

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

153RD LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

WEDNESDAY, DECEMBER 1, 2010

10:08 O'CLOCK A.M.

HOUSE OF REPRESENTATIVES
Daily Journal Index
153rd Legislative Day

| Action | Page(s) |
|---|----------------|
| Adjournment | 41 |
| Adjournment Resolution | 41 |
| Balanced Budget Note Request Withdrawn | 6 |
| Balanced Budget Note Supplied | 6 |
| Fiscal Note Supplied | 6 |
| Legislative Measures Approved for Floor Consideration | 5 |
| Letter of Transmittal | 4 |
| Messages From The Senate | 6 |
| Motions Submitted | 6 |
| Perfunctory Adjournment | 55 |
| Perfunctory Session | 55 |
| Quorum Roll Call | 4 |
| Resignation | 4 |
| Senate Bills on First Reading | 55 |
| State Mandates Fiscal Note Requested | 6 |
| State Mandates Fiscal Note Supplied | 6 |

| Bill Number | Legislative Action | Page(s) |
|--------------------|--|----------------|
| HB 0306 | Senate Message – Passage w/ SA | 15 |
| HB 1715 | Second Reading – amendment | 38 |
| HB 1715 | Third Reading | 40 |
| HB 1721 | Committee Report – Floor Amendment/s | 5 |
| HB 1721 | Second Reading – amendment | 18 |
| HB 1721 | Third Reading | 19 |
| HB 1760 | Second Reading – amendment | 36 |
| HB 1850 | Second Reading | 38, 40 |
| HB 1915 | Second Reading – amendment | 17 |
| HB 1915 | Third Reading | 18 |
| HB 3962 | Concurrence in Senate Amendment/s | 20 |
| HB 4934 | Senate Message – Passage w/ SA | 12 |
| HB 5224 | Senate Message – Passage w/ SA | 11 |
| HB 6063 | Senate Message – Passage w/ SA | 16 |
| HB 6862 | Committee Report – Floor Amendment/s | 5 |
| HB 6862 | Motion Submitted | 6 |
| HB 6862 | Recall | 40 |
| HB 6862 | Second Reading – amendment | 40 |
| HB 6862 | Third Reading | 41 |
| HB 6862 | Third Reading - CPP | 21 |
| HB 6881 | Second Reading | 37 |
| HB 6881 | Third Reading | 38 |
| HJR 0129 | Adoption | 41 |
| HR 1002 | Committee Report – Floor Amendment/s | 5 |
| HR 1188 | Adoption | 40 |
| HR 1516 | Adoption | 40 |
| HR 1523 | Resolution | 17 |
| HR 1523 | Adoption | 41 |
| HR 1525 | Resolution | 17 |
| HR 1525 | Adoption | 41 |
| HR 1526 | Resolution | 17 |
| HR 1526 | Adoption | 41 |

| | | |
|---------|---|----|
| HR 1527 | Resolution | 17 |
| HR 1527 | Adoption | 41 |
| HR 1528 | Resolution | 17 |
| HR 1528 | Adoption | 41 |
| HR 1529 | Resolution | 17 |
| HR 1529 | Adoption | 41 |
| HR 1530 | Resolution | 17 |
| HR 1530 | Adoption | 41 |
| HR 1531 | Resolution | 17 |
| HR 1531 | Adoption | 41 |
| SB 0150 | Third Reading | 38 |
| SB 0336 | Senate Message – Passage of Senate Bill | 7 |
| SB 0362 | Committee Report – Floor Amendment/s | 5 |
| SB 0362 | Recall | 35 |
| SB 0362 | Second Reading – Amendment/s | 35 |
| SB 0362 | Third Reading | 36 |
| SB 0389 | Second Reading – Amendment/s | 21 |
| SB 0389 | Third Reading | 35 |
| SB 0678 | Third Reading | 20 |
| SB 0902 | First Reading..... | 55 |
| SB 0902 | Senate Message – Passage of Senate Bill | 7 |
| SB 1014 | First Reading..... | 55 |
| SB 1014 | Senate Message – Passage of Senate Bill | 7 |
| SB 1310 | First Reading..... | 55 |
| SB 1310 | Senate Message – Passage of Senate Bill | 7 |
| SB 2271 | Committee Report..... | 5 |
| SB 2559 | Third Reading | 20 |
| SB 2800 | Senate Message – Passage of Senate Bill | 8 |
| SB 3708 | Third Reading | 20 |
| SB 3976 | First Reading..... | 55 |
| SB 3976 | Senate Message – Passage of Senate Bill | 7 |

[December 1, 2010]

4

The House met pursuant to adjournment.

Representative Mautino in the chair.

Prayer by Pastor John E. Collins, Sr., who is with True Vine Baptist Church in Chicago, IL.

Representative Lilly 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:

114 present. (ROLL CALL 1)

By unanimous consent, Representatives Dugan, Myers and Reis were excused from attendance. At the hour of 11:10 o'clock a.m., by unanimous consent, Representative Ford was excused from attendance for the remainder of the day. At the hour of 11:43 o'clock a.m., by unanimous consent, Representative Biggins was excused from attendance for the remainder of the day.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative McGuire, should be recorded as present at the hour of 10:35 o'clock p.m.

RESIGNATION

December 1, 2010

Mr. Mark Mahoney
Clerk of the House
Room 420, Capitol Building
Springfield, Illinois 62706

Dear Clerk Mahoney:

Please accept this letter as a notice of resignation from my office of State Representative effective Sunday, January 9, 2011 at 12:01 a.m.

Sincerely,
s/Shane Cultra
State Representative
105th District

LETTER OF TRANSMITTAL

December 1, 2010

Mark Mahoney
Chief Clerk of the House
420 State House
Springfield, Il 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Final Action Deadline to January 11, 2011 for the following Senate Bill:

Senate Bill: 2271.

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

With kindest personal regards, I remain

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

REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on December 1, 2010, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 1721.

That the bill be reported "approved for consideration" and be placed on the order of Third Reading--
Short Debate: SENATE BILL 2271.

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

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

Y Currie(D), Chairperson
Y Hannig(D)
A Schmitz(R)

Y Black(R), Republican Spokesperson
Y Lang(D)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on December 1, 2010, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to SENATE BILL 362.

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

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

Y Currie(D), Chairperson
Y Hannig(D)
Y Schmitz(R)

A Black(R), Republican Spokesperson
Y Lang(D)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on December 1, 2010, (B) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 6862.
Amendment No. 2 to HOUSE RESOLUTION 1002.

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

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

Y Currie(D), Chairperson
A Hannig(D)
Y Schmitz(R)

A Black(R), Republican Spokesperson
Y Lang(D)

MOTIONS SUBMITTED

Representative Poe 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 6862 failed in the House on December 1, 2010.

BALANCED BUDGET NOTE SUPPLIED

A Balanced Budget Note has been supplied for HOUSE BILL 1850, as amended.

FISCAL NOTE SUPPLIED

A Fiscal Note has been supplied for HOUSE BILL 1850, as amended.

STATE MANDATES FISCAL NOTE SUPPLIED

A State Mandates Fiscal Note has been supplied for HOUSE BILL 1760, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Osmond requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 1760, as amended.

BALANCED BUDGET NOTE REQUEST WITHDRAWN

Representative Thapedi withdrew his request for a Balanced Budget Note on HOUSE BILL 1850, as amended.

MESSAGES FROM THE SENATE

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

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

SENATE BILL NO. 902

A bill for AN ACT concerning fish.
Passed by the Senate, December 1, 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 passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1310

A bill for AN ACT concerning criminal law.
Passed by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 902 and 1310 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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1014

A bill for AN ACT concerning criminal law.
Passed by the Senate, December 1, 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 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. 336

A bill for AN ACT concerning government.

SENATE BILL NO. 3976

A bill for AN ACT concerning elections.
Passed by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 336, 1014 and 3976 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 concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2800

A bill for AN ACT concerning professional regulation.
House Amendment No. 1 to SENATE BILL NO. 2800.
Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILL 2800 was 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 concurred with the House in the passage of a bill of the following title to-wit:

HOUSE BILL NO. 5635

A bill for AN ACT concerning local government.

Passed by the Senate, December 1, 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 their amendment to the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 80

House Amendment No. 1

Action taken by the Senate, December 1, 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 of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 5224

A bill for AN ACT concerning civil law.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 5224

Passed the Senate, as amended, December 1, 2010.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 5224 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Sections 15-1503 and 15-1508 as follows:

(735 ILCS 5/15-1503) (from Ch. 110, par. 15-1503)

Sec. 15-1503. Notice of Foreclosure.

(a) A notice of foreclosure, whether the foreclosure is initiated by complaint or counterclaim, made in accordance with this Section and recorded in the county in which the mortgaged real estate is located shall be constructive notice of the pendency of the foreclosure to every person claiming an interest in or lien on the mortgaged real estate, whose interest or lien has not been recorded prior to the recording of such notice of foreclosure. Such notice of foreclosure must be executed by any party or any party's attorney and shall include (i) the names of all plaintiffs and the case number, (ii) the court in which the action was brought, (iii) the names of title holders of record, (iv) a legal description of the real estate sufficient to identify it with reasonable certainty, (v) a common address or description of the location of the real estate and (vi) identification of the mortgage sought to be foreclosed. An incorrect common address or description of the location, or an immaterial error in the identification of a plaintiff or title holder of record, shall not

invalidate the lis pendens effect of the notice under this Section. A notice which complies with this Section shall be deemed to comply with Section 2-1901 of the Code of Civil Procedure and shall have the same effect as a notice filed pursuant to that Section; however, a notice which complies with Section 2-1901 shall not be constructive notice unless it also complies with the requirements of this Section.

(b) With respect to residential real estate, a copy of the notice of foreclosure described in subsection (a) of Section 15-1503 shall be sent by first class mail, postage prepaid, to the municipality within the boundary of which the mortgaged real estate is located, or to the county within the boundary of which the mortgaged real estate is located if the mortgaged real estate is located in an unincorporated territory. A municipality or county must clearly publish on its website a single address to which such notice shall be sent. If a municipality or county does not maintain a website, then the municipality or county must publicly post in its main office a single address to which such notice shall be sent. In the event that a municipality or county has not complied with the publication requirement in this subsection (b), then such notice to the municipality or county shall be sent by first class mail to the chairperson of the county board or county clerk in the case of a county, to the mayor or city clerk in the case of a city, to the president of the board of trustees or village clerk in the case of a village, or to the supervisor or town clerk in the case of a town provided pursuant to Section 2-211 of the Code of Civil Procedure.

(Source: P.A. 96-856, eff. 3-1-10.)

(735 ILCS 5/15-1508) (from Ch. 110, par. 15-1508)

Sec. 15-1508. Report of Sale and Confirmation of Sale.

(a) Report. The person conducting the sale shall promptly make a report to the court, which report shall include a copy of all receipts and, if any, certificate of sale.

(b) Hearing. Upon motion and notice in accordance with court rules applicable to motions generally, which motion shall not be made prior to sale, the court shall conduct a hearing to confirm the sale. Unless the court finds that (i) a notice required in accordance with subsection (c) of Section 15-1507 was not given, (ii) the terms of sale were unconscionable, (iii) the sale was conducted fraudulently or (iv) that justice was otherwise not done, the court shall then enter an order confirming the sale. The confirmation order shall include a name, address, and telephone number of the holder of the certificate of sale or deed issued pursuant to that certificate or, if no certificate or deed was issued, the purchaser, whom a municipality or county may contact with concerns about the real estate. The confirmation order may also:

(1) approve the mortgagee's fees and costs arising between the entry of the judgment of foreclosure and the confirmation hearing, those costs and fees to be allowable to the same extent as provided in the note and mortgage and in Section 15-1504;

(2) provide for a personal judgment against any party for a deficiency; and

(3) determine the priority of the judgments of parties who deferred proving the priority pursuant to subsection (h) of Section 15-1506, but the court shall not defer confirming the sale pending the determination of such priority.

(b-5) Notice with respect to residential real estate. With respect to residential real estate, the notice required under subsection (b) of this Section shall be sent to the mortgagor even if the mortgagor has previously been held in default. In the event the mortgagor has filed an appearance, the notice shall be sent to the address indicated on the appearance. In all other cases, the notice shall be sent to the mortgagor at the common address of the foreclosed property. The notice shall be sent by first class mail. Unless the right to possession has been previously terminated by the court, the notice shall include the following language in 12-point boldface capitalized type:

IF YOU ARE THE MORTGAGOR (HOMEOWNER), YOU HAVE THE RIGHT TO REMAIN IN POSSESSION FOR 30 DAYS AFTER ENTRY OF AN ORDER OF POSSESSION, IN ACCORDANCE WITH SECTION 15-1701(c) OF THE ILLINOIS MORTGAGE FORECLOSURE LAW.

(b-10) Notice of confirmation order sent to municipality or county. With respect to residential real estate,
a A copy of the

confirmation order required under subsection (b) shall be sent by first class mail, postage prepaid, to the municipality in which the foreclosed property is located, or to the county within the boundary of which the foreclosed property is located if the foreclosed property is located in an unincorporated territory. A municipality or county must clearly publish on its website a single address to which such order notice shall be sent. If a municipality or county does not maintain a website, then the municipality or county must publicly post in its main office a single address to which such order notice shall be sent. In the event that a municipality or county has not complied with the publication requirement in this subsection (b-10), then such order notice to the municipality or county shall be sent by first class mail to the chairperson of the county board or county clerk in the case of a county, to the mayor or city clerk in the

case of a city, to the president of the board of trustees or village clerk in the case of a village, or to the supervisor or town clerk in the case of a town provided pursuant to Section 2-211 of the Code of Civil Procedure.

(b-15) Notice of confirmation order sent to known insurers. With respect to residential real estate, a copy of the confirmation order required under subsection (b) shall be sent by first class mail, postage prepaid, to the last-known property insurer of the foreclosed property. Failure to send or receive a copy of the order shall not impair or abrogate in any way the rights of the mortgagee or purchaser or affect the status of the foreclosure proceedings.

