108 1/2, par. 4-134)

Sec. 4-134. Report for tax levy.

(a) The board shall report to the city council or board of trustees of the municipality on the condition of the pension fund at the end of its most recently completed fiscal year. The report shall be made prior to the council or board meeting held for appropriating and levying taxes for the year for which the report is made.

The pension board in the report shall certify and provide the following information to the city council or board of trustees of the municipality:

(1) the total assets of the fund and their current market value of those assets;

(2) the estimated receipts during the next succeeding fiscal year from deductions from the salaries or wages of firefighters, and from all other sources;

(3) the estimated amount necessary during the fiscal year to meet the annual actuarial requirements of the pension fund as provided in Sections 4-118 and 4-120;

(4) the total net income received from investment of assets along with the assumed investment return and actual investment return received by the fund during its most recently completed fiscal year compared to the total net income, assumed investment return, and actual investment return received during the preceding fiscal year;

(5) the increase in employer pension contributions that results from the implementation of the provisions of this amendatory Act of the 93rd General Assembly;

(6) the total number of active employees who are financially contributing to the fund;

(7) the total amount that was disbursed in benefits during the fiscal year, including the number of and total amount disbursed to (i) annuitants in receipt of a regular retirement pension, (ii) recipients being paid a disability pension, and (iii) survivors and children in receipt of benefits;

(8) the funded ratio of the fund;

(9) the unfunded liability carried by the fund, along with an actuarial explanation of the unfunded liability; and

(10) the investment policy of the pension board under the statutory investment restrictions imposed on the fund.

Before the pension board makes its report, the municipality shall have the assets of the fund and their current market value verified by an independent certified public accountant of its choice.

(b) The municipality is authorized to publish the report submitted under this Section. This publication may be made, without limitation, by publication in a local newspaper of general circulation in the municipality or by publication on the municipality's Internet website. If the municipality publishes the report, then that publication must include all of the information submitted by the pension board under subsection (a).

(c) Upon issuing the report to the municipality, the pension board shall also provide the report to the Department of Insurance. The Department shall compile these reports on an annual basis into a comprehensive report and shall make this report available to the General Assembly and the Governor before January 1, 2011 and before January 1 of each subsequent year.

(Source: P.A. 95-950, eff. 8-29-08.)

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 5890. 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 5890 on page 4, by replacing line 14 with the following: "for use; (6) prescriber's name, address    and signature;    and"; and on page 4, line 15, by replacing "   and" with "  "; and on page 4, by replacing lines 16 through 18 with the following: "The prescription may, but is not required to, list the illness, disease, or condition for which the drug or device is being prescribed. DEA numbers shall"; and on page 16, line 2, by replacing "," with "  "; and on page 16, by replacing line 3 with the following: "use; (6) prescriber's name, address    and signature;   ; and (7) DEA"; and on page 16, line 4, after "substances.", by inserting the following: "The prescription may, but is not required to, list the illness, disease, or condition for which the drug or device is being prescribed."; and on page 16, line 5, by replacing "   and (8), at the" with "."; and on page 16, by deleting lines 6 through 8.

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 5895. 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 5895 by replacing everything after the enacting clause with the following:

"Section 5. The Recreational Use of Land and Water Areas Act is amended by changing Section 1 as follows:

(745 ILCS 65/1) (from Ch. 70, par. 31)

Sec. 1. This Act shall be known and ~~and~~ may be cited as the "Recreational Use of Land and Water Areas Act".

The purpose of this Act is to encourage owners of land to make land and water areas available to any individual or members of the public for recreational or conservation purposes by limiting their liability toward persons entering thereon for such purposes.

(Source: P.A. 94-625, eff. 8-18-05.)"

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 5901.

HOUSE BILL 5907. 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 5907 by replacing everything after the enacting clause with the following:

"Section 5. The Electronic Products Recycling and Reuse Act is amended by changing Sections 10, 30, 40, 50, 55, and 65 as follows:

(415 ILCS 150/10)

Sec. 10. Definitions. As used in this Act:

"Agency" means the Environmental Protection Agency.

"Cathode-ray tube" means a vacuum tube or picture tube used to convert an electronic signal into a visual image, such as a television or computer monitor.

"Collector" means a person who receives covered electronic devices or eligible electronic devices directly from a residence for recycling or processing for reuse. "Collector" includes, but is not limited to, manufacturers, recyclers, and refurbishers who receive CEDs or EEDs directly from the public.

"Computer", often referred to as a "personal computer" or "PC", means a desktop or notebook computer as further defined below and used only in a residence, but does not mean an automated typewriter, electronic printer, mobile telephone, portable hand-held calculator, portable digital assistant (PDA), MP3 player, or other similar device. "Computer" does not include computer peripherals, commonly known as cables, mouse, or keyboard. "Computer" is further defined as either:

(1) "Desktop computer", which means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a desktop computer is achieved through a stand-alone keyboard, stand-alone monitor, or other display unit, and a stand-alone mouse or other pointing device, and is designed for a single user. A desktop computer has a main unit that is intended to be persistently located in a single location, often on a desk or on the floor. A desktop computer is not designed for portability and generally utilizes an external monitor, keyboard, and mouse with an external or internal power supply for a power source. Desktop computer does not include an automated typewriter or typesetter; or

(2) "Notebook computer", which means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a notebook computer is achieved through a keyboard, video display greater than 4 inches in size, and mouse or other pointing device, all of which are contained within the construction of the unit that comprises the notebook computer; supplemental stand-alone interface devices typically can also be attached to the notebook computer. Notebook computers can use external, internal, or batteries for a power source. Notebook computer does not include a portable hand-held calculator, or a portable digital assistant or similar specialized device. A notebook computer has an incorporated video display greater than 4 inches in size and can be carried as one unit by an individual. A notebook computer is sometimes referred to as a laptop computer.

"Computer monitor" means an electronic device that is a cathode-ray tube or flat panel display primarily intended to display information from a computer and is used only in a residence.

"Covered electronic device" or "CED" means any computer, computer monitor, television, or printer that is taken out of service from a residence in this State regardless of purchase location. "Covered electronic device" does not include any of the following:

(1) an electronic device that is a part of a motor vehicle or any component part of a motor vehicle assembled by or for a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;

(2) an electronic device that is functionally or physically part of a larger piece of equipment or that is taken out of service from an industrial, commercial (including retail), library checkout, traffic control, kiosk, security (other than household security), governmental, agricultural, or

medical setting, including but not limited to diagnostic, monitoring, or control equipment; or

(3) an electronic device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, water pump, sump pump, or air purifier.

To the extent allowed under federal and State laws and regulations, a CED that is being collected, recycled, or processed for reuse is not considered to be hazardous waste, household waste, solid waste, or special waste.

"Developmentally disabled" means having a severe disability, as defined by the Office of Rehabilitation Services of the Illinois Department of Human Services, that can be expected to result in death or that has lasted, or is expected to last, at least 12 months and that prevents working at a "substantial gainful activity" level.

"Dismantling" means the demanufacturing and shredding of a CED.

"Eligible electronic device" or "EED" means any of the following electronic products taken out of service from a residence in this State regardless of purchase location: mobile telephone; computer cable, mouse, or keyboard; stand-alone facsimile machine; MP3 player; portable digital assistant (PDA); video game console, video cassette recorder/player, digital video disk player, or similar video device; zip drive; or scanner. To the extent allowed under federal and state laws and regulations, an EED that is being collected, recycled, or processed for reuse is not considered to be hazardous waste, household waste, solid waste, or special waste.

"Low income children and families" mean those children and families that are subject to the most recent version of the United States Department of Health and Human Services Federal Poverty Guidelines.

"Manufacturer" means a person, or a successor in interest to a person, under whose brand or label a CED is or was sold at retail. For CEDs sold at retail under a brand or label that is licensed from a person who is a mere brand owner and who does not sell or produce the CED, the person who produced the CED or his or her successor in interest is the manufacturer. For CEDs sold that were at retail under the brand or label of both the retail seller and the person that produced the CED, the person that produced the CED, or his or her successor in interest, is the manufacturer. A retail seller of CEDs may elect to be the manufacturer of one or more CEDs if the retail seller provides written notice to the Agency that it is accepting responsibility as the manufacturer of the CED under this Act and identifies the CEDs for which it is electing to be the manufacturer.

"Municipal joint action agency" means a municipal joint action agency created under Section 3.2 of the Intergovernmental Cooperation Act.

"Orphan CEDs" means those CEDs that are returned for recycling, or processing for reuse, whose manufacturer cannot be identified, or whose manufacturer is no longer conducting business and has no successor in interest.

"Person" means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, State agency, or any other legal entity, or a legal representative, agent, or assign of that entity.

"Printer" means desktop printers, multifunction printer copiers, and printer/fax combinations taken out of service from a residence that are designed to reside on a work surface, and include various print technologies, including without limitation laser and LED (electrographic), ink jet, dot matrix, thermal, and digital sublimation, and "multi-function" or "all-in-one" devices that perform different tasks, including without limitation copying, scanning, faxing, and printing. Printers do not include floor-standing printers, printers with optional floor stand, point of sale (POS) receipt printers, household printers such as a calculator with printing capabilities or label makers, or non-stand-alone printers that are embedded into products that are not CEDs.

"Processing for reuse" means any method, technique, or process by which CEDs or EEDs that would otherwise be disposed of or discarded are instead separated, processed, and returned to their original intended purposes or to other useful purposes as electronic devices.

"Program Year" means a calendar year. The first program year is 2010.

"Recycler" means a person who engages in the recycling of CEDs or EEDs, but does not include telecommunications carriers, telecommunications manufacturers, or commercial mobile service providers with an existing recycling program.

"Recycling" means any method, technique, or process by which CEDs or EEDs that would otherwise be disposed of or discarded are instead collected, separated, or processed and are returned to the economic mainstream in the form of raw materials or products. "Recycling" includes the collection, transportation, dismantling, and shredding of the CEDs or EEDs.

"Refurbisher" means any person who processes CEDs or EEDs for reuse, but does not include telecommunications carriers, telecommunications manufacturers, or commercial mobile service providers with an existing recycling program.

"Residence" means a dwelling place or home in which one or more individuals live.

"Retailer" means a person who sells, rents, or leases, through sales outlets, catalogues, or the Internet, computers, computer monitors, or televisions at retail to individuals in this State. For purposes of this Act, sales to individuals at retail are considered to be sales for residential use. "Retailer" includes, but is not limited to, manufacturers who sell computers, computer monitors, printers, or televisions at retail directly to individuals in this State.

"Sale" means any retail transfer of title for consideration of title including, but not limited to, transactions conducted through sales outlets, catalogs, or the Internet or any other similar electronic means but does not mean financing or leasing.

"Television" means an electronic device (i) containing a cathode-ray tube or flat panel screen the size of which is greater than 4 inches when measured diagonally, (ii) that is intended to receive video programming via broadcast, cable, or satellite transmission or to receive video from surveillance or other similar cameras, and (iii) that is used only in a residence.

(Source: P.A. 95-959, eff. 9-17-08.)

(415 ILCS 150/30)

Sec. 30. Manufacturer responsibilities.

(a) Prior to April 1, 2009 for the first program year, and by October 1 for program year 2011 and thereafter, manufacturers whose computers, computer monitors, printers, or televisions are sold in this State must register with the Agency. The registration must be submitted in the form and manner required by the Agency. The registration must include, without limitation, all of the following:

- (1) a list of all of the manufacturer's brands of computers, computer monitors, printers, or televisions to be offered for sale in the next program year;
- (2) for manufacturers of both televisions and computers, computer monitors, or printers, an identification of whether, for residential use, (i) televisions or (ii) computers, computer monitors, and printers, represent the larger number of units sold for the manufacturer; and
- (3) a statement disclosing whether:
  - (A) any computer, computer monitor, printer, or television sold in this State exceeds the maximum concentration values established for lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (PBBs), and polybrominated diphenyl ethers (PBDEEs) under the RoHS (restricting the use of certain hazardous substances in electrical and electronic equipment) Directive 2002/95/EC of the European Parliament and Council and any amendments thereto and, if so, an identification of that computer, computer monitor, printer, or television; or
  - (B) the manufacturer has received an exemption from one or more of those maximum concentration values under the RoHS Directive that has been approved and published by the European Commission.

If, during the program year, a manufacturer's computer, computer monitor, printer, or television is sold or offered for sale under a new brand that is not listed in the manufacturer's registration, then, within 30 days after the first sale or offer for sale under the new brand, the manufacturer must amend its registration to add the new brand.

(b) Prior to July 1, 2009 for the first program year, and by the November 1 preceding program years 2011 and later, all manufacturers whose computers, computer monitors, printers, or televisions are sold in the State shall submit to the Agency, at an address prescribed by the Agency, the registration fee for the next program year. The registration fee for program year 2010 is \$5,000.

For program years 2011 and later, the registration fee is increased each year by an inflation factor determined by the annual Implicit Price Deflator for Gross National Product, as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor must be calculated each year by dividing the latest published annual Implicit Price Deflator for Gross National Product by the annual Implicit Price Deflator for Gross National Product for the previous year. The inflation factor must be rounded to the nearest 1/100th, and the resulting registration fee must be rounded to the nearest whole dollar. No later than October 1 of each program year, the Agency shall post on its website the registration fee for the next program year.