(c) Failure to Give Notice. If any sale is held without compliance with subsection (c) of Section 15-1507 of this Article, any party entitled to the notice provided for in paragraph (3) of that subsection (c) who was not so notified may, by motion supported by affidavit made prior to confirmation of such sale, ask the court which entered the judgment to set aside the sale. Any such party shall guarantee or secure by bond a bid equal to the successful bid at the prior sale, unless the party seeking to set aside the sale is the mortgagor, the real estate sold at the sale is residential real estate, and the mortgagor occupies the residential real estate at the time the motion is filed. In that event, no guarantee or bond shall be required of the mortgagor. Any subsequent sale is subject to the same notice requirement as the original sale.

(d) Validity of Sale. Except as provided in subsection (c) of Section 15-1508, no sale under this Article shall be held invalid or be set aside because of any defect in the notice thereof or in the publication of the same, or in the proceedings of the officer conducting the sale, except upon good cause shown in a hearing pursuant to subsection (b) of Section 15-1508. At any time after a sale has occurred, any party entitled to notice under paragraph (3) of subsection (c) of Section 15-1507 may recover from the mortgagee any damages caused by the mortgagee's failure to comply with such paragraph (3). Any party who recovers damages in a judicial proceeding brought under this subsection may also recover from the mortgagee the reasonable expenses of litigation, including reasonable attorney's fees.

(d-5) Making Home Affordable Program. The court that entered the judgment shall set aside a sale held pursuant to Section 15-1507, upon motion of the mortgagor at any time prior to the confirmation of the sale, if the mortgagor proves by a preponderance of the evidence that (i) the mortgagor has applied for assistance under the Making Home Affordable Program established by the United States Department of the Treasury pursuant to the Emergency Economic Stabilization Act of 2008, as amended by the American Recovery and Reinvestment Act of 2009, and (ii) the mortgaged real estate was sold in material violation of the program's requirements for proceeding to a judicial sale. The provisions of this subsection (d-5), except for this sentence, shall become inoperative on January 1, 2013 for all actions filed under this Article after December 31, 2012, in which the mortgagor did not apply for assistance under the Making Home Affordable Program on or before December 31, 2012.

(e) Deficiency Judgment. In any order confirming a sale pursuant to the judgment of foreclosure, the court shall also enter a personal judgment for deficiency against any party (i) if otherwise authorized and (ii) to the extent requested in the complaint and proven upon presentation of the report of sale in accordance with Section 15-1508. Except as otherwise provided in this Article, a judgment may be entered for any balance of money that may be found due to the plaintiff, over and above the proceeds of the sale or sales, and enforcement may be had for the collection of such balance, the same as when the judgment is solely for the payment of money. Such judgment may be entered, or enforcement had, only in cases where personal service has been had upon the persons personally liable for the mortgage indebtedness, unless they have entered their appearance in the foreclosure action.

(f) Satisfaction. Upon confirmation of the sale, the judgment stands satisfied to the extent of the sale price less expenses and costs. If the order confirming the sale includes a deficiency judgment, the judgment shall become a lien in the manner of any other judgment for the payment of money.

(g) The order confirming the sale shall include, notwithstanding any previous orders awarding possession during the pendency of the foreclosure, an award to the purchaser of possession of the mortgaged real estate, as of the date 30 days after the entry of the order, against the parties to the foreclosure whose interests have been terminated.

An order of possession authorizing the removal of a person from possession of the mortgaged real estate shall be entered and enforced only against those persons personally named as individuals in the complaint or the petition under subsection (h) of Section 15-1701 and in the order of possession and shall not be entered and enforced against any person who is only generically described as an unknown owner or nonrecord claimant or by another generic designation in the complaint.

Notwithstanding the preceding paragraph, the failure to personally name, include, or seek an award of possession of the mortgaged real estate against a person in the confirmation order shall not abrogate any

right that the purchaser may have to possession of the mortgaged real estate and to maintain a proceeding against that person for possession under Article 9 of this Code or subsection (h) of Section 15-1701; and possession against a person who (1) has not been personally named as a party to the foreclosure and (2) has not been provided an opportunity to be heard in the foreclosure proceeding may be sought only by maintaining a proceeding under Article 9 of this Code or subsection (h) of Section 15-1701.

(Source: P.A. 95-826, eff. 8-14-08; 96-265, eff. 8-11-09; 96-856, eff. 3-1-10; 96-1245, eff. 7-23-10; revised 9-16-10.)

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

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 5224 was placed on the Calendar on the order of Concurrence.

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 of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 4934

A bill for AN ACT concerning professional regulation.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 4934

Senate Amendment No. 4 to HOUSE BILL NO. 4934

Passed the Senate, as amended, December 1, 2010.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4934 by replacing everything after the enacting clause with the following:

"Section 5. The Community Association Manager Licensing and Disciplinary Act is amended by changing Section 1 as follows:

(225 ILCS 427/1)

(This Section may contain text from a Public Act with a delayed effective date)

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

Sec. 1. Short title. This Act may be cited as the ~~the~~ Community Association Manager Licensing and Disciplinary Act.

(Source: P.A. 96-726, eff. 7-1-10.)

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."

AMENDMENT NO. 4. Amend House Bill 4934, AS AMENDED, 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 2105-165 as follows:

(20 ILCS 2105/2105-165 new)

Sec. 2105-165. Health care worker licensure actions; intentional felonies and sexual crimes.

(a) When a licensed health care worker, as defined in the Health Care Worker Self-Referral Act, (1) has been convicted of any forcible intentional felony or a sexual criminal act that requires registration under the Sex Offender Registration Act against a patient in the course of patient care or treatment; (2) has been convicted of any forcible intentional felony against any natural person; or (3) is required as a part of a criminal sentence to register under the Sex Offender Registration Act, then the Secretary, after consultation with the Department's regulatory and prosecutorial staff, shall immediately temporarily suspend the license of the health care worker without a hearing, simultaneously with the institution of proceedings for a hearing in accordance with subsection (c) of this Section, if the Secretary finds that evidence in his or her

possession indicates that the health care worker's continuation in practice would constitute an immediate danger to the public.

(b) When an Illinois State's Attorney files criminal felony charges alleging that a licensed health care worker, as defined in the Health Care Worker Self-Referral Act, committed an intentional forcible felony against a patient including a sexual act against a patient in the course of patient care or treatment, then the State's Attorney shall provide notice to the Department of the health care worker's name, address, practice address, and license number and the patient's name. Within 15 business days after receiving notice from the State's Attorney of the filing of criminal charges against the health care worker, the Secretary shall issue an administrative order that the health care worker shall immediately practice only with a chaperone during all patient encounters pending the outcome of the criminal proceedings. The licensee shall provide an acceptable written plan of compliance with the administrative order to the Department within 10 days after receipt of the administrative order. Failure to comply with the administrative order, failure to file a compliance plan, or failure to follow the compliance plan shall subject the health care worker to temporary suspension of his or her professional license.

(c) In instances in which the Secretary immediately suspends a license under this Section, a hearing on the health care worker's license must be convened by the appropriate licensing or disciplinary board within 15 days after the summary suspension and completed without appreciable delay. This hearing is to determine whether to recommend to the Secretary that the health care worker's license be revoked, suspended, placed on probationary status, or reinstated, or whether the health care worker should be subject to other disciplinary action. In the hearing, any written information or communication and any other evidence submitted therewith may be introduced as evidence against the health care worker; provided however, the health care worker, or his or her counsel, shall have the opportunity to discredit, impeach, and submit evidence rebutting such evidence.

(d) Notwithstanding any provision of law to the contrary, any revocation or suspension for crimes or sentences requiring sex offender registration under the Sex Offender Registration Act shall be for a minimum of 5 years. Licensees may only be considered rehabilitated by the appropriate licensing or disciplinary board (1) based upon certified written reports of examination by 2 physicians board certified in psychiatry recommending that the licensee is sufficiently rehabilitated to warrant the public trust and that the licensee can resume practice without monitoring or limitations; (2) when the licensee is no longer required to register as a sex offender under the Sex Offender Registration Act; or (3) the licensee's conviction is vacated, overturned, or reversed.

(e) Nothing contained in this Section shall act in any way to waive or modify the confidentiality of information provided by the State's Attorney to the extent provided by law. Any information reported or disclosed shall be kept for the confidential use of the Secretary, Department attorneys, the investigative staff, and authorized clerical staff and shall be afforded the same status as is provided information under Part 21 of Article VIII of the Code of Civil Procedure, except that the Department may disclose information and documents to (1) a federal, State, or local law enforcement agency pursuant to a subpoena in an ongoing criminal investigation or (2) an appropriate licensing authority of another state or jurisdiction pursuant to an official request made by that authority. Any information and documents disclosed to a federal, State, or local law enforcement agency may be used by that agency only for the investigation and prosecution of a criminal offense. Any information or documents disclosed by the Department to a professional licensing authority of another state or jurisdiction may only be used by that authority for investigations and disciplinary proceedings with regards to a professional license.

(f) Any licensee disciplined or who received an administrative order under this Section shall have the discipline or administrative order vacated and completely removed from the licensee's records and public view and the discipline or administrative order shall be afforded the same status as is provided information under Part 21 of Article VIII of the Code of Civil Procedure if (1) the charges upon which the discipline or administrative order is based are dropped; (2) the licensee is not convicted of the charges upon which the discipline or administrative order is based; or (3) any conviction for charges upon which the discipline or administrative order was based have been vacated, overturned, or reversed.

(g) Nothing contained in this Section shall prohibit the Department from initiating or maintaining a disciplinary action against a licensee independent from any criminal charges, conviction, or sex offender registration.

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

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 4 to HOUSE BILL 4934 was placed on the Calendar on the order of Concurrence.

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 of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 306

A bill for AN ACT concerning public employee benefits.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 306

Passed the Senate, as amended, December 1, 2010.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 306 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 3-110 as follows:

(40 ILCS 5/3-110) (from Ch. 108 1/2, par. 3-110)

Sec. 3-110. Creditable service.

(a) "Creditable service" is the time served by a police officer as a member of a regularly constituted police force of a municipality. In computing creditable service furloughs without pay exceeding 30 days shall not be counted, but all leaves of absence for illness or accident, regardless of length, and all periods of disability retirement for which a police officer has received no disability pension payments under this Article shall be counted.

(a-5) Up to 3 years of time during which the police officer receives a disability pension under Section 3-114.1, 3-114.2, 3-114.3, or 3-114.6 shall be counted as creditable service, provided that (i) the police officer returns to active service after the disability for a period at least equal to the period for which credit is to be established and (ii) the police officer makes contributions to the fund based on the rates specified in Section 3-125.1 and the salary upon which the disability pension is based. These contributions may be paid at any time prior to the commencement of a retirement pension. The police officer may, but need not, elect to have the contributions deducted from the disability pension or to pay them in installments on a schedule approved by the board. If not deducted from the disability pension, the contributions shall include interest at the rate of 6% per year, compounded annually, from the date for which service credit is being established to the date of payment. If contributions are paid under this subsection (a-5) in excess of those needed to establish the credit, the excess shall be refunded. This subsection (a-5) applies to persons receiving a disability pension under Section 3-114.1, 3-114.2, 3-114.3, or 3-114.6 on the effective date of this amendatory Act of the 91st General Assembly, as well as persons who begin to receive such a disability pension after that date.

(b) Creditable service includes all periods of service in the military, naval or air forces of the United States entered upon while an active police officer of a municipality, provided that upon applying for a permanent pension, and in accordance with the rules of the board, the police officer pays into the fund the amount the officer would have contributed if he or she had been a regular contributor during such period, to the extent that the municipality which the police officer served has not made such contributions in the officer's behalf. The total amount of such creditable service shall not exceed 5 years, except that any police officer who on July 1, 1973 had more than 5 years of such creditable service shall receive the total amount thereof.

(b-5) Creditable service includes up to 24 months ~~all periods~~ of service in the military, naval, or air forces of the United States entered upon before beginning service as an active police officer of a municipality, provided that, in accordance with the rules of the board, the police officer applies to the pension fund in writing and pays into the fund the employee contributions that would have been required had the service been rendered as a member of the fund on the date of membership in the fund ~~amount the police officer would have contributed if he or she had been a regular contributor during such period~~, plus an amount determined by the Board to be equal to the municipality's normal cost of the benefit, plus interest on those amounts at the actuarially assumed rate, compounded annually, calculated ~~calculated~~ from the date of membership in the fund to the date of payment ~~the employee last became a police officer under this Article~~. The total amount of such creditable service shall not exceed 2 years. The changes made to this subsection (b-5) by this amendatory Act of the 96th General Assembly apply only to participating employees while in

service on or after July 23, 2010.

(c) Creditable service also includes service rendered by a police officer while on leave of absence from a police department to serve as an executive of an organization whose membership consists of members of a police department, subject to the following conditions: (i) the police officer is a participant of a fund established under this Article with at least 10 years of service as a police officer; (ii) the police officer received no credit for such service under any other retirement system, pension fund, or annuity and benefit fund included in this Code; (iii) pursuant to the rules of the board the police officer pays to the fund the amount he or she would have contributed had the officer been an active member of the police department; and (iv) the organization pays a contribution equal to the municipality's normal cost for that period of service.

(d)(1) Creditable service also includes periods of service originally established in another police pension fund under this Article or in the Fund established under Article 7 of this Code for which (i) the contributions have been transferred under Section 3-110.7 or Section 7-139.9 and (ii) any additional contribution required under paragraph (2) of this subsection has been paid in full in accordance with the requirements of this subsection (d).

(2) If the board of the pension fund to which creditable service and related contributions are transferred under Section 7-139.9 determines that the amount transferred is less than the true cost to the pension fund of allowing that creditable service to be established, then in order to establish that creditable service the police officer must pay to the pension fund, within the payment period specified in paragraph (3) of this subsection, an additional contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under paragraph (6) of this subsection. If the board of the pension fund to which creditable service and related contributions are transferred under Section 3-110.7 determines that the amount transferred is less than the true cost to the pension fund of allowing that creditable service to be established, then the police officer may elect (A) to establish that creditable service by paying to the pension fund, within the payment period specified in paragraph (3) of this subsection (d), an additional contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under paragraph (6) of this subsection (d) or (B) to have his or her creditable service reduced by an amount equal to the difference between the amount transferred under Section 3-110.7 and the true cost to the pension fund of allowing that creditable service to be established, as determined by the board in accordance with the rules and procedures adopted under paragraph (6) of this subsection (d).

(3) Except as provided in paragraph (4), the additional contribution that is required or elected under paragraph (2) of this subsection (d) must be paid to the board (i) within 5 years from the date of the transfer of contributions under Section 3-110.7 or 7-139.9 and (ii) before the police officer terminates service with the fund. The additional contribution may be paid in a lump sum or in accordance with a schedule of installment payments authorized by the board.

(4) If the police officer dies in service before payment in full has been made and before the expiration of the 5-year payment period, the surviving spouse of the officer may elect to pay the unpaid amount on the officer's behalf within 6 months after the date of death, in which case the creditable service shall be granted as though the deceased police officer had paid the remaining balance on the day before the date of death.

(5) If the additional contribution that is required or elected under paragraph (2) of this subsection (d) is not paid in full within the required time, the creditable service shall not be granted and the police officer (or the officer's surviving spouse or estate) shall be entitled to receive a refund of (i) any partial payment of the additional contribution that has been made by the police officer and (ii) those portions of the amounts transferred under subdivision (a)(1) of Section 3-110.7 or subdivisions (a)(1) and (a)(3) of Section 7-139.9 that represent employee contributions paid by the police officer (but not the accumulated interest on those contributions) and interest paid by the police officer to the prior pension fund in order to reinstate service terminated by acceptance of a refund.

At the time of paying a refund under this item (5), the pension fund shall also repay to the pension fund from which the contributions were transferred under Section 3-110.7 or 7-139.9 the amount originally transferred under subdivision (a)(2) of that Section, plus interest at the rate of 6% per year, compounded annually, from the date of the original transfer to the date of repayment. Amounts repaid to the Article 7 fund under this provision shall be credited to the appropriate municipality.

Transferred credit that is not granted due to failure to pay the additional contribution within the required time is lost; it may not be transferred to another pension fund and may not be reinstated in the pension fund from which it was transferred.

(6) The Public Employee Pension Fund Division of the Department of Insurance shall establish by rule the manner of making the calculation required under paragraph (2) of this subsection, taking into account the appropriate actuarial assumptions; the police officer's service, age, and salary history; the level of funding of the pension fund to which the credits are being transferred; and any other factors that the Division determines to be relevant. The rules may require that all calculations made under paragraph (2) be reported to the Division by the board performing the calculation, together with documentation of the creditable service to be transferred, the amounts of contributions and interest to be transferred, the manner in which the calculation was performed, the numbers relied upon in making the calculation, the results of the calculation, and any other information the Division may deem useful.

(e)(1) Creditable service also includes periods of service originally established in the Fund established under Article 7 of this Code for which the contributions have been transferred under Section 7-139.11.

(2) If the board of the pension fund to which creditable service and related contributions are transferred under Section 7-139.11 determines that the amount transferred is less than the true cost to the pension fund of allowing that creditable service to be established, then the amount of creditable service the police officer may establish under this subsection (e) shall be reduced by an amount equal to the difference, as determined by the board in accordance with the rules and procedures adopted under paragraph (3) of this subsection.

(3) The Public Pension Division of the Department of Financial and Professional Regulation shall establish by rule the manner of making the calculation required under paragraph (2) of this subsection, taking into account the appropriate actuarial assumptions; the police officer's service, age, and salary history; the level of funding of the pension fund to which the credits are being transferred; and any other factors that the Division determines to be relevant. The rules may require that all calculations made under paragraph (2) be reported to the Division by the board performing the calculation, together with documentation of the creditable service to be transferred, the amounts of contributions and interest to be transferred, the manner in which the calculation was performed, the numbers relied upon in making the calculation, the results of the calculation, and any other information the Division may deem useful.

(4) Until January 1, 2010, a police officer who transferred service from the Fund established under Article 7 of this Code under the provisions of Public Act 94-356 may establish additional credit, but only for the amount of the service credit reduction in that transfer, as calculated under paragraph (3) of this subsection (e). This credit may be established upon payment by the police officer of an amount to be determined by the board, equal to (1) the amount that would have been contributed as employee and employer contributions had all of the service been as an employee under this Article, plus interest thereon at the rate of 6% per year, compounded annually from the date of service to the date of transfer, less (2) the total amount transferred from the Article 7 Fund, plus (3) interest on the difference at the rate of 6% per year, compounded annually, from the date of the transfer to the date of payment. The additional service credit is allowed under this amendatory Act of the 95th General Assembly notwithstanding the provisions of Article 7 terminating all transferred credits on the date of transfer.

(Source: P.A. 95-812, eff. 8-13-08; 96-297, eff. 8-11-09; 96-1260, eff. 7-23-10.)

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

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 306 was placed on the Calendar on the order of Concurrence.

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 of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 6063

A bill for AN ACT concerning State government.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 6063

Passed the Senate, as amended, December 1, 2010.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 6063 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by changing Section 4.02c as follows:
(20 ILCS 105/4.02c)

Sec. 4.02c. Comprehensive Care in Residential Settings Demonstration Project.

(a) The Department may establish and fund a demonstration program of bundled services designed to support the specialized needs of clients who qualify for Community Care Program services and reside in projects designated by the Department as Comprehensive Care Residential Settings. ~~currently residing in projects that were formerly designated as Community Based Residential Facilities. Participating Designated~~ projects must hold a valid license, which remains unsuspended, unrevoked, and unexpired, under the provisions of the Assisted Living and Shared Housing Act.

(b) The designated projects in the demonstration program must include, at a minimum:

- (1) 3 meals per day;
- (2) routine housekeeping services;
- (3) 24-hour-a-day security;
- (4) an emergency response system;
- (5) personal laundry and linen service;
- (6) assistance with activities of daily living;
- (7) medication management; and
- (8) money management.

Optional services, such as transportation and social activities, may be provided.

(c) Reimbursement for the program shall be based on the client's level of need and functional impairment, as determined by the Department. Clients must meet all eligibility requirements established by rule. The Department may establish a capitated reimbursement mechanism based on the client's level of need and functional impairment. Reimbursement for program must be made to the Department-contracted provider delivering the services.

(d) The Department shall adopt rules and provide oversight for the project, with assistance and advice provided by the Community Care Program Advisory Committee ~~Assisted Living and Shared Housing Advisory Board and Assisted Living and Shared Housing Quality of Life Committee.~~

The project may be funded through the Department appropriations that may include Medicaid waiver funds.

~~(e) The Department, in consultation with the Assisted Living and Shared Housing Advisory Board, may report to the General Assembly on the results of the demonstration project. The report may include, without limitation, any recommendations for changes or improvements, including changes or improvements in the administration of the program and an evaluation.~~

(Source: P.A. 96-918, eff. 6-9-10.)

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 6063 was placed on the Calendar on the order of Concurrence.

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 their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1716

A bill for AN ACT concerning civil law.

House Amendment No. 1 to SENATE BILL NO. 1716.

Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1523

Offered by Representative Carberry:
Congratulates Helen E. Fesser of Evergreen Park on her 100th birthday.

HOUSE RESOLUTION 1525

Offered by Representative Connelly:
Mourns the death of John James Rafter, Retired Captain of the Chicago Police Department, of Spring Hill, Florida, formerly of Edison Park, Chicago.

HOUSE RESOLUTION 1526

Offered by Representative Riley:
Mourns the death of Martin Anthonisen of Chicago.

HOUSE RESOLUTION 1527

Offered by Representative Flider:
Mourns the death of Sergeant Jesse Richard Tilton of Long Creek.

HOUSE RESOLUTION 1528

Offered by Representative Cole:
Mourns the death of Ivan D. Thunder of Grayslake.

HOUSE RESOLUTION 1529

Offered by Representative Flider:
Congratulates Douglas E. Zemke on the occasion of his retirement as President of Millikin University.

HOUSE RESOLUTION 1530

Offered by Representative Fritchey:
Mourns the death of Randall "Randy" Sherman.

HOUSE RESOLUTION 1531

Offered by Representative Fortner:
Congratulates the members of the Wheaton Warrenville South High School Tigers football team on the occasion of winning the IHSA Class 7A State Tournament.

HOUSE BILL ON SECOND READING

HOUSE BILL 1915. Having been read by title a second time on November 29, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Zalewski offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1915 by replacing everything after the enacting clause with the following:

"Section 5. The Child Passenger Protection Act is amended by changing Section 6a as follows:

(625 ILCS 25/6a)

Sec. 6a. Child passenger safety instructional course.

(a) As used in this Section, "technician" means a person who has successfully completed the U.S. Department of Transportation National Highway Traffic Safety Administration's (NHTSA) standardized National Child Passenger Safety Certification Training Program and who maintains a current child passenger safety technician or technician instructor certification through the current certifying body for the National Child Passenger Safety Training Program as designated by the NHTSA.

(b) A person in violation of Section 4 of this Act may schedule a child safety instructional course with a technician. The instructional course shall include instruction on the proper installation of a child restraint system. The instructional course shall also include an inspection of the child restraint system. At the time of scheduling, the technician shall notify the person that the instructional course must be completed prior to the mandatory court appearance date on the person's citation for a violation of Section 4 of this Act.

(c) Prior to beginning the instructional course, the person must present a copy of the citation of a violation of Section 4 of this Act to the technician.

(d) The technician shall be observant for any citations with the notation "no safety seat" in the notes field and discuss with the person, for the purpose of determining the person's need for a child restraint system, the person's reasons for not transporting the child in a child restraint system.

(e) Upon completion of the instructional course to the satisfaction of the technician conducting the course, the technician shall issue a letter to the person for presentation in court. The letter shall:

(1) be printed on a form or in a manner required by the Illinois Department of Transportation ~~the technician's letterhead~~;

(2) indicate that the person has voluntarily participated in the instructional course and received instruction from a technician regarding the proper use of the person's child restraint system; and

(3) include (i) the date the instructional course was completed, (ii) the citation number presented to the technician under this Section, (iii) the county in which the citation was issued, and (iv) the technician's signature and technician number.

(Source: P.A. 96-914, eff. 1-1-11.)

Section 99. Effective date. This Act takes effect January 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.

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 Zalewski, HOUSE BILL 1915 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; 2, Nays; 0, Answering Present.

(ROLL CALL 2)

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

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

HOUSE BILL ON SECOND READING

HOUSE BILL 1721. Having been read by title a second time on November 30, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Holbrook offered and withdrew Amendment No. 1.

Representative Holbrook offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1721 by replacing everything after the enacting clause with the following:

"Section 5. The Hospital Licensing Act is amended by adding Section 4.7 as follows:

(210 ILCS 85/4.7 new)

Sec. 4.7. Additional licensing requirements.

(a) A hospital located in a county with fewer than 325,000 inhabitants may apply to the Department for approval to conduct its operations from more than one location within the county under a single license at a separate building or facility already licensed as a hospital. The operations shall be limited to psychiatric services. The host hospital shall house the licensee. The licensee's application shall be supported by information that its operations at the host hospital will provide access to necessary services for the region that the host hospital does not provide. The services proposed by the licensee at the host hospital shall not consist of emergency services.

(b) The portion of the facilities or buildings operated by the licensee at the host hospital shall be leased in part and operated by a single corporation or other legal entity serving as the licensee and shall have a single:

(1) board of directors with the responsibility for governance, including financial oversight and authority to designate or remove the chief executive officer;

(2) medical staff accountable to the board of directors of the licensee and governed by a single set of medical staff bylaws and associated rules and regulation of the licensee, with responsibility for the quality of the medical services provided by the licensee at the host hospital site; and

(3) chief executive officer, accountable to the board of directors of the licensee, with management responsibility for the licensee's operations at the host hospital site.

The host hospital and licensee shall be jointly responsible for hospital licensing requirements relating to design and construction, engineering and maintenance of the physical plan, waste disposal, and fire safety.

(c) The licensee and host hospital shall notify the public and patients through general signage and written notification provided upon admission that services are provided at the host hospital site by 2 separately licensed hospitals. The signage shall specify which services are provided by the host hospital or the licensee or both.

(d) One emergency department shall serve the host hospital. Patients shall be notified that emergency services are provided by the host hospital. Those patients that require admission from the emergency department to a service that is operated by the licensee shall be admitted according to the Emergency Medical Treatment and Active Labor Act regulations and transferred to the licensee. The admission, registration, and consent form documents shall be specific to the licensee.

(e) The licensee and host hospital shall submit to the Department a comprehensive plan describing the services and operations of each facility or building and between the licensee and host hospital, and how common services or operations will be coordinated between the various locations. Nothing in this Section relieves a hospital from the requirements in the Illinois Health Facilities Planning Act.

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

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

On motion of Representative Jackson, HOUSE BILL 1721 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 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 BILLS ON THIRD READING

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

On motion of Representative Harris, SENATE BILL 2559 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 101, Yeas; 13, Nays; 0, Answering Present.

(ROLL CALL 4)

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

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

On motion of Representative Holbrook, SENATE BILL 678 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 5)

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

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

On motion of Representative Sente, SENATE BILL 3708 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 6)

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

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

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendments numbered 1 and 2 to HOUSE BILL 3962, having been reproduced, were taken up for consideration.

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

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

114, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 7)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 3962.

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 Chapa LaVia, HOUSE BILL 6862 was taken up and read by title a third time. A three-fifths vote is required.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Chapa LaVia, further consideration of HOUSE BILL 6862 was postponed.

SENATE BILL ON SECOND READING

SENATE BILL 389. Having been read by title a second time on November 17, 2010, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1. Amend Senate Bill 389 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Employment Security Law of the Civil Administrative Code of Illinois is amended by adding Section 1005-165 as follows:

(20 ILCS 1005/1005-165 new)

Sec. 1005-165. Re-entry services program. The Department of Employment Security shall establish a re-entry services program to assist persons wrongfully imprisoned, as defined in Section 3-1-2 of the Unified Code of Corrections, in obtaining job placement for up to 5 years after release from prison, or if the person wrongfully imprisoned was released from prison before the effective date of this amendatory Act of the 96th General Assembly, for up to 5 years after the person informs the Department that he or she seeks the assistance provided for under this Section. The Department shall promulgate rules, no later than July 1, 2011, establishing the eligibility of wrongfully imprisoned persons for the Department's re-entry services program.