(c) A manufacturer whose computers, computer monitors, printers, or televisions are first sold or offered for sale in this State on or after January 1 of a program year must register with the Agency in accordance with subsection (a) of this Section and submit the registration fee required under

subsection (b) of this Section prior to the manufacturer's computers, computer monitors, printers, or televisions being sold or offered for sale.

(d) Each manufacturer shall recycle or process for reuse CEDs and EEDs whose total weight equals or exceeds the manufacturer's individual recycling and reuse goal set forth in Section 19 of this Act. Individual consumers may not be charged an end-of-life fee when bringing their CEDs and EEDs to permanent or temporary collection locations, unless a financial incentive of equal or greater value, such as a coupon, is provided. Collectors may charge a fee for premium services such as curbside collection, home pick-up, or a similar method of collection.

When determining whether a manufacturer has met or exceeded its individual recycling and reuse goal set forth in Section 19 of this Act, all of the following adjustments must be made:

(1) The total weight of CEDs processed for reuse by the manufacturer, its recyclers, or its refurbishers is doubled.

(2) The total weight of CEDs is tripled if they are donated for reuse by the manufacturer to a primary or secondary public education institution or to a not-for-profit entity that is established under Section 501(c)(3) of the Internal Revenue Code of 1986 and whose principal mission is to assist low-income children or families or to assist the developmentally disabled in Illinois. This subsection applies only to CEDs for which the manufacturer has received a written confirmation that the recipient has accepted the donation. Copies of all written confirmations must be submitted in the annual report required under Section 30.

(3) The total weight of CEDs collected by manufacturers free of charge in underserved counties is doubled. This subsection applies only to CEDs that are documented by collectors as being collected or received free of charge in underserved counties. This documentation must include, without limitation, the date and location of collection or receipt, the weight of the CEDs collected or received, and an acknowledgement by the collector that the CEDs were collected or received free of charge. Copies of the documentation must be submitted in the annual report required under subsection (h), (i), (j), (k), or (l) of Section 30.

(e) Manufacturers of computers, computer monitors, or printers, either individually or collectively, shall hire an independent third-party auditor to perform statistically significant return share samples of CEDs received by recyclers and refurbishers for recycling or processing for reuse. Each third-party auditor shall perform a return share sample of CEDs for at least one 8-hour period, once a quarter during the program year at the facility of each registered recycler and refurbisher under contract with the manufacturer or group of manufacturers that has hired the auditor. The audit shall contain the following data:

(1) the number and weight of CEDs, sorted by brand name and product type, including a category for orphan CEDs;

(2) the total weight of the sample by product type;

(3) the date, location, and time of the sampling;

(4) the name or names of the manufacturer for whom the recycler is performing activities under this Act; and

(5) a certification by the third-party auditor that the sampling is statistically significant and, if not, an explanation as to what occurred to render the sampling insignificant.

The manufacturer shall notify the Agency 30 days prior to the third-party auditor's return share sampling by providing the Agency with the time and date on which the third-party auditor will perform the return share sample. The Agency may, at its discretion, be present at any sampling event and may audit the methodology and the results of the third-party auditor.

No less than 30 days after the close of each calendar quarter, the manufacturer shall submit to the Agency the results of the third-party samplings conducted during the quarter. The results shall be submitted in the form and manner required by the Agency.

(f) Manufacturers shall ensure that only recyclers and refurbishers that have registered with the Agency are used to meet the individual recycling and reuse goals set forth in this Act.

(g) Manufacturers shall ensure that the recyclers and refurbishers used to meet the individual recycling and reuse goals set forth in this Act shall, at a minimum, comply with the standards set forth under subsection (d) of Section 50 of this Act.

(h) By August 15, 2009, television manufacturers shall submit to the Agency, in the form and manner required by the Agency, a report that contains the total weight of televisions sold under each of the manufacturer's brands to individuals at retail in this State, as set forth in the reports to manufacturers by retailers under subsection (c) of Section 40.

(i) No later than September 1, 2010, television manufacturers must submit to the Agency, in the form and manner required by the Agency, a report for the period January 1, 2010 through June 30, 2010 that contains both of the following information:

(1) The total weight of televisions sold under each of the manufacturer's brands to individuals at retail in this State, from one of the following 2 sources, with the manufacturer indicating in the report which of the 2 data sources was used, and, if a national sales data report was used, the name of the national sales data source:

(A) the manufacturer's own sales reports; or

(B) national sales data reports obtained by the manufacturer and pro-rated to Illinois by multiplying the weight of the manufacturer's televisions sold nationally by the quotient that results from dividing the population of Illinois by the population of the United States. The population of Illinois and the United States shall be obtained using the most recent U.S. census data. ~~the total weight of televisions sold under each of the manufacturer's brands to individuals at retail in this State, as set forth in the reports submitted under subsection (d) of Section 40; and~~

(2) ~~The~~ the total weight of computers, the total weight of computer monitors, the total weight of printers, the total weight of televisions, and the total weight of EEDs recycled or processed for reuse.

(j) By August 15, 2010, computer, computer monitor, and printer manufacturers shall submit to the Agency, on forms and in a format prescribed by the Agency, a report for the period January 1, 2010 through June 30, 2010 that contains the total weight of computers, the total weight of computer monitors, the total weight of printers, the total weight of televisions, and the total weight of EEDs, recycled or processed for reuse.

(k) No later than April 1 of program years 2011 and thereafter, television manufacturers shall submit to the Agency, in the form and manner required by the Agency, a report that contains all of the following information for the previous program year:

(1) The total weight of televisions sold under each of the manufacturer's brands to individuals at retail in this State, from one of the following 2 sources, with the manufacturer indicating in the report which of the two data sources was used, and, if a national sales data report was used, the name of the national sales data source:

(a) the manufacturer's own sales reports; or

(b) national sales data reports obtained by the manufacturer and pro-rated to Illinois by multiplying the weight of the manufacturer's televisions sold nationally by the quotient that results from dividing the population of Illinois by the population of the United States. The population of Illinois and the United States shall be obtained using the most recent U.S. census data. ~~the total weight of televisions sold under each of the manufacturer's brands to individuals at retail in this State, as set forth in the reports submitted under subsection (e) of Section 40;~~

(2) ~~The~~ the total weight of computers, the total weight of computer monitors, the total weight of printers, the total weight of televisions, and the total weight of EEDs recycled or processed for reuse; ÷

(3) ~~The~~ the identification of all weights that are adjusted under subsection (d) of this Section. For all weights adjusted under item (2) of subsection (d), the manufacturer must include copies of the written confirmation required under that subsection; ÷

(4) A a list of each recycler, refurbisher, and collector used by the manufacturer to fulfill the manufacturer's individual recycling and reuse goal set forth in Section 19 of this Act; ÷

(5) A a summary of the manufacturer's consumer education program required under subsection (m) of this Section.

(l) No later than April 1 of program years 2011 and thereafter, computer, computer monitor, and printer manufacturers shall submit to the Agency, on forms and in a format prescribed by the Agency, a report that contains the following information for the previous program year:

(1) the total weight of computers, the total weight of computer monitors, the total weight of printers, the total weight of televisions, and the total weight of EEDs recycled or processed for reuse;

(2) the identification of all weights that are adjusted under subsection (d) of this Section. For all weights adjusted under item (2) of subsection (d), the manufacturer must include copies of the written confirmation required under that subsection;

(3) a list of each recycler, refurbisher, and collector used by the manufacturer to fulfill the manufacturer's individual recycling and reuse goal set forth in subsection (c) of Section 15 of this Act; and

(4) a summary of the manufacturer's consumer education program required under subsection



(m) of this Section.

(m) Manufacturers must develop and maintain a consumer education program that complements and corresponds to the primary retailer-driven campaign required under Section 40 of this Act. The education program shall promote the recycling of electronic products and proper end-of-life management of the products by consumers.

(n) Beginning January 1 2010, no manufacturer may sell a computer, computer monitor, printer, or television in this State unless the manufacturer is registered with the State as required under this Act, has paid the required registration fee, and is otherwise in compliance with the provisions of this Act.

(o) Beginning January 1, 2010, no manufacturer may sell a computer, computer monitor, printer, or television in this State unless the manufacturer's brand name is permanently affixed to, and is readily visible on, the computer, computer monitor, printer, or television.

(Source: P.A. 95-959, eff. 9-17-08.)

(415 ILCS 150/40)

Sec. 40. Retailer responsibilities.

(a) Retailers shall be a primary source of information about end-of-life options to residential consumers of computers, computer monitors, printers, and televisions. At the time of sale, the retailer shall provide each residential consumer with information from the Agency's website that provides information detailing where and how a consumer can recycle a CED or return a CED for reuse.

(b) Beginning January 1, 2010, no retailer may sell or offer for sale any computer, computer monitor, printer, or television in or for delivery into this State unless:

- (1) the computer, computer monitor, printer, or television is labeled with a brand and the label is permanently affixed and readily visible; and
- (2) the manufacturer is registered with the Agency and has paid the required registration fee as required under Section 20 of this Act.

This subsection (b) does not apply to any computer, computer monitor, printer, or television that was purchased prior to January 1, 2010.

(c) By July 1, 2009, retailers shall report to each television manufacturer, by model, the number of televisions sold at retail to individuals in this State under each of the manufacturer's brands during the 6-month period from October 1, 2008 through March 31, 2009.

(d) ~~(Blank) By August 1, 2010, retailers shall report to each television manufacturer, by model, the number of televisions sold at retail to individuals in this State under each of the manufacturer's brands between January 1, 2010 and June 30, 2010.~~

~~(e) (Blank) No later than February 15 of each program year, retailers shall report to each television manufacturer, by model, the number of televisions sold at retail to individuals in this State under each of the manufacturer's brands during the previous program year.~~

(Source: P.A. 95-959, eff. 9-17-08.)

(415 ILCS 150/50)

Sec. 50. Recycler and refurbisher registration.

(a) Prior to January 1 of each program year, each recycler and refurbisher must register with the Agency and submit a registration fee pursuant to subsection (b) for that program year. Registration must be on forms and in a format prescribed by the Agency and shall include, but not be limited to, the address of each location where the recycler or refurbisher manages CEDs or EEDs and identification of each location at which the recycler or refurbisher accepts CEDs or EEDs from a residence.

(b) The registration fee for program year 2010 is \$2,000. For program year years 2011 and thereafter, if a recycler's or refurbisher's annual combined total weight of CEDs and EEDs is less than 1,000 tons per year, the registration fee shall be \$500. For program year 2012 and for all subsequent program years, both registration fees shall be the registration fee is increased each year by an inflation factor determined by the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor must be calculated each year by dividing the latest published annual Implicit Price Deflator for Gross National Product by the annual Implicit Price Deflator for Gross National Product for the previous year. The inflation factor must be rounded to the nearest 1/100th, and the resulting registration fee must be rounded to the nearest whole dollar. No later than October 1 of each program year, the Agency shall post on its website the registration fee for the next program year.

(c) No person may act as a recycler or a refurbisher of CEDs for a manufacturer obligated to meet goals under this Act unless the recycler or refurbisher is registered and has paid the registration fee as required

under this Section.

(d) Recyclers and refurbishers must, at a minimum, comply with all of the following:

(1) Recyclers and refurbishers must comply with federal, State, and local laws and regulations, including federal and State minimum wage laws, specifically relevant to the handling, processing, refurbishing and recycling of residential CEDs and must have proper authorization by all appropriate governing authorities to perform the handling, processing, refurbishment, and recycling.

(2) Recyclers and refurbishers must implement the appropriate measures to safeguard occupational and environmental health and safety, through the following:

(A) environmental health and safety training of personnel, including training with regard to material and equipment handling, worker exposure, controlling releases, and safety and emergency procedures;

(B) an up-to-date, written plan for the identification and management of hazardous materials; and

(C) an up-to-date, written plan for reporting and responding to exceptional pollutant releases, including emergencies such as accidents, spills, fires, and explosions.

(3) Recyclers and refurbishers must maintain (i) commercial general liability insurance or the equivalent corporate guarantee for accidents and other emergencies with limits of not less than \$1,000,000 per occurrence and \$1,000,000 aggregate and (ii) pollution legal liability insurance with limits not less than \$1,000,000 per occurrence for companies engaged solely in the dismantling activities and \$5,000,000 per occurrence for companies engaged in recycling.

(4) Recyclers and refurbishers must maintain on file documentation that demonstrates the completion of an environmental health and safety audit completed and certified by a competent internal and external auditor annually. A competent auditor is an individual who, through professional training or work experience, is appropriately qualified to evaluate the environmental health and safety conditions, practices, and procedures of the facility. Documentation of auditors' qualifications must be available for inspection by Agency officials and third-party auditors.

(5) Recyclers and refurbishers must maintain on file proof of workers' compensation and employers' liability insurance.

(6) Recyclers and refurbishers must provide adequate assurance (such as bonds or corporate guarantee) to cover environmental and other costs of the closure of the recycler or refurbisher's facility, including cleanup of stockpiled equipment and materials.

(7) Recyclers and refurbishers must apply due diligence principles to the selection of facilities to which components and materials (such as plastics, metals, and circuit boards) from CEDs and EEDs are sent for reuse and recycling.

(8) Recyclers and refurbishers must establish a documented environmental management system that is appropriate in level of detail and documentation to the scale and function of the facility, including documented regular self-audits or inspections of the recycler or refurbisher's environmental compliance at the facility.