Section 10. The Department of Healthcare and Family Services Law of the Civil Administrative Code of Illinois is amended by adding Section 2205-20 as follows:

(20 ILCS 2205/2205-20 new)

Sec. 2205-20. Re-entry services program. The Department of Healthcare and Family Services shall establish a re-entry services program to assist persons wrongfully imprisoned, as defined in Section 3-1-2 of the Unified Code of Corrections, in obtaining mental health services, including services for post-traumatic stress, at an agreed-upon mental health facility at no charge for up to 3 years after release from prison, or if the person wrongfully imprisoned was released from prison before the effective date of this amendatory Act of the 96th General Assembly, for up to 3 years after the person informs the Department that he or she seeks the assistance provided for under this Section. The Department shall promulgate rules, no later than July 1, 2011, establishing the eligibility of wrongfully imprisoned persons for the Department's re-entry services program.

Section 15. The Illinois Public Aid Code is amended by changing Section 5-2 as follows:

(305 ILCS 5/5-2) (from Ch. 23, par. 5-2)

Sec. 5-2. Classes of Persons Eligible. Medical assistance under this Article shall be available to any of the following classes of persons in respect to whom a plan for coverage has been submitted to the Governor by the Illinois Department and approved by him:

1. Recipients of basic maintenance grants under Articles III and IV.

2. Persons otherwise eligible for basic maintenance under Articles III and IV, excluding any eligibility requirements that are inconsistent with any federal law or federal regulation, as interpreted by the U.S. Department of Health and Human Services, but who fail to qualify thereunder on the basis of need or who qualify but are not receiving basic maintenance under Article IV, and who have insufficient income and resources to meet the costs of necessary medical care, including but not limited to the following:

(a) All persons otherwise eligible for basic maintenance under Article III but who fail to qualify under that Article on the basis of need and who meet either of the following requirements:

(i) their income, as determined by the Illinois Department in accordance with any federal requirements, is equal to or less than 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule, and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size; or

(ii) their income, after the deduction of costs incurred for medical care and for other types of remedial care, is equal to or less than 70% in fiscal year 2001, equal to or less than 85% in fiscal year 2002 and until a date to be determined by the Department by rule, and equal to or less than 100% beginning on the date determined by the Department by rule, of the nonfarm income official poverty line, as defined in item (i) of this subparagraph (a).

(b) All persons who, excluding any eligibility requirements that are inconsistent with any federal law or federal regulation, as interpreted by the U.S. Department of Health and Human Services, would be determined eligible for such basic maintenance under Article IV by disregarding the maximum earned income permitted by federal law.

3. Persons who would otherwise qualify for Aid to the Medically Indigent under Article VII.

4. Persons not eligible under any of the preceding paragraphs who fall sick, are injured, or die, not having sufficient money, property or other resources to meet the costs of necessary medical care or funeral and burial expenses.

5.(a) Women during pregnancy, after the fact of pregnancy has been determined by medical diagnosis, and during the 60-day period beginning on the last day of the pregnancy, together with their infants and children born after September 30, 1983, whose income and resources are insufficient to meet the costs of necessary medical care to the maximum extent possible under Title XIX of the Federal Social Security Act.

(b) The Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 5(a) by April 1, 1990. Such plan shall provide ambulatory prenatal care to pregnant women during a presumptive eligibility period and establish an income eligibility standard that is equal to 133% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to families of the same size, provided that costs incurred for medical care are not taken into account in determining such income eligibility.

(c) The Illinois Department may conduct a demonstration in at least one county that will provide medical assistance to pregnant women, together with their infants and children up to one year of age, where the income eligibility standard is set up to 185% of the nonfarm income official poverty line, as defined by the federal Office of Management and Budget. The Illinois Department shall seek and obtain necessary authorization provided under federal law to implement such a demonstration. Such demonstration may establish resource standards that are not more restrictive than those established under Article IV of this Code.

6. Persons under the age of 18 who fail to qualify as dependent under Article IV and who have insufficient income and resources to meet the costs of necessary medical care to the maximum extent permitted under Title XIX of the Federal Social Security Act.

7. Persons who are under 21 years of age and would qualify as disabled as defined under the Federal Supplemental Security Income Program, provided medical service for such persons would be eligible for Federal Financial Participation, and provided the Illinois Department determines that:

(a) the person requires a level of care provided by a hospital, skilled nursing facility, or intermediate care facility, as determined by a physician licensed to practice medicine in all its branches;

(b) it is appropriate to provide such care outside of an institution, as determined by a physician licensed to practice medicine in all its branches;

(c) the estimated amount which would be expended for care outside the institution is not greater than the estimated amount which would be expended in an institution.

8. Persons who become ineligible for basic maintenance assistance under Article IV of

this Code in programs administered by the Illinois Department due to employment earnings and persons in assistance units comprised of adults and children who become ineligible for basic maintenance assistance under Article VI of this Code due to employment earnings. The plan for coverage for this class of persons shall:

- (a) extend the medical assistance coverage for up to 12 months following termination of basic maintenance assistance; and
- (b) offer persons who have initially received 6 months of the coverage provided in paragraph (a) above, the option of receiving an additional 6 months of coverage, subject to the following:
 - (i) such coverage shall be pursuant to provisions of the federal Social Security Act;
 - (ii) such coverage shall include all services covered while the person was eligible for basic maintenance assistance;
 - (iii) no premium shall be charged for such coverage; and
 - (iv) such coverage shall be suspended in the event of a person's failure without good cause to file in a timely fashion reports required for this coverage under the Social Security Act and coverage shall be reinstated upon the filing of such reports if the person remains otherwise eligible.

9. Persons with acquired immunodeficiency syndrome (AIDS) or with AIDS-related conditions with respect to whom there has been a determination that but for home or community-based services such individuals would require the level of care provided in an inpatient hospital, skilled nursing facility or intermediate care facility the cost of which is reimbursed under this Article. Assistance shall be provided to such persons to the maximum extent permitted under Title XIX of the Federal Social Security Act.

10. Participants in the long-term care insurance partnership program established under the Illinois Long-Term Care Partnership Program Act who meet the qualifications for protection of resources described in Section 15 of that Act.

11. Persons with disabilities who are employed and eligible for Medicaid, pursuant to Section 1902(a)(10)(A)(ii)(xv) of the Social Security Act, and, subject to federal approval, persons with a medically improved disability who are employed and eligible for Medicaid pursuant to Section 1902(a)(10)(A)(ii)(xvi) of the Social Security Act, as provided by the Illinois Department by rule. In establishing eligibility standards under this paragraph 11, the Department shall, subject to federal approval:

- (a) set the income eligibility standard at not lower than 350% of the federal poverty level;
- (b) exempt retirement accounts that the person cannot access without penalty before the age of 59 1/2, and medical savings accounts established pursuant to 26 U.S.C. 220;
- (c) allow non-exempt assets up to \$25,000 as to those assets accumulated during periods of eligibility under this paragraph 11; and
- (d) continue to apply subparagraphs (b) and (c) in determining the eligibility of the person under this Article even if the person loses eligibility under this paragraph 11.

12. Subject to federal approval, persons who are eligible for medical assistance coverage under applicable provisions of the federal Social Security Act and the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000. Those eligible persons are defined to include, but not be limited to, the following persons:

- (1) persons who have been screened for breast or cervical cancer under the U.S. Centers for Disease Control and Prevention Breast and Cervical Cancer Program established under Title XV of the federal Public Health Services Act in accordance with the requirements of Section 1504 of that Act as administered by the Illinois Department of Public Health; and
- (2) persons whose screenings under the above program were funded in whole or in part by funds appropriated to the Illinois Department of Public Health for breast or cervical cancer screening.

"Medical assistance" under this paragraph 12 shall be identical to the benefits provided under the State's approved plan under Title XIX of the Social Security Act. The Department must request federal approval of the coverage under this paragraph 12 within 30 days after the effective date of this amendatory Act of the 92nd General Assembly.

In addition to the persons who are eligible for medical assistance pursuant to

subparagraphs (1) and (2) of this paragraph 12, and to be paid from funds appropriated to the Department for its medical programs, any uninsured person as defined by the Department in rules residing in Illinois who is younger than 65 years of age, who has been screened for breast and cervical cancer in accordance with standards and procedures adopted by the Department of Public Health for screening, and who is referred to the Department by the Department of Public Health as being in need of treatment for breast or cervical cancer is eligible for medical assistance benefits that are consistent with the benefits provided to those persons described in subparagraphs (1) and (2). Medical assistance coverage for the persons who are eligible under the preceding sentence is not dependent on federal approval, but federal moneys may be used to pay for services provided under that coverage upon federal approval.

13. Subject to appropriation and to federal approval, persons living with HIV/AIDS who are not otherwise eligible under this Article and who qualify for services covered under Section 5-5.04 as provided by the Illinois Department by rule.

14. Subject to the availability of funds for this purpose, the Department may provide coverage under this Article to persons who reside in Illinois who are not eligible under any of the preceding paragraphs and who meet the income guidelines of paragraph 2(a) of this Section and (i) have an application for asylum pending before the federal Department of Homeland Security or on appeal before a court of competent jurisdiction and are represented either by counsel or by an advocate accredited by the federal Department of Homeland Security and employed by a not-for-profit organization in regard to that application or appeal, or (ii) are receiving services through a federally funded torture treatment center. Medical coverage under this paragraph 14 may be provided for up to 24 continuous months from the initial eligibility date so long as an individual continues to satisfy the criteria of this paragraph 14. If an individual has an appeal pending regarding an application for asylum before the Department of Homeland Security, eligibility under this paragraph 14 may be extended until a final decision is rendered on the appeal. The Department may adopt rules governing the implementation of this paragraph 14.

15. Family Care Eligibility.

(a) A caretaker relative who is 19 years of age or older when countable income is at or below 185% of the Federal Poverty Level Guidelines, as published annually in the Federal Register, for the appropriate family size. A person may not spend down to become eligible under this paragraph 15.

(b) Eligibility shall be reviewed annually.

(c) Caretaker relatives enrolled under this paragraph 15 in families with countable income above 150% and at or below 185% of the Federal Poverty Level Guidelines shall be counted as family members and pay premiums as established under the Children's Health Insurance Program Act.

(d) Premiums shall be billed by and payable to the Department or its authorized agent, on a monthly basis.

(e) The premium due date is the last day of the month preceding the month of coverage.

(f) Individuals shall have a grace period through 30 days of coverage to pay the premium.

(g) Failure to pay the full monthly premium by the last day of the grace period shall result in termination of coverage.

(h) Partial premium payments shall not be refunded.

(i) Following termination of an individual's coverage under this paragraph 15, the following action is required before the individual can be re-enrolled:

(1) A new application must be completed and the individual must be determined otherwise eligible.

(2) There must be full payment of premiums due under this Code, the Children's Health Insurance Program Act, the Covering ALL KIDS Health Insurance Act, or any other healthcare program administered by the Department for periods in which a premium was owed and not paid for the individual.

(3) The first month's premium must be paid if there was an unpaid premium on the date the individual's previous coverage was canceled.

The Department is authorized to implement the provisions of this amendatory Act of the 95th General Assembly by adopting the medical assistance rules in effect as of October 1, 2007, at 89 Ill. Admin. Code 125, and at 89 Ill. Admin. Code 120.32 along with only those changes necessary to

conform to federal Medicaid requirements, federal laws, and federal regulations, including but not limited to Section 1931 of the Social Security Act (42 U.S.C. Sec. 1396u-1), as interpreted by the U.S. Department of Health and Human Services, and the countable income eligibility standard authorized by this paragraph 15. The Department may not otherwise adopt any rule to implement this increase except as authorized by law, to meet the eligibility standards authorized by the federal government in the Medicaid State Plan or the Title XXI Plan, or to meet an order from the federal government or any court.

16. Subject to appropriation, uninsured persons who are not otherwise eligible under this Section who have been certified and referred by the Department of Public Health as having been screened and found to need diagnostic evaluation or treatment, or both diagnostic evaluation and treatment, for prostate or testicular cancer. For the purposes of this paragraph 16, uninsured persons are those who do not have creditable coverage, as defined under the Health Insurance Portability and Accountability Act, or have otherwise exhausted any insurance benefits they may have had, for prostate or testicular cancer diagnostic evaluation or treatment, or both diagnostic evaluation and treatment. To be eligible, a person must furnish a Social Security number. A person's assets are exempt from consideration in determining eligibility under this paragraph 16. Such persons shall be eligible for medical assistance under this paragraph 16 for so long as they need treatment for the cancer. A person shall be considered to need treatment if, in the opinion of the person's treating physician, the person requires therapy directed toward cure or palliation of prostate or testicular cancer, including recurrent metastatic cancer that is a known or presumed complication of prostate or testicular cancer and complications resulting from the treatment modalities themselves. Persons who require only routine monitoring services are not considered to need treatment. "Medical assistance" under this paragraph 16 shall be identical to the benefits provided under the State's approved plan under Title XIX of the Social Security Act. Notwithstanding any other provision of law, the Department (i) does not have a claim against the estate of a deceased recipient of services under this paragraph 16 and (ii) does not have a lien against any homestead property or other legal or equitable real property interest owned by a recipient of services under this paragraph 16.

17. Subject to appropriation, uninsured persons who are not otherwise eligible under this Section who: (i) have been wrongfully imprisoned by the State of Illinois, as defined in Section 3-1-2 of the Unified Code of Corrections, or received a pardon from the Governor stating that such pardon was issued on the ground of innocence of the crime for which he or she was imprisoned; and (ii) have been released from prison. The Department shall promulgate specific rules governing eligibility and coverage of this class of persons.

In implementing the provisions of Public Act 96-20, the Department is authorized to adopt only those rules necessary, including emergency rules. Nothing in Public Act 96-20 permits the Department to adopt rules or issue a decision that expands eligibility for the FamilyCare Program to a person whose income exceeds 185% of the Federal Poverty Level as determined from time to time by the U.S. Department of Health and Human Services, unless the Department is provided with express statutory authority.

The Illinois Department and the Governor shall provide a plan for coverage of the persons eligible under paragraph 7 as soon as possible after July 1, 1984.