(9) Recyclers and refurbishers must use the appropriate equipment for the proper processing of incoming materials as well as controlling environmental releases to the environment. The dismantling operations and storage of CED and EED components that contain hazardous substances must be conducted indoors and over impervious floors. Storage areas must be adequate to hold all processed and unprocessed inventory. When heat is used to soften solder and when CED and EED components are shredded, operations must be designed to control indoor and outdoor hazardous air emissions.

(10) Recyclers and refurbishers must establish a system for identifying and properly managing components (such as circuit boards, batteries, CRTs, and mercury phosphor lamps) that are removed from CEDs and EEDs during disassembly. Recyclers and refurbishers must properly manage all hazardous and other components requiring special handling from CEDs and EEDs consistent with federal, State, and local laws and regulations. Recyclers and refurbishers must provide visible tracking (such as hazardous waste manifests or bills of lading) of hazardous components and materials from the facility to the destination facilities and documentation (such as contracts) stating how the destination facility processes the materials received. No recycler or refurbisher may send, either directly or through intermediaries, hazardous wastes to solid waste (non-hazardous waste) landfills or to non-hazardous waste incinerators for disposal or energy recovery. For the purpose of these guidelines, smelting of hazardous wastes to recover metals for reuse in conformance with all applicable laws and regulations is not considered disposal or energy recovery.

(11) Recyclers and refurbishers must use a regularly implemented and documented monitoring and record-keeping program that tracks inbound CED and EED material weights (total) and subsequent outbound weights (total to each destination), injury and illness rates, and compliance with applicable permit parameters including monitoring of effluents and emissions. Recyclers and refurbishers must maintain contracts or other documents, such as sales receipts, suitable to demonstrate: (i) the reasonable expectation that there is a downstream market or uses for designated electronics (which may include recycling or reclamation processes such as smelting to recover metals for reuse); and (ii) that any residuals from recycling or reclamation processes, or both, are properly handled and managed to maximize reuse and recycling of materials to the extent practical.

(12) Recyclers and refurbishers must comply with federal and international law and agreements regarding the export of used products or materials. In the case of exports of CEDs and EEDs, recyclers and refurbishers must comply with applicable requirements of the U.S. and of the import and transit countries and must maintain proper business records documenting its compliance. No recycler or refurbisher may establish or use intermediaries for the purpose of circumventing these U.S. import and transit country requirements.

(13) Recyclers and refurbishers that conduct transactions involving the transboundary shipment of used CEDs and EEDs shall use contracts (or the equivalent commercial arrangements) made in advance that detail the quantity and nature of the materials to be shipped. For the export of materials to a foreign country (directly or indirectly through downstream market contractors): (i) the shipment of intact televisions and computer monitors destined for reuse must include only whole products that are tested and certified as being in working order or requiring only minor repair (e.g. not requiring the replacement of circuit boards or CRTs), must be destined for reuse with respect to the original purpose, and the recipient must have verified a market for the sale or donation of such product for reuse; (ii) the shipments of CEDs and EEDs for material recovery must be prepared in a manner for recycling, including, without limitation, smelting where metals will be recovered, plastics recovery and glass-to-glass recycling; or (iii) the shipment of CEDs and EEDs are being exported to companies or facilities that are owned or controlled by the original equipment manufacturer.

(14) Recyclers and refurbishers must maintain the following export records for each shipment on file for a minimum of 3 years: (i) the facility name and the address to which shipment is exported; (ii) the shipment contents and volumes; (iii) the intended use of contents by the destination facility; (iv) any specification required by the destination facility in relation to shipment contents; (v) an assurance that all shipments for export, as applicable to the CED manufacturer, are legal and satisfy all applicable laws of the destination country.

(15) Recyclers and refurbishers must employ industry-accepted procedures for the destruction or sanitization of data on hard drives and other data storage devices. Acceptable guidelines for the destruction or sanitization of data are contained in the National Institute of Standards and Technology's Guidelines for Media Sanitation or those guidelines certified by the National Association for Information Destruction;

(16) No recycler or refurbisher may employ prison labor in any operation related to the collection, transportation, recycling, and refurbishment of CEDs and EEDs. No recycler or refurbisher may employ any third party that uses or subcontracts for the use of prison labor.

(Source: P.A. 95-959, eff. 9-17-08.)

(415 ILCS 150/55)

Sec. 55. Collector responsibilities.

(a) No later than January 1 of each program year, collectors that collect or receive CEDs or EEDs for one or more manufacturers, recyclers, or refurbishers shall register with the Agency. Registration must be in the form and manner required by the Agency and must include, without limitation, the address of each location where CEDs or EEDs are received and the identification of each location at which the collector accepts CEDs or EEDs from a residence.

(b) Manufacturers, recyclers, refurbishers also acting as collectors shall so indicate on their registration under Section 30 or 50 and not register separately as collectors.

(c) No later than August 15, 2010, collectors must submit to the Agency, on forms and in a format prescribed by the Agency, a report for the period from January 1, 2010 through June 30, 2010 that contains the following information: the total weight of computers, the total weight of computer monitors, the total weight of printers, the total weight of televisions, and the total weight of EEDs collected or received for each manufacturer.

(d) No later than May 1 of each program year, collectors must submit to the Agency, on forms and in a

format prescribed by the Agency, a report that contains the following information for the previous program year:

(1) the total weight of computers, the total weight of computer monitors, the total weight of printers, the total weight of televisions, and the total weight of EEDs collected or received for each manufacturer during the program year.

(2) a list of each recycler and refurbisher that received CEDs and EEDs from the collector and the total weight each recycler and refurbisher received.

(3) the address of each collector's facility where the CEDs and EEDs were collected or received. Each facility address must include the county in which the facility is located.

(e) Collectors may accept no more than 10 CEDs or EEDs at one time from individual members of the public and, when scheduling collection events, shall provide no fewer than 30 days' notice to the county waste agency of those events.

(Source: P.A. 95-959, eff. 9-17-08.)

(415 ILCS 150/65)

Sec. 65. State government procurement.

(a) The Department of Central Management Services shall ensure that all bid specifications and contracts for the purchase or lease of desktop computers, laptop or notebook computers, and computer monitors, by State agencies under a statewide master contract require that the electronic products have a Bronze performance tier or higher registration under the Electronic Product Environmental Assessment Tool ("EPEAT") operated by the Green Electronics Council.

(b) The Department of Central Management Services shall ensure that bid specifications and contracts for the purchase or lease of televisions and printers by State agencies under a statewide master contract require that the televisions have a Bronze performance tier or higher registration under EPEAT if the Department determines that there are an adequate number of the televisions or printers registered under EPEAT to provide a sufficiently competitive bidding environment.

(c) This Section applies to bid specifications issued, and contracts entered into, on or after January 1, 2010.

(Source: P.A. 95-959, eff. 9-17-08.)

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.

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 5913, 5916 and 5918.

HOUSE BILL 5923. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Cities & Villages, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5923 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 2-3-5 as follows:

(65 ILCS 5/2-3-5) (from Ch. 24, par. 2-3-5)

Sec. 2-3-5. Incorporation of village; petition. Whenever in any county of less than 150,000 population as determined by the last preceding federal census, any area of contiguous territory, not exceeding 2 square miles, not already included within the corporate limits of any municipality, has residing thereon at least 200 inhabitants living in dwellings other than those designed to be mobile, and is owned by at least 30 different owners, it may be incorporated as a village as follows:

35 electors residing within the area may file with the circuit clerk of the county in which such area is situated a petition addressed to the circuit court for that county.

The petition shall set forth (1) a definite description of the lands intended to be embraced in the proposed village, (2) the number of inhabitants residing therein, (3) the name of the proposed village, and (4) a prayer that a question be submitted to the electors residing within the limits of the proposed village whether

they will incorporate as a village under this Code.

If the area contains fewer than 7,500 residents and lies within 1 1/2 miles of the boundary line of any existing municipality, the consent of the existing municipality must be obtained before the area may be incorporated. No area in a county with a population of 150,000 or more that is incorporating under the provisions of this Section shall need to obtain the consent of any existing municipality before the area may be incorporated.

In addition, any contiguous territory in a county of 150,000 or more population which otherwise meets the requirements of this Section may be incorporated as a village pursuant to the provisions of this Section if (1) any part of such territory is situated within 10 miles of a county with a population less than 150,000 and a petition is filed pursuant to this Section before January 1, 1991 or (2) any part of the territory is situated within 25 miles of the Illinois state line in a county having a population, according to the 1990 federal decennial census, of at least 150,000 but less than 185,000 and a petition is filed pursuant to this Section before January 1, 1998.

In addition, contiguous territory not exceeding 2 square miles in a county with a population of not less than 187,000 and not more than 190,000 that otherwise meets the requirements of this Section may be incorporated as a village pursuant to the provisions of this Section if (1) any part of the territory is situated within 13 miles of a county with a population of less than 38,000 and more than 36,000 and (2) a petition is filed in the manner provided in this Section before January 1, 2005. The requirements of Section 2-3-18 concerning compatibility with the official plan for development of the county shall not apply to any territory seeking incorporation under this paragraph.

In addition, contiguous territory not exceeding 0.7 square miles having not less than 1,400 and not more than 1,600 inhabitants, as determined by the 2000 federal decennial census, living in dwellings other than those designed to be mobile, located in a county of not less than 600,000 and not more than 650,000 inhabitants, as determined by the 2000 federal decennial census, that otherwise meets the requirements of this Section may be incorporated as a village pursuant to the provisions of this Section if the territory includes a contiguous body of water of not less than 30 acres and not more than 40 acres. The consent of a municipality need not be obtained before the territory may be incorporated. The requirements of Section 2-3-18 concerning compatibility with the official plan for development of the county shall not apply to any territory seeking incorporation under this paragraph.

(Source: P.A. 93-1058, eff. 12-2-04.)

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 5930 and 5931.

HOUSE BILL 5933. 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 5933 by replacing everything after the enacting clause with the following:

"Section 5. The Real Estate License Act of 2000 is amended by changing Section 5-50 as follows:

(225 ILCS 454/5-50)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5-50. Expiration and renewal of managing broker, broker, salesperson, or leasing agent license; sponsoring broker; register of licensees; pocket card.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule, except that the first renewal period ending after the effective date of this Act for those licensed as a salesperson shall be extended through April 30, 2012. Except as otherwise provided in this Section, the holder of a license may renew the license within 90 days preceding the expiration date thereof by completing the continuing education required by this Act and paying the fees specified by rule.

(b) An individual whose first license is that of a broker received after April 30, 2011, must provide

evidence of having completed 30 hours of post-license education in courses approved by the Advisory Council, 15 hours of which must consist of situational and case studies presented in the classroom or by other interactive delivery method presenting instruction and real time discussion between the instructor and the students, and personally take and pass an examination approved by the Department prior to the first renewal of their broker's license.

(c) Any salesperson until April 30, 2011 or any managing broker, broker, ~~salesperson~~ or leasing agent whose license under this Act has expired shall be eligible to renew the license during the 2-year period following the expiration date, provided the managing broker, broker, salesperson, or leasing agent pays the fees as prescribed by rule and completes continuing education and other requirements provided for by the Act or by rule. Beginning on May 1, 2012, a managing broker licensee, broker, or leasing agent whose license has been expired for more than 2 years but less than 5 years may have it restored by (i) applying to the Department, (ii) paying the required fee, (iii) completing the continuing education requirements for the most recent pre-renewal period that ended prior to the date of the application for reinstatement, and (iv) filing acceptable proof of fitness to have his or her license restored, as set by rule. A managing broker, broker, ~~salesperson~~ or leasing agent whose license has been expired for more than 5 ~~2~~ years shall be required to meet the requirements for a new license.

(d) Notwithstanding any other provisions of this Act to the contrary, any managing broker, broker, salesperson, or leasing agent whose license expired while he or she was (i) on active duty with the Armed Forces of the United States or called into service or training by the state militia, (ii) engaged in training or education under the supervision of the United States preliminary to induction into military service, or (iii) serving as the Coordinator of Real Estate in the State of Illinois or as an employee of the Department may have his or her license renewed, reinstated or restored without paying any lapsed renewal fees if within 2 years after the termination of the service, training or education by furnishing the Department with satisfactory evidence of service, training, or education and it has been terminated under honorable conditions.

(e) The Department shall establish and maintain a register of all persons currently licensed by the State and shall issue and prescribe a form of pocket card. Upon payment by a licensee of the appropriate fee as prescribed by rule for engagement in the activity for which the licensee is qualified and holds a license for the current period, the Department shall issue a pocket card to the licensee. The pocket card shall be verification that the required fee for the current period has been paid and shall indicate that the person named thereon is licensed for the current renewal period as a managing broker, broker, salesperson, or leasing agent as the case may be. The pocket card shall further indicate that the person named thereon is authorized by the Department to engage in the licensed activity appropriate for his or her status (managing broker, broker, salesperson, or leasing agent). Each licensee shall carry on his or her person his or her pocket card or, if such pocket card has not yet been issued, a properly issued sponsor card when engaging in any licensed activity and shall display the same on demand.

(f) The Department shall provide to the sponsoring broker a notice of renewal for all sponsored licensees by mailing the notice to the sponsoring broker's address of record, or, at the Department's discretion, by an electronic means as provided for by rule.

(g) Upon request from the sponsoring broker, the Department shall make available to the sponsoring broker, either by mail or by an electronic means at the discretion of the Department, a listing of licensees under this Act who, according to the records of the Department, are sponsored by that broker. Every licensee associated with or employed by a broker whose license is revoked, suspended, terminated, or expired shall be considered as inoperative until such time as the sponsoring broker's license is reinstated or renewed, or the licensee changes employment as set forth in subsection (c) of Section 5-40 of this Act.

(Source: P.A. 96-856, eff. 12-31-09.)".

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 5951. 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 5951 on page 9, by replacing lines 12 through 15 with the following:

"appropriate to any governmental entity or program that has been adversely affected by a defendant. The Attorney General, if necessary, shall"; and

on page 15, by replacing lines 9 through 12 with the following:

"considers appropriate to any governmental entity or program that has been adversely affected by a defendant. The Attorney"; and

On page 16, by replacing lines 14 through 17 with the following:

"settlement that it considers appropriate to any governmental entity or program that has been adversely affected by a defendant."

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 5956 and 5966.

HOUSE BILL 5969. Having been reproduced, was taken up and read by title a second time.

Representative Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 5969 on page 2, by replacing lines 19 and 20 with the following:

"issued to a county when the vehicle is forfeited to the county under Article 36 of the".

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.

HOUSE BILL 5970. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Cities & Villages, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5970 on page 1, by replacing line 11 with the following: "elected by the minority representation plan, shall be determined using the most recent federal decennial census results as".

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 6003, 6006, 6014, 6015 and 6017.

HOUSE BILL 6030. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 6030 on page 2, by deleting lines 9 through 11; and

on page 2, line 12, by replacing "(f)" with "(e)".

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 6034 and 6035.

HOUSE BILL 6045. 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 6045 as follows:

on page 2, line 4, by replacing "grants and" with "grants, which may include cost-share"; and on page 2, line 6, immediately after "for" by inserting "Soil and Water Conservation District".

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 6047.

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 6061.

HOUSE BILL 6062. 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 6062 by replacing everything from line 19 on page 1 through line 4 on page 2 with the following:

"(b) Beginning on January 1, 2012, subject to compliance with all applicable purchasing requirements, a county with a population of more than 3,000,000 is required to accept payment by credit card for each installment of property taxes; provided that all service charges or fees, as determined by the county, associated with the processing or accepting of a credit card payment by the county shall be paid by the taxpayer. If a taxpayer elects to make a property tax payment by credit card and a service charge or fee is imposed, the payment of that service charge or fee shall be deemed voluntary by the taxpayer and shall not be refundable. Nothing in this subsection requires a county with a population of more than 3,000,000 to accept payment by credit card for the payment on any installment of taxes that is delinquent under Section 21-10, 21-25, or 21-30 of the Property Tax Code or for the purposes of any tax sale or scavenger sale under Division 3.5, 4, or 5 of Article 21 of the Property Tax Code. A county that accepts payment of property taxes by credit card in accordance with the terms of this subsection shall not incur liability for or associated with the collection of a property tax payment by credit card. The public hearing requirement of subsection (a) of Section 20 of the Local Governmental Acceptance of Credit Cards Act shall not apply to this subsection. This subsection"; and

on page 2, immediately below line 8, by inserting the following:

"Section 7. The Local Government Acceptance of Credit Cards Act is amended by changing Section 20 as follows:

(50 ILCS 345/20)

Sec. 20. Election by local governmental entities to accept credit cards.

(a) The decision whether to accept credit card payments for any particular type of obligation shall be made by the governing body of the local governmental entity that has general discretionary authority over the manner of acceptance of payments. The governing body may adopt reasonable rules governing the manner of acceptance of payments by credit card. Except as provided in subsection (b) of Section 20-25 of the Property Tax Code, no ~~no~~ decision to accept credit card payments under this Act shall be made until the governing body has determined, following a public hearing held not sooner than 10 nor later than 30 days following public notice of the hearing, that the acceptance of credit card payments for the types of authorized obligations specified in the public notice is in the best interests of the citizens and governmental



administration of the local governmental entity or community college and of the students and taxpayers thereof.

(b) The governing body of the entity accepting payment by credit card may enter into agreements with one or more financial institutions or other service providers to facilitate the acceptance and processing of credit card payments. Such agreements shall identify the specific services to be provided, an itemized list of the fees charged, and the means by which each such fee shall be paid. Such agreements may include a discount fee to cover the costs of interchange, assessments and authorizations, a per item processing fee for the service provider, and any other fee, including a payment of a surcharge or convenience fee, that may be applicable to specific circumstances. Any agreement for acceptance of payments by credit cards may be canceled by the governmental entity upon giving reasonable notice of intent to cancel.

(c) An entity accepting payments by credit card may pay amounts due a financial institution or other service provider by (i) paying the financial institution or other service provider upon presentation of an invoice or (ii) allowing the financial institution or other service provider to withhold the amount of the fees from the credit card payment. A discount or processing fee may be authorized whenever the governing body of the entity determines that any reduction of revenue resulting from the discount or processing fee will be in the best interest of the entity. Items that may be considered in making a determination to authorize the payment of fees or the acceptance of a discount include, but are not limited to, improved governmental cash flows, reduction of governmental overhead, improved governmental financial security, a combination of these items, and the benefit of increased public convenience. No payment to or withheld by a financial institution or other service provider may exceed the amounts authorized under subsection (b) of Section 25.

(d) Unless specifically prohibited by an ordinance or rule adopted by the governing body of the local governmental entity, a person may pay multiple tax bills in a single transaction.  
(Source: P.A. 90-518, eff. 8-22-97.)"

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 6063.

HOUSE BILL 6077. 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 6077 on page 5, by deleting lines 13 through 16.

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 6080.

HOUSE BILL 6082. 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 6082 by replacing lines 15 through 26 of page 17 and line 1 of page 18 with the following:

"applicable and garage units or storage units, or both, shall have, in total, no more votes than their aggregate percentage of ownership in the common elements; this shall mean that if garage units or storage units, or both, are to be given a vote, or portion of a vote, that the association must add the total number of votes cast of garage units, storage units, or both, and divide the total by the number of garage units, storage

units, or both, and multiply by the aggregate percentage of ownership of garage units and storage units to determine the vote, or portion of a vote, that garage units or storage units, or both, have. For purposes of this subsection (p), when making a determination of whether 30% or fewer of the units, by number, possess over 50% in the aggregate of the votes in the association, a unit shall not include a garage unit or a storage unit."

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 6103.

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 6112.

HOUSE BILL 6124. 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 6124 on page 3, by replacing lines 16 through 18 with the following:

"actions commenced on or after the effective date of this amendatory Act of the 96th General Assembly if the action would not have been time barred under Public Act 93-356 prior to the effective date of this amendatory Act of the 96th General Assembly."

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 6132 and 6148.

HOUSE BILL 6151. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Vehicles & Safety, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 6151 on page 1, line 11, by replacing "or penalty, inclusive" with "that may not be waived"; and on page 1, line 12, by deleting "of costs."

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 6158.

HOUSE BILL 6140. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Vehicles & Safety, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 6140 by replacing everything after the enacting clause

with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 6-205.5 as follows:

(625 ILCS 5/6-205.5 new)

Sec. 6-205.5. Suspension of driving privileges of person with outstanding warrant. Upon receipt of a properly completed and sworn affidavit that shall include, at a minimum, the person's name, address, and driver's license information stating that the person has an outstanding warrant and a copy of the outstanding warrant from a law enforcement agency, the Secretary of State shall immediately suspend the driving privileges of the person. After the warrant is no longer outstanding, it shall be the responsibility of the person to apply to have his or her driving privileges restored."

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 Jackson, HOUSE BILL 5846 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 6178.

HOUSE BILL 6194. 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 6194 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-35 as follows:

(20 ILCS 2105/2105-35 new)

Sec. 2105-35. Prohibited uses of roster of information. Notwithstanding any other provision of law to the contrary, any roster of information including, but not limited to, the licensee's name, address, and profession, shall not be used by a third party for the purpose of marketing goods or services not related to the licensee's profession.

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 6201 and 6210.

HOUSE BILL 6205. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 6205 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Reproductive Health and Access Act.

Section 5. Findings and policy. The General Assembly finds and declares that every individual possesses a fundamental right of privacy with respect to reproductive decisions.

It is the public policy of this State to ensure that all individuals have appropriate and necessary access to the full range of reproductive education, healthcare, and services, including, but not limited to, prenatal care, adoption, contraceptive care including timely access to emergency contraception, pregnancy termination, comprehensive sexual health education, and screening and treatment for sexually transmitted infections.

Section 10. Definitions. In this Act:

"Physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

"Pregnancy termination" or "termination of pregnancy" means any medical treatment intended to terminate a pregnancy. Pregnancy termination shall not include medical treatment conducted for the purpose of increasing the probability of the birth of a sustainable life.

"Viability" means that stage of fetal development when, in the medical judgment of the attending physician, based on the particular medical facts of the case before the physician, there is a reasonable likelihood of the sustained survival of the fetus outside of the uterus with or without artificial support.

Section 15. Prohibition of interference.

(a) Notwithstanding any other provision of this Act or any other law to the contrary, the State of Illinois, any municipality, county, township, school district, or other political subdivision of the State, or any agency, department, or division of any governmental entity shall not:

(1) deny or interfere with an individual's right to use or refuse contraception;

(2) deny or interfere with a pregnant woman's right to bear a child;

(3) deny or interfere with a pregnant woman's right to terminate a pregnancy: (i) prior to the viability of the fetus or (ii) when the abortion is necessary to protect the life or health of the pregnant woman; or

(4) require any woman to terminate pregnancy without her consent.

(b) Any party aggrieved by conduct that violates subsection (a) of this Section may bring a civil lawsuit against the offending governmental entity, including the State or Illinois or any city, county, township, school district, or other political subdivision of the State, or any agency, department or division of any such governmental entity, in a State circuit court or in a federal district court, for declaratory or injunctive relief, compensatory and punitive damages, and any other appropriate relief. A prevailing plaintiff shall, upon motion, be awarded reasonable attorneys' fees, costs and expenses, including expert witness and other litigation expenses, including where the plaintiff's pursuit of a non-frivolous claim was a catalyst for a unilateral change in position by the opposing party.

Section 20. Non-discrimination in funding. Notwithstanding any other provision of this Act or any other law to the contrary, the State shall ensure that individuals eligible for medical assistance under the Public Aid Code, or other State medical assistance, or health benefits under the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, or the Veterans' Health Insurance Program Act of 2008 shall receive coverage for reproductive healthcare at least to the same extent as other comparable services. Violation of this provision shall constitute a denial or interference in contravention of Section 15 of this Act. Such provision shall not prohibit the Department from establishing reasonable utilization control or cost containment measures designed to assure the quality, cost effectiveness, and appropriateness of healthcare services provided.

Section 25. Pregnancy terminations.

(a) Pregnancy terminations shall be performed in accordance with accepted standards of medical practice, by the method that, in the clinical judgment of the attending physician, will best serve the interests of the pregnant patient. A qualified medical professional shall not be liable for civil damages or subject to criminal penalty relating to a pregnancy termination performed in good faith and in accordance with accepted standards of medical practice.

(b) Notwithstanding any other provision of this Act or any other law to the contrary, a report of each pregnancy termination performed shall be made to the Illinois Department of Public Health on forms prescribed by the Department. Such report forms shall not identify the patient by name and shall preserve the anonymity of each woman who has obtained a pregnancy termination. The Department of Public Health shall promulgate and enforce regulations regarding the administration of these reporting requirements that secure protection of patient identity and ensure the anonymity of each woman who has undergone a pregnancy termination. Failure of the Department to preserve confidentiality and anonymity shall constitute interference in contravention of Section 15 of this Act.

Section 30. Sexual health education. Notwithstanding any other provision of this Act or any other law, all Illinois public schools shall offer medically accurate, age appropriate, comprehensive sexual health

education as a part of the Comprehensive Health Education Program established in Section 3 of the Critical Health Problems and Comprehensive Health Education Act. Course material and instruction shall be free of bias in accordance with the nondiscrimination provisions of the Illinois Human Rights Act. The State Board of Education shall promulgate and enforce rules consistent with this provision.

Section 35. Construction. This Act and the rules now or hereafter applicable thereto shall be liberally construed consistent with the public policies announced in this Act.

Section 40. Parental notice. Notwithstanding any other provision of this Act, nothing in this Act shall be construed to repeal, amend, or otherwise change the Illinois Parental Notice of Abortion Act of 1995. To the extent that this Act conflicts with the Illinois Parental Notice of Abortion Act of 1995, the Illinois Parental Notice of Abortion Act of 1995 controls.

Section 45. Other Acts. Notwithstanding any other provision of this Act, nothing in this Act shall be construed to repeal, amend, or otherwise change the Health Care Right of Conscience Act. To the extent that this Act conflicts with the Health Care Right of Conscience Act, the Health Care Right of Conscience Act controls.

Section 85. The State Employees Group Insurance Act of 1971 is amended by changing Section 6 as follows:

(5 ILCS 375/6) (from Ch. 127, par. 526)

Sec. 6. Program of health benefits.