The eligibility of any such person for medical assistance under this Article is not affected by the payment of any grant under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act or any distributions or items of income described under subparagraph (X) of paragraph (2) of subsection (a) of Section 203 of the Illinois Income Tax Act. The Department shall by rule establish the amounts of assets to be disregarded in determining eligibility for medical assistance, which shall at a minimum equal the amounts to be disregarded under the Federal Supplemental Security Income Program. The amount of assets of a single person to be disregarded shall not be less than \$2,000, and the amount of assets of a married couple to be disregarded shall not be less than \$3,000.

To the extent permitted under federal law, any person found guilty of a second violation of Article VIIIA shall be ineligible for medical assistance under this Article, as provided in Section 8A-8.

The eligibility of any person for medical assistance under this Article shall not be affected by the receipt by the person of donations or benefits from fundraisers held for the person in cases of serious illness, as long as neither the person nor members of the person's family have actual control over the donations or benefits or the disbursement of the donations or benefits.

(Source: P.A. 95-546, eff. 8-29-07; 95-1055, eff. 4-10-09; 96-20, eff. 6-30-09; 96-181, eff. 8-10-09; 96-328, eff. 8-11-09; 96-567, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1123, eff. 1-1-11; 96-1270, eff. 7-26-10; revised 9-16-10.)

Section 20. The Unified Code of Corrections is amended by changing Sections 3-1-2 and 3-14-1 as

follows:

(730 ILCS 5/3-1-2) (from Ch. 38, par. 1003-1-2)

Sec. 3-1-2. Definitions.

(a) "Chief Administrative Officer" means the person designated by the Director to exercise the powers and duties of the Department of Corrections in regard to committed persons within a correctional institution or facility, and includes the superintendent of any juvenile institution or facility.

(a-5) "Sex offense" for the purposes of paragraph (16) of subsection (a) of Section 3-3-7, paragraph (10) of subsection (a) of Section 5-6-3, and paragraph (18) of subsection (c) of Section 5-6-3.1 only means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7

(aiding or abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961: 12-13

(criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 when the defendant is not a parent of the victim:

10-1 (kidnapping),

10-2 (aggravated kidnapping),

10-3 (unlawful restraint),

10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this subsection (a-5).

An offense violating federal law or the law of another state that is substantially equivalent to any offense listed in this subsection (a-5) shall constitute a sex offense for the purpose of this subsection (a-5). A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for a sex offense for the purposes of this subsection (a-5).

(b) "Commitment" means a judicially determined placement in the custody of the Department of Corrections on the basis of delinquency or conviction.

(c) "Committed Person" is a person committed to the Department, however a committed person shall not be considered to be an employee of the Department of Corrections for any purpose, including eligibility for a pension, benefits, or any other compensation or rights or privileges which may be provided to employees of the Department.

(c-5) "Computer scrub software" means any third-party added software, designed to delete information from the computer unit, the hard drive, or other software, which would eliminate and prevent discovery of browser activity, including but not limited to Internet history, address bar or bars, cache or caches, and/or cookies, and which would over-write files in a way so as to make previous computer activity, including but not limited to website access, more difficult to discover.

(d) "Correctional Institution or Facility" means any building or part of a building where committed persons are kept in a secured manner.

(e) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Department" means the Department of Corrections of this State. In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Department" has the meaning ascribed to it in subsection (f-5).

(f) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Director" means the Director of the Department of Corrections. In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Director" has the meaning ascribed to it in subsection (f-5).

(f-5) In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, references to "Department" or "Director" refer to either the Department of Corrections or the Director of Corrections or to the Department of Juvenile Justice or the Director of Juvenile Justice

unless the context is specific to the Department of Juvenile Justice or the Director of Juvenile Justice.

(g) "Discharge" means the final termination of a commitment to the Department of Corrections.

(h) "Discipline" means the rules and regulations for the maintenance of order and the protection of persons and property within the institutions and facilities of the Department and their enforcement.

(i) "Escape" means the intentional and unauthorized absence of a committed person from the custody of the Department.

(j) "Furlough" means an authorized leave of absence from the Department of Corrections for a designated purpose and period of time.

(k) "Parole" means the conditional and revocable release of a committed person under the supervision of a parole officer.

(l) "Prisoner Review Board" means the Board established in Section 3-3-1(a), independent of the Department, to review rules and regulations with respect to good time credits, to hear charges brought by the Department against certain prisoners alleged to have violated Department rules with respect to good time credits, to set release dates for certain prisoners sentenced under the law in effect prior to the effective date of this Amendatory Act of 1977, to hear requests and make recommendations to the Governor with respect to pardon, reprieve or commutation, to set conditions for parole and mandatory supervised release and determine whether violations of those conditions justify revocation of parole or release, and to assume all other functions previously exercised by the Illinois Parole and Pardon Board.

(m) Whenever medical treatment, service, counseling, or care is referred to in this Unified Code of Corrections, such term may be construed by the Department or Court, within its discretion, to include treatment, service or counseling by a Christian Science practitioner or nursing care appropriate therewith whenever request therefor is made by a person subject to the provisions of this Act.

(n) "Victim" shall have the meaning ascribed to it in subsection (a) of Section 3 of the Bill of Rights for Victims and Witnesses of Violent Crime Act.

(o) "Wrongfully imprisoned person" means a person:

(1) who was convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence;

(2)(A) whose judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either the person was found not guilty at the new trial or the person was not retried and the indictment or information dismissed; or (B) whose indictment or information was based on a statute, or application thereof, which violated the Constitution of the United States or the State of Illinois;

(3) who is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or misdemeanor against the State; and

(4) who did not by his or her own conduct voluntarily cause or bring about his or her conviction.

(Source: P.A. 96-362, eff. 1-1-10; 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

Sec. 3-14-1. Release from the Institution.

(a) Upon release of a person on parole, mandatory release, final discharge or pardon the Department shall return all property held for him, provide him with suitable clothing and procure necessary transportation for him to his designated place of residence and employment. It may provide such person with a grant of money for travel and expenses which may be paid in installments. The amount of the money grant shall be determined by the Department.

(a-1) The Department shall, before a wrongfully imprisoned person, as defined in Section 3-1-2 of this Code, is discharged from the Department, provide him or her with any documents necessary after discharge, including an identification card under subsection (e) of this Section.

(a-2) The Department of Corrections may establish and maintain, in any institution it administers, revolving funds to be known as "Travel and Allowances Revolving Funds". These revolving funds shall be used for advancing travel and expense allowances to committed, paroled, and discharged prisoners. The moneys paid into such revolving funds shall be from appropriations to the Department for Committed, Paroled, and Discharged Prisoners.

(b) (Blank).

(c) Except as otherwise provided in this Code, the Department shall establish procedures to provide written notification of any release of any person who has been convicted of a felony to the State's Attorney and sheriff of the county from which the offender was committed, and the State's Attorney and sheriff of the county into which the offender is to be paroled or released. Except as otherwise provided in this Code,

the Department shall establish procedures to provide written notification to the proper law enforcement agency for any municipality of any release of any person who has been convicted of a felony if the arrest of the offender or the commission of the offense took place in the municipality, if the offender is to be paroled or released into the municipality, or if the offender resided in the municipality at the time of the commission of the offense. If a person convicted of a felony who is in the custody of the Department of Corrections or on parole or mandatory supervised release informs the Department that he or she has resided, resides, or will reside at an address that is a housing facility owned, managed, operated, or leased by a public housing agency, the Department must send written notification of that information to the public housing agency that owns, manages, operates, or leases the housing facility. The written notification shall, when possible, be given at least 14 days before release of the person from custody, or as soon thereafter as possible.

(c-1) (Blank).

(c-5) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide copies of the following information to the appropriate licensing or regulating Department and the licensed or regulated facility where the person becomes a resident:

- (1) The mittimus and any pre-sentence investigation reports.
- (2) The social evaluation prepared pursuant to Section 3-8-2.
- (3) Any pre-release evaluation conducted pursuant to subsection (j) of Section 3-6-2.
- (4) Reports of disciplinary infractions and dispositions.
- (5) Any parole plan, including orders issued by the Prisoner Review Board, and any violation reports and dispositions.
- (6) The name and contact information for the assigned parole agent and parole supervisor.

This information shall be provided within 3 days of the person becoming a resident of the facility.

(c-10) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide written notification of such residence to the following:

- (1) The Prisoner Review Board.
- (2) The chief of police and sheriff in the municipality and county in which the licensed facility is located.

The notification shall be provided within 3 days of the person becoming a resident of the facility.

(d) Upon the release of a committed person on parole, mandatory supervised release, final discharge or pardon, the Department shall provide such person with information concerning programs and services of the Illinois Department of Public Health to ascertain whether such person has been exposed to the human immunodeficiency virus (HIV) or any identified causative agent of Acquired Immunodeficiency Syndrome (AIDS).

(e) Upon the release of a committed person on parole, mandatory supervised release, final discharge, ~~or pardon~~, or who has been wrongfully imprisoned, the Department shall provide the person who has met the criteria established by the Department with an identification card identifying the person as being on parole, mandatory supervised release, final discharge, ~~or pardon~~, or wrongfully imprisoned, as the case may be. The Department, in consultation with the Office of the Secretary of State, shall prescribe the form of the identification card, which may be similar to the form of the standard Illinois Identification Card. The Department shall inform the committed person that he or she may present the identification card to the Office of the Secretary of State upon application for a standard Illinois Identification Card in accordance with the Illinois Identification Card Act. The Department shall require the committed person to pay a \$1 fee for the identification card.

For purposes of a committed person receiving an identification card issued by the Department under this subsection, the Department shall establish criteria that the committed person must meet before the card is issued. It is the sole responsibility of the committed person requesting the identification card issued by the Department to meet the established criteria. The person's failure to meet the criteria is sufficient reason to deny the committed person the identification card. An identification card issued by the Department under this subsection shall be valid for a period of time not to exceed 30 calendar days from the date the card is issued. The Department shall not be held civilly or criminally liable to anyone because of any act of any

person utilizing a card issued by the Department under this subsection.

The Department shall adopt rules governing the issuance of identification cards to committed persons being released on parole, mandatory supervised release, final discharge, or pardon.

(Source: P.A. 94-163, eff. 7-11-05.)

Section 25. The Code of Civil Procedure is amended by changing Section 2-702 as follows:

(735 ILCS 5/2-702)

Sec. 2-702. Petition for a certificate of innocence that the petitioner was innocent of all offenses for which he or she was incarcerated.

(a) The General Assembly finds and declares that innocent persons who have been wrongly convicted of crimes in Illinois and subsequently imprisoned have been frustrated in seeking legal redress due to a variety of substantive and technical obstacles in the law and that such persons should have an available avenue to obtain a finding of innocence so that they may obtain relief through a petition in the Court of Claims. The General Assembly further finds misleading the current legal nomenclature which compels an innocent person to seek a pardon for being wrongfully incarcerated. It is the intent of the General Assembly that the court, in exercising its discretion as permitted by law regarding the weight and admissibility of evidence submitted pursuant to this Section, shall, in the interest of justice, give due consideration to difficulties of proof caused by the passage of time, the death or unavailability of witnesses, the destruction of evidence or other factors not caused by such persons or those acting on their behalf.

(b) Any person convicted and subsequently imprisoned for one or more felonies by the State of Illinois which he or she did not commit may, under the conditions hereinafter provided, file a petition for certificate of innocence in the circuit court of the county in which the person was convicted. The petition shall request a certificate of innocence finding that the petitioner was innocent of all offenses for which he or she was incarcerated.

(c) In order to present the claim for certificate of innocence of an unjust conviction and imprisonment, the petitioner must attach to his or her petition documentation demonstrating that:

- (1) he or she has been convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence; and
- (2) his or her judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either he or she was found not guilty at the new trial or he or she was not retried and the indictment or information dismissed; or the statute, or application thereof, on which the indictment or information was based violated the Constitution of the United States or the State of Illinois; and
- (3) his or her claim is not time barred by the provisions of subsection (i) of this Section.

(d) The petition shall state facts in sufficient detail to permit the court to find that the petitioner is likely to succeed at trial in proving that the petitioner is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or misdemeanor against the State of Illinois, and the petitioner did not by his or her own conduct voluntarily cause or bring about his or her conviction. The petition shall be verified by the petitioner.

(e) A copy of the petition shall be served on the Attorney General and the State's Attorney of the county where the conviction was had. The Attorney General and the State's Attorney of the county where the conviction was had shall have the right to intervene as parties.

(f) In any hearing seeking a certificate of innocence, the court may take judicial notice of prior sworn testimony or evidence admitted in the criminal proceedings related to the convictions which resulted in the alleged wrongful incarceration, if the petitioner was either represented by counsel at such prior proceedings or the right to counsel was knowingly waived.

(g) In order to obtain a certificate of innocence the petitioner must prove by a preponderance of evidence that:

- (1) the petitioner was convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence;
- (2)(A) the judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either the petitioner was found not guilty at the new trial or the petitioner was not retried and the indictment or information dismissed; or (B) the statute, or application thereof, on which the indictment or information was based violated the Constitution of the United States or the State of Illinois;
- (3) the petitioner is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or

misdemeanor against the State; and

(4) the petitioner did not by his or her own conduct voluntarily cause or bring about his or her conviction.

(h) If the court finds that the petitioner is entitled to a judgment, it shall enter a certificate of innocence finding that the petitioner was innocent of all offenses for which he or she was incarcerated. Upon entry of the certificate of innocence or pardon from the Governor stating that such pardon was issued on the ground of innocence of the crime for which he or she was imprisoned, (1) the clerk of the court shall transmit a copy of the certificate of innocence to the clerk of the Court of Claims, together with the claimant's current address; and (2) the court shall enter an order expunging or sealing the record of arrest from the official records of the arresting authority and order that the records of the clerk of the circuit court and Department of State Police be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense but the order shall not affect any index issued by the circuit court clerk before the entry of the order.

(i) Any person seeking a certificate of innocence under this Section based on the dismissal of an indictment or information or acquittal that occurred before the effective date of this amendatory Act of the 95th General Assembly shall file his or her petition within 2 years after the effective date of this amendatory Act of the 95th General Assembly. Any person seeking a certificate of innocence under this Section based on the dismissal of an indictment or information or acquittal that occurred on or after the effective date of this amendatory Act of the 95th General Assembly shall file his or her petition within 2 years after the dismissal.