(a) The program of health benefits shall provide for protection against the financial costs of health care expenses incurred in and out of hospital including basic hospital-surgical-medical coverages. The program may include, but shall not be limited to, such supplemental coverages as out-patient diagnostic X-ray and laboratory expenses, prescription drugs, dental services, hearing evaluations, hearing aids, the dispensing and fitting of hearing aids, and similar group benefits as are now or may become available. ~~However, nothing in this Act shall be construed to permit, on or after July 1, 1980, the non-contributory portion of any such program to include the expenses of obtaining an abortion, induced miscarriage or induced premature birth unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or the unborn child.~~ The program may also include coverage for those who rely on treatment by prayer or spiritual means alone for healing in accordance with the tenets and practice of a recognized religious denomination.

The program of health benefits shall be designed by the Director (1) to provide a reasonable relationship between the benefits to be included and the expected distribution of expenses of each such type to be incurred by the covered members and dependents, (2) to specify, as covered benefits and as optional benefits, the medical services of practitioners in all categories licensed under the Medical Practice Act of 1987, (3) to include reasonable controls, which may include deductible and co-insurance provisions, applicable to some or all of the benefits, or a coordination of benefits provision, to prevent or minimize unnecessary utilization of the various hospital, surgical and medical expenses to be provided and to provide reasonable assurance of stability of the program, and (4) to provide benefits to the extent possible to members throughout the State, wherever located, on an equitable basis. Notwithstanding any other provision of this Section or Act, for all members or dependents who are eligible for benefits under Social Security or the Railroad Retirement system or who had sufficient Medicare-covered government employment, the Department shall reduce benefits which would otherwise be paid by Medicare, by the amount of benefits for which the member or dependents are eligible under Medicare, except that such reduction in benefits shall apply only to those members or dependents who (1) first become eligible for such Medicare coverage on or after the effective date of this amendatory Act of 1992; or (2) are Medicare-eligible members or dependents of a local government unit which began participation in the program on or after July 1, 1992; or (3) remain eligible for but no longer receive Medicare coverage which they had been receiving on or after the effective date of this amendatory Act of 1992.

Notwithstanding any other provisions of this Act, where a covered member or dependents are eligible for benefits under the federal Medicare health insurance program (Title XVIII of the Social Security Act as added by Public Law 89-97, 89th Congress), benefits paid under the State of Illinois program or plan will be reduced by the amount of benefits paid by Medicare. For members or dependents who are eligible for benefits under Social Security or the Railroad Retirement system or who had sufficient Medicare-covered government employment, benefits shall be reduced by the amount for which the member or dependent is eligible under Medicare, except that such reduction in benefits shall apply only to those members or dependents who (1) first become eligible for such Medicare coverage on or after the effective date of this amendatory Act of 1992; or (2) are Medicare-eligible members or dependents of a local government unit

which began participation in the program on or after July 1, 1992; or (3) remain eligible for, but no longer receive Medicare coverage which they had been receiving on or after the effective date of this amendatory Act of 1992. Premiums may be adjusted, where applicable, to an amount deemed by the Director to be reasonably consistent with any reduction of benefits.

(b) A member, not otherwise covered by this Act, who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code, shall pay the premiums for coverage, not exceeding the amount paid by the State for the non-contributory coverage for other members, under the group health benefits program under this Act. The Director shall determine the premiums to be paid by a member under this subsection (b).

(Source: P.A. 93-47, eff. 7-1-03.)

Section 90. The Critical Health Problems and Comprehensive Health Education Act is amended by changing Section 3 as follows:

(105 ILCS 110/3)

Sec. 3. Comprehensive Health Education Program. The program established under this Act shall include, but not be limited to, the following major educational areas as a basis for curricula in all elementary and secondary schools in this State: human ecology and health, human growth and development, the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence ~~until marriage~~, prevention and control of disease, including instruction in grades 6 through 12 on the prevention, transmission and spread of AIDS, sexual assault awareness in secondary schools, public and environmental health, consumer health, safety education and disaster survival, mental health and illness, personal health habits, alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy, sexual abstinence ~~until marriage~~, tobacco, nutrition, and dental health. The program shall also provide course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act. The program shall include information about cancer, including without limitation types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help. Notwithstanding the above educational areas, the following areas may also be included as a basis for curricula in all elementary and secondary schools in this State: basic first aid (including, but not limited to, cardiopulmonary resuscitation and the Heimlich maneuver), heart disease, diabetes, stroke, the prevention of child abuse, neglect, and suicide, and teen dating violence in grades 8 through 12.

The school board of each public elementary and secondary school in the State shall encourage all teachers and other school personnel to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques, including without limitation the Heimlich maneuver and rescue breathing. The training shall be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization. A school board may use the services of non-governmental entities whose personnel have expertise in life-saving techniques to instruct teachers and other school personnel in these techniques. Each school board is encouraged to have in its employ, or on its volunteer staff, at least one person who is certified, by the American Red Cross or by another qualified certifying agency, as qualified to administer first aid and cardiopulmonary resuscitation. In addition, each school board is authorized to allocate appropriate portions of its institute or inservice days to conduct training programs for teachers and other school personnel who have expressed an interest in becoming qualified to administer emergency first aid or cardiopulmonary resuscitation. School boards are urged to encourage their teachers and other school personnel who coach school athletic programs and other extracurricular school activities to acquire, develop, and maintain the knowledge and skills necessary to properly administer first aid and cardiopulmonary resuscitation in accordance with standards and requirements established by the American Red Cross or another qualified certifying agency. Subject to appropriation, the State Board of Education shall establish and administer a matching grant program to pay for half of the cost that a school district incurs in training those teachers and other school personnel who express an interest in becoming qualified to administer cardiopulmonary resuscitation (which training must be in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization) or in learning how to use an automated external defibrillator. A school district that applies for a grant must demonstrate that it has funds to pay half of the cost of the training for which matching grant money is sought. The State Board of Education shall award the grants on a first-come, first-serve basis.

No pupil shall be required to take or participate in any class or course on comprehensive sexual health education, AIDS, or family life instruction if his parent or guardian submits written objection thereto, and refusal to take or participate in the course or program shall not be reason for suspension or expulsion of the

pupil.

Curricula developed under programs established in accordance with this Act in the major educational area of alcohol and drug use and abuse shall include classroom instruction in grades 5 through 12. The instruction, which shall include matters relating to both the physical and legal effects and ramifications of drug and substance abuse, shall be integrated into existing curricula; and the State Board of Education shall develop and make available to all elementary and secondary schools in this State instructional materials and guidelines which will assist the schools in incorporating the instruction into their existing curricula. In addition, school districts may offer, as part of existing curricula during the school day or as part of an after school program, support services and instruction for pupils or pupils whose parent, parents, or guardians are chemically dependent.

(Source: P.A. 95-43, eff. 1-1-08; 95-764, eff. 1-1-09; 96-128, eff. 1-1-10; 96-328, eff. 8-11-09; 96-383, eff. 1-1-10; revised 9-25-09.)

Section 95. The Illinois Public Aid Code is amended by changing Section 5-5 as follows:

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

(Text of Section before amendment by P.A. 96-806)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, ~~but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child.~~ The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

The Department of Healthcare and Family Services shall provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

- (1) dental services provided by or under the supervision of a dentist; and
- (2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after July 1, 2008, screening and diagnostic mammography shall be reimbursed at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards. Based on these quality standards, the Department shall provide for bonus payments to mammography facilities meeting the standards for screening and diagnosis. The bonus payments shall be at least 15% higher than the Medicare rates for mammography.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including



information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

- (1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
- (2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
- (3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a

sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor that provides non-emergency medical transportation, defined by the Department by rule, shall be conditional for 180 days. During that time, the Department of Healthcare and Family Services may terminate the vendor's eligibility to participate in the medical assistance program without cause. That termination of eligibility is not subject to the Department's hearing process.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients without medical authorization; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

- (a) actual statistics and trends in utilization of medical services by public aid recipients;
- (b) actual statistics and trends in the provision of the various medical services by medical vendors;
- (c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
- (d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies

with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General Assembly~~, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-331, eff. 8-21-07; 95-520, eff. 8-28-07; 95-1045, eff. 3-27-09; 96-156, eff. 1-1-10; revised 11-4-09.)

(Text of Section after amendment by P.A. 96-806)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, ~~but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child.~~ The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

The Department of Healthcare and Family Services shall provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

- (1) dental services provided by or under the supervision of a dentist; and
- (2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age.

(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography.

On and after July 1, 2008, screening and diagnostic mammography shall be reimbursed at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards. Based on these quality standards, the Department shall provide for bonus payments to mammography facilities meeting the standards for screening and diagnosis. The bonus payments shall be at least 15% higher than the Medicare rates for mammography.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to

recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

Notwithstanding any other provision of law, a health care provider under the medical assistance program may elect, in lieu of receiving direct payment for services provided under that program, to participate in the State Employees Deferred Compensation Plan adopted under Article 24 of the Illinois Pension Code. A health care provider who elects to participate in the plan does not have a cause of action against the State for any damages allegedly suffered by the provider as a result of any delay by the State in crediting the amount of any contribution to the provider's plan account.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

- (1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
- (2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
- (3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a

sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor that provides non-emergency medical transportation, defined by the Department by rule, shall be conditional for 180 days. During that time, the Department of Healthcare and Family Services may terminate the vendor's eligibility to participate in the medical assistance program without cause. That termination of eligibility is not subject to the Department's hearing process.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients without medical authorization; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

- (a) actual statistics and trends in utilization of medical services by public aid recipients;
- (b) actual statistics and trends in the provision of the various medical services by medical vendors;
- (c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
- (d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies

with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

Rulemaking authority to implement Public Act 95-1045 ~~this amendatory Act of the 95th General Assembly~~, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 95-331, eff. 8-21-07; 95-520, eff. 8-28-07; 95-1045, eff. 3-27-09; 96-156, eff. 1-1-10; 96-806, eff. 7-1-10; revised 11-4-09.)

Section 96. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 97. Severability. If any portion of this Act or any amendments thereto, or its applicability to any person or circumstance is held invalid by a court, the remainder of this Act or its applicability to other persons or circumstances shall not be affected."

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 6231 and 6249.

HOUSE BILL 6252. 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 6252 by replacing everything after the enacting clause with the following:

"Section 5. The Fireworks Use Act is amended by adding Section 6 as follows:

(425 ILCS 35/6 new)

Sec. 6. Billboard advertising of fireworks.

(a) All outdoor billboard advertisements for fireworks shall bear the following statement:

WARNING: Illinois Law Prohibits the Possession of Fire Works by the General Public. Check with Local Fire Department/Law Enforcement Prior to Purchase.

(b) Such warning shall appear in the format and type style prescribed under 15 U.S.C. 1333 (b)(3), as amended.

(c) Any outdoor billboard advertisement that does not conform to the provisions of this Section shall be deemed a nuisance affecting public safety."

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 6257. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Cities & Villages, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 6257 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 9-120 as follows:

(735 ILCS 5/9-120)

Sec. 9-120. Leased premises used in furtherance of a criminal offense; lease void at option of lessor or assignee.

(a) If any lessee or occupant, on one or more occasions, uses or permits the use of leased premises for the commission of any act that would constitute a felony or a Class A misdemeanor under the laws of this

State, the lease or rental agreement shall, at the option of the lessor or the lessor's assignee become void, and the owner or lessor shall be entitled to recover possession of the leased premises as against a tenant holding over after the expiration of his or her term. A written lease shall contain language that the commission of any act by the lessee, occupant, household member of the lessee or occupant, or guest of the lessee or occupant that would constitute a felony or a Class A misdemeanor under the laws of this State shall give the owner or lessor the right to void the lease and recover possession of the leased premises. Failure to include this language in a lease or if the lease is oral shall not waive or impair the rights of the lessor or lessor's assignee under this Section or the lease.

(b) The owner or lessor may bring a forcible entry and detainer action, or, if the State's Attorney of the county in which the real property is located or the corporation counsel of the municipality in which the real property is located agrees, assign to that State's Attorney or corporation counsel the right to bring a forcible entry and detainer action on behalf of the owner or lessor, against the lessee and all occupants of the leased premises. The assignment must be in writing on a form prepared by the State's Attorney of the county in which the real property is located or the corporation counsel of the municipality in which the real property is located, as applicable. If the owner or lessor assigns the right to bring a forcible entry and detainer action, the assignment shall be limited to those rights and duties up to and including delivery of the order of eviction to the sheriff for execution. The owner or lessor shall remain liable for the cost of the eviction whether or not the right to bring the forcible entry and detainer action has been assigned.

(c) A person does not forfeit any part of his or her security deposit due solely to an eviction under the provisions of this Section, except that a security deposit may be used to pay fees charged by the sheriff for carrying out an eviction.

(d) If a lessor or the lessor's assignee voids a lease or contract under the provisions of this Section and the tenant or occupant has not vacated the premises within 5 days after receipt of a written notice to vacate the premises, the lessor or lessor's assignee may seek relief under this Article IX. Notwithstanding Sections 9-112, 9-113, and 9-114 of this Code, judgment for costs against a plaintiff seeking possession of the premises under this Section shall not be awarded to the defendant unless the action was brought by the plaintiff in bad faith. An action to possess premises under this Section shall not be deemed to be in bad faith when the plaintiff based his or her cause of action on information provided to him or her by a law enforcement agency, ~~or the State's Attorney~~ or the municipality.

(e) After a trial, if the court finds, by a preponderance of the evidence, that the allegations in the complaint have been proven, the court shall enter judgment for possession of the premises in favor of the plaintiff and the court shall order that the plaintiff shall be entitled to re-enter the premises immediately.