(j) The decision to grant or deny a certificate of innocence shall be binding only with respect to claims filed in the Court of Claims and shall not have a res judicata effect on any other proceedings.

(Source: P.A. 95-970, eff. 9-22-08.)

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

Representative Howard offered the following amendments and moved their adoption:

AMENDMENT NO. 2. Amend Senate Bill 389, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Department of Human Services (Mental Health and Developmental Disabilities) Law of the Civil Administrative Code of Illinois is amended by adding Section 1710-125 as follows:

(20 ILCS 1710/1710-125 new)

Sec. 1710-125. Re-entry services program. The Department of Human Services shall establish a re-entry services program to assist persons wrongfully imprisoned, as defined in Section 3-1-2 of the Unified Code of Corrections, in obtaining mental health services, including services for post-traumatic stress, at an agreed-upon mental health facility at no charge. The Department of Human Services shall promulgate rules, no later than July 1, 2011, establishing the eligibility of wrongfully imprisoned persons for the Department's re-entry services program.

Section 10. The Unified Code of Corrections is amended by changing Sections 3-1-2 and 3-14-1 as follows:

(730 ILCS 5/3-1-2) (from Ch. 38, par. 1003-1-2)

Sec. 3-1-2. Definitions.

(a) "Chief Administrative Officer" means the person designated by the Director to exercise the powers and duties of the Department of Corrections in regard to committed persons within a correctional institution or facility, and includes the superintendent of any juvenile institution or facility.

(a-5) "Sex offense" for the purposes of paragraph (16) of subsection (a) of Section 3-3-7, paragraph (10) of subsection (a) of Section 5-6-3, and paragraph (18) of subsection (c) of Section 5-6-3.1 only means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7

(aiding or abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961: 12-13

(criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 when the defendant is not a parent of the victim:

- 10-1 (kidnapping),
- 10-2 (aggravated kidnapping),
- 10-3 (unlawful restraint),
- 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this subsection (a-5).

An offense violating federal law or the law of another state that is substantially equivalent to any offense listed in this subsection (a-5) shall constitute a sex offense for the purpose of this subsection (a-5). A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for a sex offense for the purposes of this subsection (a-5).

(b) "Commitment" means a judicially determined placement in the custody of the Department of Corrections on the basis of delinquency or conviction.

(c) "Committed Person" is a person committed to the Department, however a committed person shall not be considered to be an employee of the Department of Corrections for any purpose, including eligibility for a pension, benefits, or any other compensation or rights or privileges which may be provided to employees of the Department.

(c-5) "Computer scrub software" means any third-party added software, designed to delete information from the computer unit, the hard drive, or other software, which would eliminate and prevent discovery of browser activity, including but not limited to Internet history, address bar or bars, cache or caches, and/or cookies, and which would over-write files in a way so as to make previous computer activity, including but not limited to website access, more difficult to discover.

(d) "Correctional Institution or Facility" means any building or part of a building where committed persons are kept in a secured manner.

(e) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Department" means the Department of Corrections of this State. In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Department" has the meaning ascribed to it in subsection (f-5).

(f) In the case of functions performed before the effective date of this amendatory Act of the 94th General Assembly, "Director" means the Director of the Department of Corrections. In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, "Director" has the meaning ascribed to it in subsection (f-5).

(f-5) In the case of functions performed on or after the effective date of this amendatory Act of the 94th General Assembly, references to "Department" or "Director" refer to either the Department of Corrections or the Director of Corrections or to the Department of Juvenile Justice or the Director of Juvenile Justice unless the context is specific to the Department of Juvenile Justice or the Director of Juvenile Justice.

(g) "Discharge" means the final termination of a commitment to the Department of Corrections.

(h) "Discipline" means the rules and regulations for the maintenance of order and the protection of persons and property within the institutions and facilities of the Department and their enforcement.

(i) "Escape" means the intentional and unauthorized absence of a committed person from the custody of the Department.

(j) "Furlough" means an authorized leave of absence from the Department of Corrections for a designated purpose and period of time.

(k) "Parole" means the conditional and revocable release of a committed person under the supervision of a parole officer.

(l) "Prisoner Review Board" means the Board established in Section 3-3-1(a), independent of the Department, to review rules and regulations with respect to good time credits, to hear charges brought by the Department against certain prisoners alleged to have violated Department rules with respect to good time credits, to set release dates for certain prisoners sentenced under the law in effect prior to the effective date of this Amendatory Act of 1977, to hear requests and make recommendations to the Governor with respect to pardon, reprieve or commutation, to set conditions for parole and mandatory supervised release

and determine whether violations of those conditions justify revocation of parole or release, and to assume all other functions previously exercised by the Illinois Parole and Pardon Board.

(m) Whenever medical treatment, service, counseling, or care is referred to in this Unified Code of Corrections, such term may be construed by the Department or Court, within its discretion, to include treatment, service or counseling by a Christian Science practitioner or nursing care appropriate therewith whenever request therefor is made by a person subject to the provisions of this Act.

(n) "Victim" shall have the meaning ascribed to it in subsection (a) of Section 3 of the Bill of Rights for Victims and Witnesses of Violent Crime Act.

(o) "Wrongfully imprisoned person" means a person:

(1) who was convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence;

(2)(A) whose judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either the person was found not guilty at the new trial or the person was not retried and the indictment or information dismissed; or (B) whose indictment or information was based on a statute, or application thereof, which violated the Constitution of the United States or the State of Illinois;

(3) who is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or misdemeanor against the State; and

(4) who did not by his or her own conduct voluntarily cause or bring about his or her conviction.

(Source: P.A. 96-362, eff. 1-1-10; 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

Sec. 3-14-1. Release from the Institution.

(a) Upon release of a person on parole, mandatory release, final discharge or pardon the Department shall return all property held for him, provide him with suitable clothing and procure necessary transportation for him to his designated place of residence and employment. It may provide such person with a grant of money for travel and expenses which may be paid in installments. The amount of the money grant shall be determined by the Department.

(a-1) The Department shall, before a wrongfully imprisoned person, as defined in Section 3-1-2 of this Code, is discharged from the Department, provide him or her with any documents necessary after discharge, including an identification card under subsection (e) of this Section.

(a-2) The Department of Corrections may establish and maintain, in any institution it administers, revolving funds to be known as "Travel and Allowances Revolving Funds". These revolving funds shall be used for advancing travel and expense allowances to committed, paroled, and discharged prisoners. The moneys paid into such revolving funds shall be from appropriations to the Department for Committed, Paroled, and Discharged Prisoners.

(b) (Blank).

(c) Except as otherwise provided in this Code, the Department shall establish procedures to provide written notification of any release of any person who has been convicted of a felony to the State's Attorney and sheriff of the county from which the offender was committed, and the State's Attorney and sheriff of the county into which the offender is to be paroled or released. Except as otherwise provided in this Code, the Department shall establish procedures to provide written notification to the proper law enforcement agency for any municipality of any release of any person who has been convicted of a felony if the arrest of the offender or the commission of the offense took place in the municipality, if the offender is to be paroled or released into the municipality, or if the offender resided in the municipality at the time of the commission of the offense. If a person convicted of a felony who is in the custody of the Department of Corrections or on parole or mandatory supervised release informs the Department that he or she has resided, resides, or will reside at an address that is a housing facility owned, managed, operated, or leased by a public housing agency, the Department must send written notification of that information to the public housing agency that owns, manages, operates, or leases the housing facility. The written notification shall, when possible, be given at least 14 days before release of the person from custody, or as soon thereafter as possible.

(c-1) (Blank).

(c-5) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide copies of the following information to the appropriate licensing or regulating Department and the licensed or regulated facility

where the person becomes a resident:

- (1) The mittimus and any pre-sentence investigation reports.
- (2) The social evaluation prepared pursuant to Section 3-8-2.
- (3) Any pre-release evaluation conducted pursuant to subsection (j) of Section 3-6-2.
- (4) Reports of disciplinary infractions and dispositions.
- (5) Any parole plan, including orders issued by the Prisoner Review Board, and any violation reports and dispositions.
- (6) The name and contact information for the assigned parole agent and parole supervisor.

This information shall be provided within 3 days of the person becoming a resident of the facility.

(c-10) If a person on parole or mandatory supervised release becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or the Illinois Department of Human Services, the Department of Corrections shall provide written notification of such residence to the following:

- (1) The Prisoner Review Board.
- (2) The chief of police and sheriff in the municipality and county in which the licensed facility is located.

The notification shall be provided within 3 days of the person becoming a resident of the facility.

(d) Upon the release of a committed person on parole, mandatory supervised release, final discharge or pardon, the Department shall provide such person with information concerning programs and services of the Illinois Department of Public Health to ascertain whether such person has been exposed to the human immunodeficiency virus (HIV) or any identified causative agent of Acquired Immunodeficiency Syndrome (AIDS).

(e) Upon the release of a committed person on parole, mandatory supervised release, final discharge, ~~or pardon~~, or who has been wrongfully imprisoned, the Department shall provide the person who has met the criteria established by the Department with an identification card identifying the person as being on parole, mandatory supervised release, final discharge, ~~or pardon~~, or wrongfully imprisoned, as the case may be. The Department, in consultation with the Office of the Secretary of State, shall prescribe the form of the identification card, which may be similar to the form of the standard Illinois Identification Card. The Department shall inform the committed person that he or she may present the identification card to the Office of the Secretary of State upon application for a standard Illinois Identification Card in accordance with the Illinois Identification Card Act. The Department shall require the committed person to pay a \$1 fee for the identification card.

For purposes of a committed person receiving an identification card issued by the Department under this subsection, the Department shall establish criteria that the committed person must meet before the card is issued. It is the sole responsibility of the committed person requesting the identification card issued by the Department to meet the established criteria. The person's failure to meet the criteria is sufficient reason to deny the committed person the identification card. An identification card issued by the Department under this subsection shall be valid for a period of time not to exceed 30 calendar days from the date the card is issued. The Department shall not be held civilly or criminally liable to anyone because of any act of any person utilizing a card issued by the Department under this subsection.

The Department shall adopt rules governing the issuance of identification cards to committed persons being released on parole, mandatory supervised release, final discharge, or pardon.

(Source: P.A. 94-163, eff. 7-11-05.)

Section 15. The Code of Civil Procedure is amended by changing Section 2-702 as follows:
(735 ILCS 5/2-702)

Sec. 2-702. Petition for a certificate of innocence that the petitioner was innocent of all offenses for which he or she was incarcerated.

(a) The General Assembly finds and declares that innocent persons who have been wrongfully convicted of crimes in Illinois and subsequently imprisoned have been frustrated in seeking legal redress due to a variety of substantive and technical obstacles in the law and that such persons should have an available avenue to obtain a finding of innocence so that they may obtain relief through a petition in the Court of Claims. The General Assembly further finds misleading the current legal nomenclature which compels an innocent person to seek a pardon for being wrongfully incarcerated. It is the intent of the General Assembly that the court, in exercising its discretion as permitted by law regarding the weight and admissibility of evidence submitted pursuant to this Section, shall, in the interest of justice, give due consideration to difficulties of

proof caused by the passage of time, the death or unavailability of witnesses, the destruction of evidence or other factors not caused by such persons or those acting on their behalf.

(b) Any person convicted and subsequently imprisoned for one or more felonies by the State of Illinois which he or she did not commit may, under the conditions hereinafter provided, file a petition for certificate of innocence in the circuit court of the county in which the person was convicted. The petition shall request a certificate of innocence finding that the petitioner was innocent of all offenses for which he or she was incarcerated.

(c) In order to present the claim for certificate of innocence of an unjust conviction and imprisonment, the petitioner must attach to his or her petition documentation demonstrating that:

- (1) he or she has been convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence; and
- (2) his or her judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either he or she was found not guilty at the new trial or he or she was not retried and the indictment or information dismissed; or the statute, or application thereof, on which the indictment or information was based violated the Constitution of the United States or the State of Illinois; and
- (3) his or her claim is not time barred by the provisions of subsection (i) of this Section.

(d) The petition shall state facts in sufficient detail to permit the court to find that the petitioner is likely to succeed at trial in proving that the petitioner is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or misdemeanor against the State of Illinois, and the petitioner did not by his or her own conduct voluntarily cause or bring about his or her conviction. The petition shall be verified by the petitioner.

(e) A copy of the petition shall be served on the Attorney General and the State's Attorney of the county where the conviction was had. The Attorney General and the State's Attorney of the county where the conviction was had shall have the right to intervene as parties.

(f) In any hearing seeking a certificate of innocence, the court may take judicial notice of prior sworn testimony or evidence admitted in the criminal proceedings related to the convictions which resulted in the alleged wrongful incarceration, if the petitioner was either represented by counsel at such prior proceedings or the right to counsel was knowingly waived.

(g) In order to obtain a certificate of innocence the petitioner must prove by a preponderance of evidence that:

- (1) the petitioner was convicted of one or more felonies by the State of Illinois and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence;
- (2)(A) the judgment of conviction was reversed or vacated, and the indictment or information dismissed or, if a new trial was ordered, either the petitioner was found not guilty at the new trial or the petitioner was not retried and the indictment or information dismissed; or (B) the statute, or application thereof, on which the indictment or information was based violated the Constitution of the United States or the State of Illinois;
- (3) the petitioner is innocent of the offenses charged in the indictment or information or his or her acts or omissions charged in the indictment or information did not constitute a felony or misdemeanor against the State; and
- (4) the petitioner did not by his or her own conduct voluntarily cause or bring about his or her conviction.

(h) If the court finds that the petitioner is entitled to a judgment, it shall enter a certificate of innocence finding that the petitioner was innocent of all offenses for which he or she was incarcerated. Upon entry of the certificate of innocence or pardon from the Governor stating that such pardon was issued on the ground of innocence of the crime for which he or she was imprisoned, (1) the clerk of the court shall transmit a copy of the certificate of innocence to the clerk of the Court of Claims, together with the claimant's current address; and (2) the court shall enter an order expunging or sealing the record of arrest from the official records of the arresting authority and order that the records of the clerk of the circuit court and Department of State Police be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense but the order shall not affect any index issued by the circuit court clerk before the entry of the order.