(f) A judgment for possession of the premises entered in an action brought by a lessor or lessor's assignee, if the action was brought as a result of a lessor or lessor's assignee declaring a lease void pursuant to this Section, may not be stayed for any period in excess of 7 days by the court unless all parties agree to a longer period. Thereafter the plaintiff shall be entitled to re-enter the premises immediately. The sheriff or other lawfully deputized officers shall execute an order entered pursuant to this Section within 7 days of its entry, or within 7 days of the expiration of a stay of judgment, if one is entered.

(g) Nothing in this Section shall limit the rights of an owner or lessor to bring a forcible entry and detainer action on the basis of other applicable law.

(Source: P.A. 90-360, eff. 1-1-98.)

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 6262.

HOUSE BILL 6267. 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 6267 by replacing everything after the enacting clause with the following:



"Section 5. The State Comptroller Act is amended by adding Section 19.5 as follows:  
(15 ILCS 405/19.5 new)

Sec. 19.5. Comprehensive Annual Financial Report (CAFR); procedures and reporting.

(a) On or before October 31, 2010, and on or before each October 31 thereafter, State agencies shall report to the Comptroller all financial information deemed necessary by the Comptroller to compile and publish a comprehensive annual financial report using generally accepted accounting principles for the fiscal year ending June 30 of that year. The Comptroller may require certain State agencies to submit the required information before October 31 under a schedule established by the Comptroller. If a State agency has submitted no or insufficient financial information by October 31, the Comptroller shall serve a written notice to each respective State agency director or secretary about the delinquency or inadequacy of the financial information. The Comptroller may withhold the salary and any expense reimbursement of the State agency director or secretary who fails to provide the financial information required by this subsection (a) until the information is submitted to the Comptroller.

(b) If the financial information required in subsection (a) is submitted to the Comptroller on or before October 31 and that information has been audited by the Auditor General, the Comptroller shall publish a comprehensive annual financial report using generally accepted accounting principles for the fiscal year ending June 30 of that year by December 31. If the information as required by subsection (a) is not provided to the Comptroller in time to publish the report by December 31, then upon notice from the Comptroller of the delay, each respective State agency director or secretary shall report his or her State agency's delinquency and provide an action plan to bring his or her State agency into compliance to the Comptroller, the Auditor General, the Office of the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate. Upon receiving that report from a State agency director or secretary, the Comptroller shall post that report with the action plan on his or her official website.

(c) If a comprehensive annual financial report using generally accepted accounting principles cannot be published by December 31 due to insufficient or inadequate reporting to the Comptroller or if the Office of the Auditor General has not completed an audit of the comprehensive annual financial report, the Comptroller may issue interim reports containing financial information made available by reporting State agencies until an audit opinion is issued by the Auditor General on the comprehensive annual financial report.

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 6268 and 6271.

### RECALLS

At the request of the principal sponsor, Representative Biggins, HOUSE BILL 6151 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Burke, HOUSE BILL 5838 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Black, HOUSE BILL 5895 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Golar, HOUSE BILL 5918 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Nekritz, HOUSE BILL 5039 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the hour of 4:04 o'clock p.m., Representative Currie moved that the House do now adjourn until Friday, March 12, 2010, at 9:30 o'clock a.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

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

March 11, 2010

0 YEAS

0 NAYS

116 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| P Acevedo        | P Davis, William | P Joyce           | P Reitz       |
| P Arroyo         | P DeLuca         | P Kosel           | P Riley       |
| P Bassi          | P Dugan          | P Lang            | P Rita        |
| P Beaubien       | P Dunkin         | P Leitch          | P Rose        |
| P Beiser         | P Durkin         | P Lyons           | P Sacia       |
| P Bellock        | P Eddy           | P Mathias         | P Saviano     |
| P Berrios        | P Farnham        | P Mautino         | P Schmitz     |
| P Biggins        | P Feigenholtz    | P May             | P Senger      |
| P Black          | P Flider         | P McAsey          | P Sente       |
| P Boland         | P Flowers        | P McAuliffe       | P Smith       |
| P Bost           | P Ford           | P McCarthy        | P Sommer      |
| P Bradley        | P Fortner        | P McGuire         | P Soto        |
| P Brady          | P Franks         | P Mell            | P Stephens    |
| P Brauer         | P Fritchey       | P Mendoza         | P Sullivan    |
| P Burke          | P Froehlich      | P Miller          | P Thapedi     |
| P Burns          | P Golar          | P Mitchell, Bill  | E 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        | 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     |
| P 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       |               |
| P Davis, Monique | P Jefferson      | P Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 355  
ELECTIONS-TECH  
THIRD READING  
PASSED

March 11, 2010

114 YEAS

1 NAY

1 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| N Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | P Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3869  
 INTOX COMPOUNDS-PENALTY  
 THIRD READING  
 PASSED

March 11, 2010

116 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4580  
 VEH CD-SUSPENSION-CAUSED DEATH  
 THIRD READING  
 PASSED

March 11, 2010

116 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4583  
 ELECTRONIC HARMFUL MATERIAL  
 THIRD READING  
 PASSED

March 11, 2010

114 YEAS

1 NAY

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | N Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| Y Chapa LaVia    | Y Gordon, Jehan  | Y Moffitt         | Y Turner      |
| Y Coladipietro   | Y Graham         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4691  
 AUTO INS-DISCOUNT-CAR SEATS  
 THIRD READING  
 PASSED

March 11, 2010

88 YEAS

20 NAYS

7 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| N Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | N Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | P Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | P May             | Y Senger      |
| P Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| N Bost           | P Ford           | Y McCarthy        | N Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| N Brady          | N Franks         | Y Mell            | N Stephens    |
| P Brauer         | N Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | N Mitchell, Bill  | E Tracy       |
| N Cavaletto      | Y Gordon, Careen | N Mitchell, Jerry | Y Tryon       |
| Y Chapa LaVia    | Y Gordon, Jehan  | Y Moffitt         | P Turner      |
| Y Coladipietro   | Y Graham         | Y Mulligan        | Y Verschoore  |
| Y Cole           | Y Hamos          | N Myers           | Y Wait        |
| Y Collins        | Y Hannig         | Y Nekritz         | Y Walker      |
| Y Colvin         | Y Harris         | Y Osmond          | Y Washington  |
| N Connelly       | Y Hatcher        | Y Osterman        | N Watson      |
| Y Coulson        | Y Hernandez      | Y Phelps          | N Winters     |
| Y Crespo         | A Hoffman        | Y Pihos           | Y Yarbrough   |
| Y Cross          | N Holbrook       | N Poe             | Y Zalewski    |
| N Cultra         | Y Howard         | Y Pritchard       | Y Mr. Speaker |
| Y Currie         | Y Jackson        | N Ramey           |               |
| Y D'Amico        | Y Jakobsson      | Y Reboletti       |               |
| Y Davis, Monique | P Jefferson      | N Reis            |               |

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4699  
 DECATUR SANITARY DIST  
 THIRD READING  
 PASSED

March 11, 2010

94 YEAS

21 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| N Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | N Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| N Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | N Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | N May             | N Senger      |
| Y Black          | Y Flider         | N McAsey          | N Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | N Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | N Franks         | Y Mell            | N Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | N Tryon       |
| N Chapa LaVia    | N Gordon, Jehan  | Y 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  |
| N Connelly       | Y Hatcher        | Y Osterman        | Y Watson      |
| N Coulson        | Y Hernandez      | Y Phelps          | Y Winters     |
| N Crespo         | A 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        | N Ramey           |               |
| Y D'Amico        | Y Jakobsson      | N Reboletti       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4703  
HLTH CARE-LEGISLATIVE OVERSGH  
THIRD READING  
PASSED

March 11, 2010

114 YEAS

0 NAYS

1 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | P Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4722  
 ANTIFREEZE BITTERING ACT  
 THIRD READING  
 PASSED

March 11, 2010

115 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4737  
ST GROUP INS-PHYSICAL THERAPY  
THIRD READING  
PASSED

March 11, 2010

87 YEAS

27 NAYS

1 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | N Kosel           | Y Riley       |
| N Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| N Beaubien       | Y Dunkin         | Y Leitch          | P Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | N Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | N Schmitz     |
| Y Biggins        | Y Feigenholtz    | N May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| N Bost           | Y Ford           | Y McCarthy        | N Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| N Brady          | N Franks         | Y Mell            | N Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | N Sullivan    |
| Y Burke          | Y Froehlich      | N Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | N Mitchell, Bill  | E Tracy       |
| N Cavaletto      | Y Gordon, Careen | N Mitchell, Jerry | Y Tryon       |
| N Chapa LaVia    | Y Gordon, Jehan  | Y Moffitt         | Y Turner      |
| N Coladipietro   | Y Graham         | Y Mulligan        | Y Verschoore  |
| N Cole           | Y Hamos          | Y Myers           | Y Wait        |
| Y Collins        | Y Hannig         | Y Nekritz         | Y Walker      |
| Y Colvin         | Y Harris         | N Osmond          | Y Washington  |
| N Connelly       | N Hatcher        | Y Osterman        | Y Watson      |
| Y Coulson        | Y Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | A Hoffman        | Y Pihos           | Y Yarbrough   |
| N 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       |               |
| Y Davis, Monique | Y Jefferson      | N Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4769  
VEH CD-TINTED WINDOWS  
THIRD READING  
PASSED

March 11, 2010

111 YEAS

2 NAYS

1 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| N Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | N McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | P Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4778  
VEH CD-MILITARY PLATES-NO FEE  
THIRD READING  
PASSED

March 11, 2010

110 YEAS

3 NAYS

1 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| N Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | N McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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        | P Watson      |
| Y Coulson        | Y Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | A Hoffman        | N 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4835  
 CRIM CD-FIREARMS WAITING  
 THIRD READING  
 PASSED

March 11, 2010

67 YEAS

44 NAYS

3 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| N Acevedo        | N Davis, William | N Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | N Riley       |
| Y Bassi          | Y Dugan          | N Lang            | P Rita        |
| Y Beaubien       | N Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | N Durkin         | P Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | N Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | N Feigenholtz    | N May             | Y Senger      |
| Y Black          | Y Flider         | N McAsey          | N Sente       |
| N Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | N Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | N McGuire         | Y Soto        |
| Y Brady          | Y Franks         | N Mell            | Y Stephens    |
| Y Brauer         | N Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | N Miller          | P Thapedi     |
| N Burns          | N Golar          | Y Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| Y Chapa LaVia    | N Gordon, Jehan  | Y Moffitt         | N Turner      |
| Y Coladipietro   | N Graham         | N Mulligan        | Y Verschoore  |
| Y Cole           | N Hamos          | Y Myers           | Y Wait        |
| N Collins        | Y Hannig         | N Nekritz         | N Walker      |
| N Colvin         | N Harris         | Y Osmond          | N Washington  |
| Y Connelly       | Y Hatcher        | N Osterman        | Y Watson      |
| N Coulson        | N Hernandez      | Y Phelps          | Y Winters     |
| N Crespo         | A Hoffman        | N Pihos           | N Yarbrough   |
| Y Cross          | Y Holbrook       | Y Poe             | N Zalewski    |
| Y Cultra         | N Howard         | Y Pritchard       | N Mr. Speaker |
| N Currie         | Y Jackson        | Y Ramey           |               |
| Y D'Amico        | N Jakobsson      | Y Reboletti       |               |
| N Davis, Monique | N Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4836  
 SUNSHINE COMMISSION ACT  
 THIRD READING  
 PASSED

March 11, 2010

114 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4846  
 FIRE PROTECTION DIST-BOARD  
 THIRD READING  
 PASSED

March 11, 2010

113 YEAS

1 NAY

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | N Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4859  
MOTOR VEH-DRIVING PRIVILEGES  
THIRD READING  
PASSED

March 11, 2010

114 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4934  
COMM ASSOC MANAGER-CHARACTER  
THIRD READING  
PASSED

March 11, 2010

114 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4922  
 AGING-PRESCRIPTION DRUG PROGRAM  
 THIRD READING  
 PASSED

March 11, 2010

114 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4940  
 PENSION-GARS-SALARY LIMITATION  
 THIRD READING  
 PASSED

March 11, 2010

114 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4662  
 REVENUE-TAX AMNESTY  
 DISCHARGE COMMITTEE  
 SHALL THE RULING OF THE CHAIR BE SUSTAINED  
 PREVAILED

March 11, 2010

68 YEAS

46 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | N Kosel           | Y Riley       |
| N Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| N Beaubien       | Y Dunkin         | N Leitch          | N Rose        |
| Y Beiser         | N Durkin         | Y Lyons           | N Sacia       |
| N Bellock        | A Eddy           | N Mathias         | N Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | N Schmitz     |
| N Biggins        | Y Feigenholtz    | Y May             | N Senger      |
| N Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | N McAuliffe       | Y Smith       |
| N Bost           | Y Ford           | Y McCarthy        | N Sommer      |
| Y Bradley        | N Fortner        | Y McGuire         | Y Soto        |
| N Brady          | Y Franks         | Y Mell            | N Stephens    |
| N Brauer         | Y Fritchey       | Y Mendoza         | N Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | N Mitchell, Bill  | E Tracy       |
| N Cavaletto      | Y Gordon, Careen | N Mitchell, Jerry | N Tryon       |
| Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | N Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4960  
 PEN CD-IMRF-ADMINISTRATIVE  
 THIRD READING  
 PASSED

March 11, 2010

114 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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     |
| Y Crespo         | A 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4968  
MUNI CD-ANNEXATION  
THIRD READING  
PASSED

March 11, 2010

98 YEAS

16 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| N Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| N Beaubien       | Y Dunkin         | Y Leitch          | N Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | Y Soto        |
| Y Brady          | N Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | N Mitchell, Bill  | E Tracy       |
| N Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| Y Chapa LaVia    | Y Gordon, Jehan  | Y Moffitt         | Y Turner      |
| Y 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  |
| Y Connelly       | Y Hatcher        | Y Osterman        | N Watson      |
| N Coulson        | Y Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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        | Y Ramey           |               |
| Y D'Amico        | Y Jakobsson      | N Reboletti       |               |
| Y Davis, Monique | Y Jefferson      | N Reis            |               |

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4987  
 RAILROAD POLICE-MISCONDUCT  
 THIRD READING  
 PASSED

March 11, 2010

112 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5079  
EXT REV-PHYSICIAN LICENSURE  
THIRD READING  
PASSED

March 11, 2010

112 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 5055  
 CIVIL LAW-TECH  
 THIRD READING  
 PASSED

March 11, 2010

112 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5095  
DISABLED PEDESTRIAN SAFETY  
THIRD READING  
PASSED

March 11, 2010

112 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 5133  
 UNIFORM EMERGENC HLTH VOLUNTER  
 THIRD READING  
 PASSED

March 11, 2010

112 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | A Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | Y Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E 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         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5139  
NOVELTY LIGHTERS-PROHIBIT  
THIRD READING  
PASSED

March 11, 2010

110 YEAS

2 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | E Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | N Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | N Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| Y Chapa LaVia    | Y Gordon, Jehan  | Y Moffitt         | Y Turner      |
| Y Coladipietro   | Y Graham         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5144  
PROP TX-ABATEMENT-PARK DIST  
THIRD READING  
PASSED

March 11, 2010

72 YEAS

37 NAYS

3 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | N Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | N DeLuca         | N Kosel           | N Riley       |
| N Bassi          | Y Dugan          | Y Lang            | N Rita        |
| Y Beaubien       | N Dunkin         | Y Leitch          | N Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | N Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | E Senger      |
| Y Black          | Y Flider         | Y McAsey          | N Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | N Ford           | Y McCarthy        | N Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| N Brady          | N Franks         | Y Mell            | Y Stephens    |
| N Brauer         | N Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | N Miller          | N Thapedi     |
| N Burns          | P Golar          | N Mitchell, Bill  | E Tracy       |
| N Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| N Chapa LaVia    | N Gordon, Jehan  | Y Moffitt         | Y Turner      |
| Y Coladipietro   | N Graham         | N Mulligan        | Y Verschoore  |
| N Cole           | N Hamos          | N Myers           | N Wait        |
| Y Collins        | Y Hannig         | Y Nekritz         | Y Walker      |
| P Colvin         | Y Harris         | Y Osmond          | N Washington  |
| Y Connelly       | Y Hatcher        | Y Osterman        | N Watson      |
| N Coulson        | A Hernandez      | Y Phelps          | N Winters     |
| Y Crespo         | E Hoffman        | Y Pihos           | Y Yarbrough   |
| Y Cross          | Y Holbrook       | N Poe             | Y Zalewski    |
| N Cultra         | Y Howard         | N Pritchard       | Y Mr. Speaker |
| P Currie         | Y Jackson        | Y Ramey           |               |
| Y D'Amico        | Y Jakobsson      | Y Reboletti       |               |
| Y Davis, Monique | Y Jefferson      | N Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5154  
PERSONNEL RECORD-EVALUATION  
THIRD READING  
PASSED

March 11, 2010

70 YEAS

39 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | NV Joyce          | Y Reitz       |
| Y Arroyo         | Y DeLuca         | N Kosel           | Y Riley       |
| Y Bassi          | N Dugan          | Y Lang            | Y Rita        |
| N Beaubien       | Y Dunkin         | Y Leitch          | N Rose        |
| Y Beiser         | N Durkin         | Y Lyons           | N Sacia       |
| N Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | N Farnham        | Y Mautino         | N Schmitz     |
| N Biggins        | Y Feigenholtz    | Y May             | E Senger      |
| N Black          | N Flider         | N McAsey          | N Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| N Bost           | Y Ford           | Y McCarthy        | N Sommer      |
| N Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | N Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | N Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | N Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | N Tryon       |
| Y Chapa LaVia    | NV Gordon, Jehan | Y Moffitt         | Y Turner      |
| N Coladipietro   | Y Graham         | N Mulligan        | Y Verschoore  |
| N Cole           | Y Hamos          | Y Myers           | Y Wait        |
| Y Collins        | Y Hannig         | Y Nekritz         | N Walker      |
| Y Colvin         | N Harris         | N Osmond          | Y Washington  |
| N Connelly       | N Hatcher        | N Osterman        | N Watson      |
| N Coulson        | A Hernandez      | Y Phelps          | N Winters     |
| N Crespo         | E Hoffman        | Y Pihos           | Y Yarbrough   |
| N Cross          | Y Holbrook       | Y Poe             | Y Zalewski    |
| N Cultra         | Y Howard         | Y Pritchard       | N Mr. Speaker |
| N Currie         | Y Jackson        | NV Ramey          |               |
| Y D'Amico        | Y Jakobsson      | N Reboletti       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 5157  
 ELECTIONS-ABSENTEE VOTING  
 THIRD READING  
 PASSED

March 11, 2010

110 YEAS

0 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | NV Joyce          | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | E Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | Y Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| Y Chapa LaVia    | NV Gordon, Jehan | Y Moffitt         | Y Turner      |
| Y Coladipietro   | Y Graham         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5178  
MOTOR FUEL TAX-DISTRIBUTION  
THIRD READING  
PASSED

March 11, 2010

102 YEAS

8 NAYS

0 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | NV Joyce          | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| Y Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | Y Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | N Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | N Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | E Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | N Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | N Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| N Chapa LaVia    | E Gordon, Jehan  | Y Moffitt         | Y Turner      |
| Y Coladipietro   | Y Graham         | N Mulligan        | Y Verschoore  |
| N 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      |
| N Coulson        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E 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       |               |
| Y Davis, Monique | Y Jefferson      | Y Reis            |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE JOINT RESOLUTION 107  
TURKISH RELATIONS TASK FORCE  
ADOPTED

March 11, 2010

106 YEAS

4 NAYS

1 PRESENT

|                  |                  |                   |               |
|------------------|------------------|-------------------|---------------|
| Y Acevedo        | Y Davis, William | Y Joyce           | Y Reitz       |
| Y Arroyo         | Y DeLuca         | Y Kosel           | Y Riley       |
| N Bassi          | Y Dugan          | Y Lang            | Y Rita        |
| Y Beaubien       | Y Dunkin         | Y Leitch          | N Rose        |
| Y Beiser         | Y Durkin         | Y Lyons           | Y Sacia       |
| Y Bellock        | Y Eddy           | Y Mathias         | Y Saviano     |
| Y Berrios        | Y Farnham        | Y Mautino         | Y Schmitz     |
| Y Biggins        | Y Feigenholtz    | Y May             | E Senger      |
| Y Black          | Y Flider         | Y McAsey          | Y Sente       |
| Y Boland         | Y Flowers        | Y McAuliffe       | Y Smith       |
| Y Bost           | Y Ford           | Y McCarthy        | Y Sommer      |
| Y Bradley        | Y Fortner        | Y McGuire         | A Soto        |
| Y Brady          | Y Franks         | Y Mell            | Y Stephens    |
| Y Brauer         | Y Fritchey       | Y Mendoza         | Y Sullivan    |
| Y Burke          | Y Froehlich      | Y Miller          | Y Thapedi     |
| Y Burns          | Y Golar          | N Mitchell, Bill  | E Tracy       |
| Y Cavaletto      | Y Gordon, Careen | Y Mitchell, Jerry | Y Tryon       |
| Y Chapa LaVia    | E Gordon, Jehan  | Y Moffitt         | Y Turner      |
| Y Coladipietro   | Y Graham         | Y 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        | A Hernandez      | Y Phelps          | Y Winters     |
| Y Crespo         | E Hoffman        | P 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       |               |
| Y Davis, Monique | Y Jefferson      | N Reis            |               |

E - Denotes Excused Absence

**111TH LEGISLATIVE DAY**

**Perfunctory Session**

**THURSDAY, MARCH 11, 2010**

At the hour of 7:05 o'clock p.m., the House convened perfunctory session.

**TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Hernandez replaced Representative McCarthy in the Committee on Environmental Health on March 11, 2010.

Representative Kosel replaced Representative Tracy in the Committee on Environmental Health on March 11, 2010.

Representative Durkin replaced Representative Mathias in the Committee on Cities & Villages on March 11, 2010.

Representative Phelps replaced Representative Sente in the Committee on Cities & Villages on March 11, 2010.

Representative Smith replaced Representative Crespo in the Committee on Cities & Villages on March 11, 2010.

Representative Verschoore replaced Representative Yarbrough in the Committee on Cities & Villages on March 11, 2010.

Representative Moffitt replaced Representative Mulligan in the Committee on Health Care Licenses on March 11, 2010.

Representative Osterman replaced Representative Harris in the Committee on Youth and Family on March 11, 2010.

Representative Chapa LaVia replaced Representative Froehlich in the Committee on Elementary & Secondary Education on March 11, 2010.

Representative Hannig replaced Representative Smith in the Committee on Elementary & Secondary Education on March 11, 2010.

Representative Burns replaced Representative Osterman in the Committee on Elementary & Secondary Education on March 11, 2010.

**REPORTS FROM STANDING COMMITTEES**

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 6083 and 6215.

The committee roll call vote on House Bill 6083 is as follows:

15, Yeas; 1, Nay; 0, Answering Present.

Y Fritchey(D), Chairperson  
N Rose(R), Republican Spokesperson

Y Bradley(D), Vice-Chairperson  
Y Coladipietro(R)

|               |                     |
|---------------|---------------------|
| Y Connelly(R) | Y Gordon, Careen(D) |
| Y Hamos(D)    | Y Hoffman(D)        |
| Y Lang(D)     | Y Mathias(R)        |
| Y Nekritz(D)  | Y Osmond(R)         |
| Y Thapedi(D)  | Y Tracy(R)          |
| Y Wait(R)     | Y Zalewski(D)       |

The committee roll call vote on House Bill 6215 is as follows:

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

|                                    |                                |
|------------------------------------|--------------------------------|
| Y Fritchey(D), Chairperson         | Y Bradley(D), Vice-Chairperson |
| Y Rose(R), Republican Spokesperson | Y Coladipietro(R)              |
| Y Connelly(R)                      | Y Gordon, Careen(D)            |
| Y Hamos(D)                         | Y Hoffman(D)                   |
| Y Lang(D)                          | Y Mathias(R)                   |
| Y Nekritz(D)                       | Y Osmond(R)                    |
| Y Thapedi(D)                       | Y Tracy(R)                     |
| Y Wait(R)                          | Y Zalewski(D)                  |

Representative Froehlich, Chairperson, from the Committee on Cities & Villages to which the following were referred, action taken on March 11, 2010, 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 BILL 5787.

The committee roll call vote on House Bill 5787 is as follows:

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

|                                  |                                      |
|----------------------------------|--------------------------------------|
| Y Froehlich(D), Chairperson      | Y Riley(D), Vice-Chairperson         |
| N Durkin(R), (replacing Mathias) | Y Smith(D)(replacing Crespo)         |
| N Fortner(R)                     | Y Phelps (D)(replacing Sente)        |
| A Stephens(R)                    | Y Walker(D)                          |
| A Wait(R)                        | Y Verschoore(D)(replacing Yarbrough) |

Representative Reitz, Chairperson, from the Committee on Health Care Licenses to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

That the Floor Amendment be reported “recommends be adopted”:  
Amendment No. 2 to HOUSE BILL 4974.

The committee roll call vote on Amendment No. 2 to House Bill 4974 is as follows:

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

|                                       |                               |
|---------------------------------------|-------------------------------|
| Y Reitz(D), Chairperson               | Y Phelps(D), Vice-Chairperson |
| Y Saviano(R), Republican Spokesperson | Y Coulson(R)                  |
| A Harris(D)                           | Y Jackson(D)                  |
| Y Kosel(R)                            | Y McAuliffe(R)                |
| Y McCarthy(D)                         | Y Miller(D)                   |
| Y Moffitt(R) (replacing Mulligan)     | Y Verschoore(D)               |

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5040.

The committee roll call vote on House Bill 5040 is as follows:

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

- |                               |                                      |
|-------------------------------|--------------------------------------|
| Y May(D), Chairperson         | Y Hernandez(D), (replacing McCarthy) |
| Y Kosel(R), (replacing Tracy) | Y Froehlich(D)                       |
| Y Hamos(D)                    | Y Jakobsson(D)                       |
| Y Nekritz(D)                  | Y Rita(D)                            |
| Y Rose(R)                     | Y Schmitz(R)                         |
| Y Stephens(R)                 | Y Tryon(R)                           |
| Y Winters(R)                  | Y Yarbrough(D)                       |

Representative Ford, Chairperson, from the Committee on Youth and Family to which the following were referred, action taken on March 11, 2010, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 1653.