(i) Any person seeking a certificate of innocence under this Section based on the dismissal of an

indictment or information or acquittal that occurred before the effective date of this amendatory Act of the 95th General Assembly shall file his or her petition within 2 years after the effective date of this amendatory Act of the 95th General Assembly. Any person seeking a certificate of innocence under this Section based on the dismissal of an indictment or information or acquittal that occurred on or after the effective date of this amendatory Act of the 95th General Assembly shall file his or her petition within 2 years after the dismissal.

(j) The decision to grant or deny a certificate of innocence shall be binding only with respect to claims filed in the Court of Claims and shall not have a res judicata effect on any other proceedings.

(Source: P.A. 95-970, eff. 9-22-08.)

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

AMENDMENT NO. 3. Amend Senate Bill 389, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 7, by replacing lines 5 through 25 with the following:

"(o) "Wrongfully imprisoned person" means a person who has been discharged from a prison of this State and has received:

(1) a pardon from the Governor stating that such pardon is issued on the ground of innocence of the crime for which he or she was imprisoned; or

(2) a certificate of innocence from the Circuit Court as provided in Section 2-702 of the Code of Civil Procedure."

The foregoing motions prevailed and the amendments were adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Howard, SENATE BILL 389 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: 96, Yeas; 17, Nays; 0, Answering Present.

(ROLL CALL 8)

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

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

RECALL

At the request of the principal sponsor, Representative Jehan Gordon, SENATE BILL 362 was recalled from the order of Third Reading to the order of Second Reading.

SENATE BILL ON SECOND READING

SENATE BILL 362. Having been recalled on December 1, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Jehan Gordon offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 362 on page 5, line 4, by replacing "In Until December 31, 2007, in" with "Until December 31, 2011 2007, in".

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Jehan Gordon, SENATE BILL 362 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; 0, Nays; 0, Answering Present.

(ROLL CALL 9)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 1760. Having been read by title a second time on November 17, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Flowers offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1760 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Patients' Right to Know Act.

Section 5. Definitions. For purposes of this Act, the following definitions shall have the following meanings, except where the context requires otherwise:

"Department" means the Department of Financial and Professional Regulation.

"Disciplinary Board" means the Medical Disciplinary Board.

"Physician" means a person licensed under the Medical Practice Act to practice medicine in all of its branches or a chiropractic physician licensed to treat human ailments without the use of drugs and without operative surgery.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

Section 10. Physician profiles. The Department shall make available to the public a profile of each physician. The Department shall make this information available through an Internet web site and, if requested, in writing. The physician profile shall contain the following information:

(1) the full name of the physician;

(2) a description of any criminal convictions for felonies and Class A misdemeanors, as determined by the Department, within the most recent 5 years. For the purposes of this Section, a person shall be deemed to be convicted of a crime if he or she pleaded guilty or if he was found or adjudged guilty by a court of competent jurisdiction;

(3) a description of any final Department disciplinary actions within the most recent 5 years;

(4) a description of any final disciplinary actions by licensing boards in other states within the most recent 5 years;

(5) a description of revocation or involuntary restriction of hospital privileges for reasons related to competence or character that have been taken by the hospital's governing body or any other official of the hospital after procedural due process has been afforded, or the resignation from or nonrenewal of medical staff membership or the restriction of privileges at a hospital taken in lieu of or in settlement of a pending disciplinary case related to competence or character in that hospital. Only cases which have occurred within the most recent 5 years shall be disclosed by the Department to the public;

(6) all medical malpractice court judgments and all medical malpractice arbitration

awards in which a payment was awarded to a complaining party during the most recent 5 years and all settlements of medical malpractice claims in which a payment was made to a complaining party within the most recent 5 years. A medical malpractice judgment or award that has been appealed shall be identified prominently as "Under Appeal" on the profile within 20 days of formal written notice to the Department. Information concerning all settlements shall be accompanied by the following statement: "Settlement of a claim may occur for a variety of reasons which do not necessarily reflect negatively on the professional competence or conduct of the physician. A payment in settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice has occurred." Nothing in this subdivision (6) shall be construed to limit or prevent the Disciplinary Board from providing further explanatory information regarding the significance of categories in which settlements are reported. Pending malpractice claims shall not be disclosed by the Department to the public. Nothing in this subdivision (6) shall be construed to prevent the Disciplinary Board from investigating and the Department from disciplining a physician on the basis of medical malpractice claims that are pending;

- (7) names of medical schools attended, dates of attendance, and date of graduation;
- (8) graduate medical education;
- (9) specialty board certification. The toll-free number of the American Board of Medical Specialties shall be included to verify current board certification status;
- (10) number of years in practice and locations;
- (11) names of the hospitals where the physician has privileges;
- (12) appointments to medical school faculties and indication as to whether a physician has a responsibility for graduate medical education within the most recent 5 years;
- (13) information regarding publications in peer-reviewed medical literature within the most recent 5 years;
- (14) information regarding professional or community service activities and awards;
- (15) the location of the physician's primary practice setting;
- (16) identification of any translating services that may be available at the physician's primary practice location; and
- (17) an indication of whether the physician participates in the Medicaid program.

Section 15. Publication of physician's profiles. The Disciplinary Board shall provide individual physicians with a copy of their profiles prior to release to the public. A physician shall be provided 60 days to correct factual inaccuracies that appear in such profile.

Section 20. Exclusion of information from physician's profiles. A physician may elect to have his or her profile omit certain information provided pursuant to subdivisions (12) through (14) of Section 10 of this Act concerning academic appointments and teaching responsibilities, publication in peer-reviewed journals and professional and community service awards. In collecting information for such profiles and in disseminating the same, the Disciplinary Board shall inform physicians that they may choose not to provide such information required pursuant to subdivisions (12) through (14) of Section 10 of this Act.

Section 25. Rules. The Department shall promulgate such rules as it deems necessary to accomplish the requirements of this Act, including, but not limited to, rules requiring physicians to submit the necessary information that shall be published under this Act.

Section 30. Penalties. Failure to comply with this Act may be grounds for disciplinary action as provided in the Medical Practice Act of 1987.

(225 ILCS 60/24.1 rep.)

Section 900. The Medical Practice Act of 1987 is amended by repealing Section 24.1.

Section 999. Effective date. This Act takes effect upon becoming law."

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

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

Having been read by title a second time on November 30, 2010 and held, the following bill was taken up and advanced to the order of Third Reading: HOUSE BILL 6881.

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 Collins, HOUSE BILL 6881 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 100, Yeas; 13, Nays; 0, Answering Present.
(ROLL CALL 10)

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

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

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 Feigenholtz, SENATE BILL 150 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: 86, Yeas; 27, Nays; 0, Answering Present.
(ROLL CALL 11)

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

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

HOUSE BILL ON SECOND READING

Having been read by title a second time on November 29, 2010 and held, the following bill was taken up and held on the order of Second Reading: HOUSE BILL 1850.

HOUSE BILL 1715. Having been read by title a second time on November 30, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Flowers offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1715 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.786 as follows:

(30 ILCS 105/5.786 new)

Sec. 5.786. The Hospital Licensure Fund.

Section 10. The Hospital Licensing Act is amended by changing Sections 5 and 6 and by adding Section 14.5 as follows:

(210 ILCS 85/5) (from Ch. 111 1/2, par. 146)

Sec. 5. (a) An application for a permit to establish a hospital shall be made to the Department upon forms provided by it. This application shall contain such information as the Department reasonably requires, which shall include affirmative evidence on which the Director may make the findings required under Section 6a of this Act.

(b) An application for a license to open, conduct, operate, and maintain a hospital shall be made to the Department upon forms provided by it, accompanied by a license fee of \$30 per bed, provided that a lesser amount may be established by administrative rule of the Department, if the Department, in consultation with the Department of Healthcare and Family Services, determines that \$30 per bed would exceed the

limitations on health care-related taxes imposed by 42 U.S.C. 1396b(w) that, if violated, would result in reductions to the amount of federal financial participation received by the State for Medicaid expenditures, and shall contain such information as the Department reasonably requires, which may include affirmative evidence of ability to comply with the provisions of this Act and the standards, rules, and regulations, promulgated by virtue thereof.

(c) All applications required under this Section shall be signed by the applicant and shall be verified. Applications on behalf of a corporation or association or a governmental unit or agency shall be made and verified by any two officers thereof.

(Source: Laws 1965, p. 2350.)

(210 ILCS 85/6) (from Ch. 111 1/2, par. 147)

Sec. 6. (a) Upon receipt of an application for a permit to establish a hospital the Director shall issue a permit if he finds (1) that the applicant is fit, willing, and able to provide a proper standard of hospital service for the community with particular regard to the qualification, background, and character of the applicant, (2) that the financial resources available to the applicant demonstrate an ability to construct, maintain, and operate a hospital in accordance with the standards, rules, and regulations adopted pursuant to this Act, and (3) that safeguards are provided which assure hospital operation and maintenance consistent with the public interest having particular regard to safe, adequate, and efficient hospital facilities and services.

The Director may request the cooperation of county and multiple-county health departments, municipal boards of health, and other governmental and non-governmental agencies in obtaining information and in conducting investigations relating to such applications.

A permit to establish a hospital shall be valid only for the premises and person named in the application for such permit and shall not be transferable or assignable.

In the event the Director issues a permit to establish a hospital the applicant shall thereafter submit plans and specifications to the Department in accordance with Section 8 of this Act.

(b) Upon receipt of an application for license to open, conduct, operate, and maintain a hospital, the Director shall issue a license if he finds the applicant and the hospital facilities comply with standards, rules, and regulations promulgated under this Act. A license, unless sooner suspended or revoked, shall be renewable annually upon approval by the Department and payment of a license fee as established pursuant to Section 5 of this Act. Each license shall be issued only for the premises and persons named in the application and shall not be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises. The Department may, either before or after the issuance of a license, request the cooperation of the State Fire Marshal, county and multiple county health departments, or municipal boards of health to make investigations to determine if the applicant or licensee is complying with the minimum standards prescribed by the Department. The report and recommendations of any such agency shall be in writing and shall state with particularity its findings with respect to compliance or noncompliance with such minimum standards, rules, and regulations.

The Director may issue a provisional license to any hospital which does not substantially comply with the provisions of this Act and the standards, rules, and regulations promulgated by virtue thereof provided that he finds that such hospital has undertaken changes and corrections which upon completion will render the hospital in substantial compliance with the provisions of this Act, and the standards, rules, and regulations adopted hereunder, and provided that the health and safety of the patients of the hospital will be protected during the period for which such provisional license is issued. The Director shall advise the licensee of the conditions under which such provisional license is issued, including the manner in which the hospital facilities fail to comply with the provisions of the Act, standards, rules, and regulations, and the time within which the changes and corrections necessary for such hospital facilities to substantially comply with this Act, and the standards, rules, and regulations of the Department relating thereto shall be completed.

(Source: P.A. 80-56.)

(210 ILCS 85/14.5 new)

Sec. 14.5. Hospital Licensure Fund. The Department shall deposit all fees and fines collected in relation to the licensure of hospitals into the Hospital Licensure Fund, a special fund created in the State treasury, for the purpose of providing programs, information, or assistance designed to improve patient safety and quality in hospitals.

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

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

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

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 Flowers, HOUSE BILL 1715 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the negative by the following vote: 39, Yeas; 72, Nays; 0, Answering Present.
(ROLL CALL 12)

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

Having been read by title a second time on December 1, 2010 and held, the following bill was taken up and advanced to the order of Third Reading: HOUSE BILL 1850.

RESOLUTION

Having been reported out of the Committee on State Government Administration on November 30, 2010, HOUSE RESOLUTION 1188 was taken up for consideration. Representative Brauer moved the adoption of the resolution. The motion prevailed and the resolution was adopted.

AGREED RESOLUTION

HOUSE RESOLUTION 1516 was taken up for consideration. Representative Cross moved the adoption of the agreed resolution. The motion prevailed and the agreed resolution was adopted.

RECALL

At the request of the principal sponsor, Representative Chapa LaVia, HOUSE BILL 6862 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILL ON SECOND READING

HOUSE BILL 6862. Having been recalled on December 1, 2010, the same was again taken up. Representative Chapa LaVia offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 6862, AS AMENDED, on page 5, by deleting lines 12 and 13.

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

**HOUSE BILLS ON THIRD READING
CONSIDERATION POSTPONED**

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).

HOUSE BILL 6862. Having been read by title a third time on December 1, 2010, and further consideration postponed, the same was again taken up.

Representative Chapa LaVia moved the passage of HOUSE BILL 6862.

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

55, Yeas; 39, Nays; 4, Answering Present.

(ROLL CALL 13) VERIFIED

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1523, 1525, 1526, 1527, 1528, 1529, 1530 and 1531 were taken up for consideration.

Representative Burke moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

**ADJOURNMENT RESOLUTION
HOUSE JOINT RESOLUTION 129**

Representative Lang offered the following resolution:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Wednesday, December 01, 2010, it stands adjourned until Monday, January 03, 2011 at 3:00 o'clock p.m., or until the call of the Speaker; and when the Senate adjourns on Thursday, December 02, 2010, it stands adjourned until Tuesday, January 04, 2011, at 12:00 o'clock noon, or until the call of the President.

Representative Lang moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

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

At the hour of 3:04 o'clock p.m., Representative Lang moved that the House do now adjourn, allowing perfunctory time for the Clerk.

The motion prevailed.

And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 129, the House stood adjourned until Monday, January 3, 2011, at 3:00 o'clock p.m.

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

December 01, 2010

0 YEAS

0 NAYS

115 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| P Acevedo | P Davis, Monique | P Kosel | P Reboletti |
| P Arroyo | P Davis, William | P Lang | E Reis |
| P Bassi | P DeLuca | P Leitch | P Reitz |
| P Beaubien | E Dugan | P Lilly | P Riley |
| P Beiser | P Dunkin | P Lyons | P Rita |
| P Bellock | P Durkin | P Mathias | P Rose |
| P Berrios | P Eddy | P Mautino | P Sacia |
| P Biggins | P Farnham | P May | P Saviano |
| P Black | P Feigenholtz | P Mayfield | P Schmitz |
| P Boland | P Flider | P McAsey | P Senger |
| P Bost | P Flowers | P McAuliffe | P Sente |
| P Bradley | P Ford | P McCarthy | P Smith |
| P Brady | P Fortner | P McGuire (ADDED) | P Sommer |
| P Brauer | P Franks | P Mell | P Soto |
| P Burke | P Fritchey | P Mendoza | P Stephens |
| P Burns | P Froehlich | P Miller | P Sullivan |
| P Carberry | P Gabel | P Mitchell, Bill | P Thapedi |
| P Cavaletto | P Golar | P Mitchell, Jerry | P Tracy |
| P Chapa LaVia | P Gordon, Careen | P Moffitt | P Tryon |
| P Coladipietro | P Gordon, Jehan | P Mulligan | P Turner |
| P Cole | P Hannig | E Myers | P Verschoore |
| P Collins | P Harris | P Nekritz | P Wait |
| P Colvin | P Hatcher | P O'Sullivan | P Walker |
| P Connelly | P Hernandez | P Osmond | P Watson |
| P Coulson | P Hoffman | P Osterman | P Winters |
| P Crespo | P Holbrook | P Phelps | P Yarbrough |
| P Cross | P Howard | P Pihos | P Zalewski |
| P Cultra | P Jackson | P Poe | P Mr. Speaker |
| P Currie | P Jakobsson | P Pritchard | |
| P D'Amico | P Jefferson | P Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1915
 TRANSPORTATION-TECH
 THIRD READING
 PASSED

December 01, 2010

112 YEAS

2 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | Y DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | Y Eddy | Y Mautino | Y Sacia |
| Y Biggins | Y Farnham | Y May | Y Saviano |
| Y Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | Y Sente |
| Y Bradley | Y Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | A McGuire | N Sommer |
| Y Brauer | Y Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | Y Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | Y Mitchell, Bill | Y Thapedi |
| Y Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| Y Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | Y Watson |
| Y Coulson | Y Hoffman | Y Osterman | Y Winters |
| Y Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| N Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1721
REGULATION-TECH
THIRD READING
PASSED

December 01, 2010

114 YEAS

0 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | Y DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | Y Eddy | Y Mautino | Y Sacia |
| Y Biggins | Y Farnham | Y May | Y Saviano |
| Y Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | Y Sente |
| Y Bradley | Y Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | A McGuire | Y Sommer |
| Y Brauer | Y Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | Y Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | Y Mitchell, Bill | Y Thapedi |
| Y Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| Y Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | Y Watson |
| Y Coulson | Y Hoffman | Y Osterman | Y Winters |
| Y Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| Y Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2559
 HISTORIC PRESERVATION CREDIT
 THIRD READING
 PASSED

December 01, 2010

| 101 YEAS | 13 NAYS | 0 PRESENT | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | Y DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| N Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | N Eddy | Y Mautino | N Sacia |
| Y Biggins | Y Farnham | Y May | Y Saviano |
| N Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | Y Sente |
| Y Bradley | Y Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | A McGuire | N Sommer |
| N Brauer | Y Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | N Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | N Mitchell, Bill | Y Thapedi |
| N Cavaletto | Y Golar | Y Mitchell, Jerry | N Tracy |
| Y Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | N Watson |
| Y Coulson | Y Hoffman | Y Osterman | Y Winters |
| Y Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| N Cultra | Y Jackson | N Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 678
NURSING HOME-FRAUD CONTROL
THIRD READING
PASSED

December 01, 2010

114 YEAS

0 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | Y DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | Y Eddy | Y Mautino | Y Sacia |
| Y Biggins | Y Farnham | Y May | Y Saviano |
| Y Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | Y Sente |
| Y Bradley | Y Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | A McGuire | Y Sommer |
| Y Brauer | Y Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | Y Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | Y Mitchell, Bill | Y Thapedi |
| Y Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| Y Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | Y Watson |
| Y Coulson | Y Hoffman | Y Osterman | Y Winters |
| Y Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| Y Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 3708
 DCFS-GRANTS-RESID SRVCS PROVID
 THIRD READING
 PASSED

December 01, 2010

115 YEAS

0 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | Y DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | Y Eddy | Y Mautino | Y Sacia |
| Y Biggins | Y Farnham | Y May | Y Saviano |
| Y Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | Y Sente |
| Y Bradley | Y Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | Y McGuire | Y Sommer |
| Y Brauer | Y Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | Y Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | Y Mitchell, Bill | Y Thapedi |
| Y Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| Y Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | Y Watson |
| Y Coulson | Y Hoffman | Y Osterman | Y Winters |
| Y Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| Y Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3962
CRIM CD-PUBLIC NUISANCE
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 2
CONCURRED

December 01, 2010

114 YEAS

1 NAY

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | Y DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | Y Eddy | Y Mautino | Y Sacia |
| Y Biggins | Y Farnham | Y May | Y Saviano |
| N Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | Y Sente |
| Y Bradley | Y Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | Y McGuire | Y Sommer |
| Y Brauer | Y Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | Y Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | Y Mitchell, Bill | Y Thapedi |
| Y Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| Y Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | Y Watson |
| Y Coulson | Y Hoffman | Y Osterman | Y Winters |
| Y Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| Y Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 389
 STATE POLICE-MILITARY-COLLEGE
 THIRD READING
 PASSED

December 01, 2010

96 YEAS

17 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | N DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | N Eddy | Y Mautino | Y Sacia |
| NV Biggins | N Farnham | Y May | Y Saviano |
| N Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | N McAsey | Y Senger |
| N Bost | Y Flowers | Y McAuliffe | N Sente |
| Y Bradley | E Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | Y McGuire | Y Sommer |
| Y Brauer | N Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | N Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | N Mitchell, Bill | Y Thapedi |
| N Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| N Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | N Gordon, Jehan | Y Mulligan | Y Turner |
| N Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | N Watson |
| Y Coulson | N Hoffman | Y Osterman | Y Winters |
| N Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| Y Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 362
 ELEC CD-FRACTIONAL CUMULATIVE
 THIRD READING
 PASSED

December 01, 2010

113 YEAS

0 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | Y Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | Y DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | Y Eddy | Y Mautino | Y Sacia |
| E Biggins | Y Farnham | Y May | Y Saviano |
| Y Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | Y Sente |
| Y Bradley | E Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | Y McGuire | Y Sommer |
| Y Brauer | Y Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | Y Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | Y Mitchell, Bill | Y Thapedi |
| Y Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| Y Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | Y Watson |
| Y Coulson | Y Hoffman | Y Osterman | Y Winters |
| Y Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| Y Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 6881
 CD CORR-SENTENCE REDUCTION
 THIRD READING
 PASSED

December 01, 2010

100 YEAS

13 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | Y Davis, Monique | N Kosel | Y Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | N DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | Y Rose |
| Y Berrios | Y Eddy | Y Mautino | Y Sacia |
| E Biggins | N Farnham | Y May | Y Saviano |
| Y Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | N Flider | N McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | N Sente |
| Y Bradley | E Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | Y McGuire | Y Sommer |
| Y Brauer | N Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | Y Stephens |
| Y Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | N Mitchell, Bill | Y Thapedi |
| Y Cavaletto | Y Golar | Y Mitchell, Jerry | Y Tracy |
| N Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | N Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | N Osmond | Y Watson |
| Y Coulson | N Hoffman | Y Osterman | Y Winters |
| N Crespo | Y Holbrook | Y Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | Y Zalewski |
| Y Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | Y Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 150
PUB HEALTH-COMM HEALTH CTR
THIRD READING
PASSED

December 01, 2010

86 YEAS

27 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| Y Acevedo | N Davis, Monique | Y Kosel | N Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| Y Bassi | N DeLuca | Y Leitch | Y Reitz |
| Y Beaubien | E Dugan | Y Lilly | Y Riley |
| Y Beiser | Y Dunkin | Y Lyons | Y Rita |
| Y Bellock | Y Durkin | Y Mathias | N Rose |
| Y Berrios | N Eddy | Y Mautino | Y Sacia |
| E Biggins | N Farnham | Y May | Y Saviano |
| Y Black | Y Feigenholtz | Y Mayfield | Y Schmitz |
| Y Boland | Y Flider | N McAsey | Y Senger |
| Y Bost | Y Flowers | Y McAuliffe | N Sente |
| N Bradley | E Ford | Y McCarthy | Y Smith |
| Y Brady | Y Fortner | Y McGuire | N Sommer |
| Y Brauer | N Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | N Stephens |
| N Burns | Y Froehlich | Y Miller | Y Sullivan |
| Y Carberry | Y Gabel | N Mitchell, Bill | Y Thapedi |
| N Cavaletto | Y Golar | Y Mitchell, Jerry | N Tracy |
| N Chapa LaVia | Y Gordon, Careen | Y Moffitt | Y Tryon |
| Y Coladipietro | N Gordon, Jehan | Y Mulligan | Y Turner |
| Y Cole | Y Hannig | E Myers | Y Verschoore |
| Y Collins | Y Harris | Y Nekritz | Y Wait |
| Y Colvin | Y Hatcher | Y O'Sullivan | N Walker |
| Y Connelly | Y Hernandez | Y Osmond | N Watson |
| Y Coulson | Y Hoffman | N Osterman | Y Winters |
| N Crespo | Y Holbrook | N Phelps | Y Yarbrough |
| Y Cross | Y Howard | Y Pihos | N Zalewski |
| N Cultra | Y Jackson | Y Poe | Y Mr. Speaker |
| N Currie | Y Jakobsson | N Pritchard | |
| Y D'Amico | Y Jefferson | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1715
 REGULATION-TECH
 THIRD READING
 LOST

December 01, 2010

39 YEAS

72 NAYS

0 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| N Acevedo | Y Davis, Monique | N Kosel | N Reboletti |
| Y Arroyo | Y Davis, William | Y Lang | E Reis |
| N Bassi | Y DeLuca | N Leitch | N Reitz |
| N Beaubien | E Dugan | Y Lilly | Y Riley |
| N Beiser | Y Dunkin | N Lyons | Y Rita |
| N Bellock | N Durkin | N Mathias | N Rose |
| Y Berrios | N Eddy | N Mautino | N Sacia |
| E Biggins | N Farnham | N May | N Saviano |
| N Black | Y Feigenholtz | Y Mayfield | N Schmitz |
| Y Boland | N Flider | N McAsey | N Senger |
| N Bost | Y Flowers | N McAuliffe | N Sente |
| N Bradley | E Ford | N McCarthy | N Smith |
| N Brady | N Fortner | Y McGuire | N Sommer |
| N Brauer | N Franks | Y Mell | Y Soto |
| Y Burke | Y Fritchey | Y Mendoza | N Stephens |
| NV Burns | Y Froehlich | N Miller | N Sullivan |
| N Carberry | Y Gabel | N Mitchell, Bill | Y Thapedi |
| N Cavaletto | Y Golar | N Mitchell, Jerry | N Tracy |
| Y Chapa LaVia | Y Gordon, Careen | N Moffitt | N Tryon |
| N Coladipietro | N Gordon, Jehan | N Mulligan | Y Turner |
| N Cole | N Hannig | E Myers | N Verschoore |
| Y Collins | Y Harris | Y Nekritz | N Wait |
| Y Colvin | N Hatcher | N O'Sullivan | N Walker |
| N Connelly | Y Hernandez | N Osmond | N Watson |
| N Coulson | N Hoffman | NV Osterman | N Winters |
| N Crespo | N Holbrook | N Phelps | Y Yarbrough |
| N Cross | Y Howard | N Pihos | N Zalewski |
| N Cultra | Y Jackson | N Poe | Y Mr. Speaker |
| Y Currie | Y Jakobsson | N Pritchard | |
| N D'Amico | Y Jefferson | N Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 6862
SCH CD - JOINT CHARTER SCHOOL
THIRD READING
VERIFIED
LOST

December 01, 2010

55 YEAS

39 NAYS

4 PRESENT

| | | | |
|----------------|------------------|-------------------|---------------|
| A Acevedo | N Davis, Monique | Y Kosel | N Reboletti |
| NV Arroyo | N Davis, William | N Lang | E Reis |
| Y Bassi | N DeLuca | Y Leitch | N Reitz |
| Y Beaubien | E Dugan | N Lilly | N Riley |
| N Beiser | N Dunkin | Y Lyons | N Rita |
| Y Bellock | Y Durkin | N Mathias | Y Rose |
| NV Berrios | Y Eddy | Y Mautino | Y Sacia |
| E Biggins | Y Farnham | N May | Y Saviano |
| Y Black | NV Feigenholtz | NV Mayfield | Y Schmitz |
| Y Boland | Y Flider | Y McAsey | NV Senger |
| Y Bost | Y Flowers | Y McAuliffe | N Sente |
| Y Bradley | E Ford | N McCarthy | N Smith |
| Y Brady | NV Fortner | Y McGuire | Y Sommer |
| N Brauer | NV Franks | Y Mell | A Soto |
| Y Burke | N Fritchey | Y Mendoza | Y Stephens |
| N Burns | Y Froehlich | N Miller | Y Sullivan |
| N Carberry | N Gabel | N Mitchell, Bill | P Thapedi |
| Y Cavaletto | P Golar | N Mitchell, Jerry | Y Tracy |
| Y Chapa LaVia | N Gordon, Careen | N Moffitt | Y Tryon |
| Y Coladipietro | Y Gordon, Jehan | Y Mulligan | N Turner |
| Y Cole | Y Hannig | E Myers | N Verschoore |
| N Collins | N Harris | N Nekritz | Y Wait |
| P Colvin | Y Hatcher | N O'Sullivan | Y Walker |
| Y Connelly | Y Hernandez | Y Osmond | Y Watson |
| Y Coulson | N Hoffman | N Osterman | NV Winters |
| Y Crespo | N Holbrook | N Phelps | NV Yarbrough |
| Y Cross | P Howard | Y Pihos | NV Zalewski |
| Y Cultra | Y Jackson | N Poe | A Mr. Speaker |
| A Currie | N Jakobsson | Y Pritchard | |
| Y D'Amico | NV Jefferson | N Ramey | |

E - Denotes Excused Absence

153RD LEGISLATIVE DAY**Perfunctory Session****WEDNESDAY, DECEMBER 1, 2010**

At the hour of 3:16 o'clock p.m., the House convened perfunctory session.

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 902 (Reitz), 1014 (Currie), 1310 (Lang) and 3976 (Currie).

At the hour of 3:17 o'clock p.m., the House Perfunctory Session adjourned.