The committee roll call vote on Amendment No. 1 to House Bill 1653 is as follows:

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

- |                                       |                             |
|---------------------------------------|-----------------------------|
| Y Osterman(D), (replacing Harris)     | Y Ford(D), Vice-Chairperson |
| Y Fortner(R), Republican Spokesperson | Y Burns(D)                  |
| Y McAuliffe(R)                        | Y Riley(D)                  |
| Y Winters(R)                          |                             |

Representative Jakobsson, Chairperson, from the Committee on Human Services to which the following were referred, action taken on March 11, 2010, 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 BILL 5688.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 5388, 5736 and 6002.

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

Amendment No. 1 to HOUSE BILL 1598.

Amendment No. 1 to HOUSE BILL 6315.

Amendment No. 1 to HOUSE BILL 6434.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 71.

The committee roll call vote on Amendment No. 1 to House Bill 6434 is as follows:

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

- |                                       |                               |
|---------------------------------------|-------------------------------|
| Y Jakobsson(D), Chairperson           | Y Howard(D), Vice-Chairperson |
| Y Bellock(R), Republican Spokesperson | Y Cole(R)                     |
| Y Collins(D)                          | Y Flowers(D)                  |
| A Schmitz(R)                          |                               |

The committee roll call vote on House Bills 5388, 5688, 5736, 6002, Amendment No. 1 to House Bill 1598, Amendment No. 1 to House Bill 6315 and House Joint Resolution 71 is as follows:

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

- |                                       |                               |
|---------------------------------------|-------------------------------|
| Y Jakobsson(D), Chairperson           | Y Howard(D), Vice-Chairperson |
| Y Bellock(R), Republican Spokesperson | Y Cole(R)                     |
| Y Collins(D)                          | Y Flowers(D)                  |
| Y Schmitz(R)                          |                               |

Representative Smith, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on March 11, 2010, 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 5126 and 5786.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4672, 4674, 5836 and 5863.

That the Floor Amendment be reported “recommends be adopted”:  
Amendment No. 3 to HOUSE BILL 4711.

That the resolution be reported “recommends be adopted as amended” and be placed on the House Calendar: HOUSE JOINT RESOLUTION 74.

The committee roll call vote on Amendment No. 3 to House Bill 4711 is as follows:  
12, Yeas; 4, Nays; 0, Answering Present.

|   |                                |
|---|--------------------------------|
| Y Smith(D), Chairperson                       | Y Crespo(D), Vice-Chairperson  |
| Y Mitchell, Jerry(R), Republican Spokesperson | A Bassi(R)                     |
| Y Cavaletto(R)                                | N Colvin(D)                    |
| N Davis, Monique(D)                           | Y Dugan(D)                     |
| Y Eddy(R)                                     | Y Flider(D)                    |
| Y Froehlich(D)                                | N Golar(D)                     |
| A Miller(D)                                   | A Burns(D)(replacing Osterman) |
| Y Pihos(R)                                    | Y Pritchard(R)                 |
| Y Reis(R)                                     | A Senger(R)                    |
| Y Watson(R)                                   | N Yarbrough(D)                 |

The committee roll call vote on House Bill 4672 is as follows:  
14, Yeas; 2, Nays; 2, Answering Present.

|   |                               |
|---|-------------------------------|
| Y Hannig(D) (replacing Smith)                 | Y Crespo(D), Vice-Chairperson |
| Y Mitchell, Jerry(R), Republican Spokesperson | A Bassi(R)                    |
| N Cavaletto(R)                                | Y Colvin(D)                   |
| Y Davis, Monique(D)                           | Y Dugan(D)                    |
| P Eddy(R)                                     | Y Flider(D)                   |
| Y Chapa LaVia(D)(replacing Froehlich)         | Y Golar(D)                    |
| Y Miller(D)                                   | Y Osterman(D)                 |
| Y Pihos(R)                                    | Y Pritchard(R)                |
| N Reis(R)                                     | A Senger(R)                   |
| P Watson(R)                                   | Y Yarbrough(D)                |

The committee roll call vote on House Bill 4674 is as follows:  
17, Yeas; 0, Nays; 1, Answering Present.

|   |                                |
|---|--------------------------------|
| Y Smith(D), Chairperson                       | Y Crespo(D), Vice-Chairperson  |
| Y Mitchell, Jerry(R), Republican Spokesperson | A Bassi(R)                     |
| Y Cavaletto(R)                                | Y Colvin(D)                    |
| P Davis, Monique(D)                           | Y Dugan(D)                     |
| Y Eddy(R)                                     | Y Flider(D)                    |
| Y Froehlich(D)                                | Y Golar(D)                     |
| Y Miller(D)                                   | Y Burns(D)(replacing Osterman) |
| Y Pihos(R)                                    | Y Pritchard(R)                 |
| Y Reis(R)                                     | A Senger(R)                    |
| Y Watson(R)                                   | Y Yarbrough(D)                 |

The committee roll call vote on House Bill 5786 is as follows:  
12, Yeas; 5, Nays; 0, Answering Present.

|   |                               |
|---|-------------------------------|
| Y Hannig(D) (replacing Smith)                 | Y Crespo(D), Vice-Chairperson |
| N Mitchell, Jerry(R), Republican Spokesperson | A Bassi(R)                    |
| N Cavaletto(R)                                | Y Colvin(D)                   |
| Y Davis, Monique(D)                           | Y Dugan(D)                    |
| Y Eddy(R)                                     | Y Flider(D)                   |
| Y Chapa LaVia(D)(replacing Froehlich)         | Y Golar(D)                    |
| Y Miller(D)                                   | Y Osterman(D)                 |
| N Pihos(R)                                    | N Pritchard(R)                |
| N Reis(R)                                     | A Senger(R)                   |
| A Watson(R)                                   | Y Yarbrough(D)                |

The committee roll call vote on House Bill 5126 is as follows:

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

|   |                               |
|---|-------------------------------|
| Y Smith(D), Chairperson                       | Y Crespo(D), Vice-Chairperson |
| Y Mitchell, Jerry(R), Republican Spokesperson | A Bassi(R)                    |
| Y Cavaletto(R)                                | Y Colvin(D)                   |
| N Davis, Monique(D)                           | Y Dugan(D)                    |
| Y Eddy(R)                                     | Y Flider(D)                   |
| N Froehlich(D)                                | Y Golar(D)                    |
| Y Miller(D)                                   | A Osterman(D)                 |
| Y Pihos(R)                                    | Y Pritchard(R)                |
| Y Reis(R)                                     | A Senger(R)                   |
| P Watson(R)                                   | Y Yarbrough(D)                |

The committee roll call vote on House Bill 5836 and House Joint Resolution 74 is as follows:

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

|   |                                |
|---|--------------------------------|
| Y Smith(D), Chairperson                       | Y Crespo(D), Vice-Chairperson  |
| Y Mitchell, Jerry(R), Republican Spokesperson | Y Bassi(R)                     |
| Y Cavaletto(R)                                | Y Colvin(D)                    |
| Y Davis, Monique(D)                           | Y Dugan(D)                     |
| Y Eddy(R)                                     | Y Flider(D)                    |
| Y Froehlich(D)                                | Y Golar(D)                     |
| Y Miller(D)                                   | Y Burns(D)(replacing Osterman) |
| Y Pihos(R)                                    | Y Pritchard(R)                 |
| Y Reis(R)                                     | Y Senger(R)                    |
| Y Watson(R)                                   | Y Yarbrough(D)                 |

The committee roll call vote on House Bill 5863 is as follows:

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

|   |                               |
|---|-------------------------------|
| Y Smith(D), Chairperson                       | Y Crespo(D), Vice-Chairperson |
| Y Mitchell, Jerry(R), Republican Spokesperson | Y Bassi(R)                    |
| Y Cavaletto(R)                                | Y Colvin(D)                   |
| Y Davis, Monique(D)                           | Y Dugan(D)                    |
| Y Eddy(R)                                     | Y Flider(D)                   |
| Y Froehlich(D)                                | Y Golar(D)                    |
| Y Miller(D)                                   | Y Osterman(D)                 |
| Y Pihos(R)                                    | Y Pritchard(R)                |
| Y Reis(R)                                     | Y Senger(R)                   |
| Y Watson(R)                                   | Y Yarbrough(D)                |



### SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 2350 (Reboletti), 2456 (Verschoore), 2537 (Pritchard), 2590 (Schmitz), 2601 (Hernandez), 2603 (Osmond), 2615 (Eddy), 2647 (Leitch), 2799 (Mell), 2800 (Reitz), 2801 (Pritchard), 2804 (Beiser), 2807 (Holbrook), 2952 (Tracy), 2969 (Franks), 2983 (Beiser), 2987 (Acevedo), 2992 (Froehlich), 3014 (Cavaletto), 3035 (Reitz), 3037 (Howard), 3045 (Joyce), 3087 (Burns), 3088 (Hamos), 3089 (Burke), 3090 (Burns), 3117 (Mathias), 3128 (Poe), 3136 (Acevedo), 3146 (Burns), 3174 (Colvin), 3176 (Ramey), 3286 (Lang), 3287 (Lang), 3291 (Graham), 3295 (Turner), 3304 (Acevedo), 3305 (Smith), 3315 (Currie), 3385 (Nekritz), 3389 (Acevedo), 3390 (Acevedo), 3391 (Fortner), 3446 (Joyce), 3461 (Berrios), 3462 (Winters), 3464 (Rita), 3491 (Sacia), 3494 (Phelps), 3503 (Flider), 3505 (Riley), 3507 (Chapa LaVia), 3508 (Saviano), 3603 (Phelps), 3604 (Phelps), 3628 (Turner), 3629 (Beiser), 3645 (Mathias), 3646 (Currie), 3654 (Black), 3666 (Riley), 3672 (Sente), 3682 (Chapa LaVia), 3695 (Mendoza), 3696 (Yarbrough), 3719 (Bradley), 3728 (Black), 3782 (Black) and 3817 (Sente).

### SENATE RESOLUTIONS

The following Senate Joint Resolution, received from the Senate, were read by the Clerk and referred to the Committee on Rules: SENATE JOINT RESOLUTION 55 (Pritchard).

### HOUSE BILLS ON SECOND READING

Having been reproduced, the following bills were taken up, read by title a second time and held on the order of Second Reading: HOUSE BILLS 5021, 5022 and 5023.

### HOUSE JOINT RESOLUTIONS CONSTITUTIONAL AMENDMENTS SECOND READING

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 19, was taken up and read in full a first time.

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

#### AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 19

AMENDMENT NO. 1. Amend House Joint Resolution Constitutional Amendment 19 by replacing lines 3 through 23 on page 1 and all of pages 2, 3, 4, and 5 with the following:

"RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 8.1 of Article I of the Illinois Constitution as follows:

#### ARTICLE I BILL OF RIGHTS

#### SECTION 8.1. CRIME VICTIM'S RIGHTS.

(a) To preserve and protect a victim's right to justice and due process, a crime victim ~~Crime victims, as defined by law,~~ shall have the following rights ~~as provided by law~~:

(1) The right to be treated with fairness and respect for the victim's ~~their~~ dignity and privacy ~~throughout the criminal justice process.~~

(2) The right to timely notification of court proceedings and any related post-judgment proceedings.

(3) The right to notice and to a hearing before a court ruling on an accused's request for access to any of the victim's records, information, or communications which are privileged or confidential by law.

(4) ~~(3)~~ The right to communicate with the prosecution.

~~(5) (4) The right to be heard in person or in any other reasonable manner convenient to the victim at any plea, sentencing, reduction or change in sentence, or other proceeding in which a right of the victim is at issue make a statement to the court at sentencing.~~

~~(6) (5) The right to review any written description of the offense prepared for sentencing, reduction in sentence, parole, early release or clemency and the accused's prior criminal history information about the conviction, sentence, imprisonment, and release of the accused.~~

~~(7) The right to be informed of the conviction, the sentence, any post-judgment decision, any reduction of the sentence, the imprisonment, and the release of the accused.~~

~~(8) (6) The right to timely disposition of the case following the arrest of the accused, including related post-conviction and post-judgment proceedings.~~

~~(9) (7) The right to be reasonably protected from the accused throughout the criminal justice process.~~

~~(10) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail and release conditions for the accused and in deciding any parole or post-judgment release decision.~~

~~(11) (8) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.~~

~~(12) (9) The right to have present at all court proceedings, subject to the rules of evidence, an advocate, a victim-witness specialist, or other support person of the victim's choice.~~

~~(13) (40) The right to restitution.~~

~~(b) Definition. For the purposes of this Section, the term "crime victim" means a person directly and proximately harmed as a result of the commission of a criminal offense. In the case of a crime victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the crime victim or the representatives of the crime victim's estate, family members, or any other persons appointed as suitable by the court may assume the crime victim's rights under this Section, but in no event shall the accused be named as such guardian or representative.~~

~~(c) A victim, a lawful representative of the victim including the victim's lawyer, or the prosecuting attorney upon request of the victim may assert the rights enumerated in subsection (a) in any circuit or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request.~~

~~(b) The General Assembly may provide by law for the enforcement of this Section.~~

~~(d) (e) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.~~

~~(e) (4) Nothing in this Section or in any law enacted under this Section shall be construed as creating a basis for vacating a conviction. This Section does not create any cause of action for compensation or damages against the State, any political subdivision of the State, any officer, employee, or agent of the State or of any of its political subdivisions, or any officer or employee of the court or a ground for appellate relief in any criminal case.~~

(Source: Amendment adopted at general election November 3, 1992.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act."

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

At the hour of 7:20 o'clock p.m., the House Perfunctory Session adjourned.