SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED FIRST GENERAL ASSEMBLY

44TH LEGISLATIVE DAY

THURSDAY, MAY 16, 2019

11:08 O'CLOCK A.M.

NO. 44
[May 16, 2019]

SENATE
Daily Journal Index
44th Legislative Day

The Senate met pursuant to adjournment.
Senator Iris Y. Martinez, Chicago, Illinois, presiding.
Prayer by Pastor Roger Grimmett, Springfield First United Methodist Church, Springfield, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 15, 2019, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Henry County Sheriff's Office.

Annual Report for Good Samaritan Energy Trust Fund May 2019, submitted by the Department of Commerce and Economic Opportunity.

The foregoing reports were ordered received and placed on file with the Secretary's Office.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to House Bill 26
Amendment No. 1 to House Bill 51
Amendment No. 1 to House Bill 3065
Amendment No. 1 to House Bill 3302
Amendment No. 1 to House Bill 3503
Amendment No. 1 to House Bill 3586

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

May 16, 2019

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the committee and 3rd reading deadline to May 24, 2019, for the following bills:

HB 2071

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Bill Brady

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

May 16, 2019

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Mattie Hunter to temporarily replace Senator Antonio Munoz as a member of the Senate Committee on Assignments. These appointments will expire upon adjournment of the Senate Committee on Assignments on May 16, 2019.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Bill Brady

REPORTS FROM STANDING COMMITTEES

Senator Bennett, Chairperson of the Committee on Agriculture, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 3671

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Murphy, Chairperson of the Committee on Commerce and Economic Development, to which was referred **House Bill No. 2540,** reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

APPOINTMENT MESSAGES

Appointment Message No. 1010202

To the Honorable Members of the Senate, One Hundred First General Assembly:

I, JB Pritzker, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Elections

Start Date: July 1, 2019

End Date: June 30, 2023

Name: William Cadigan

Residence: 191 Fuller Ln., Winnetka, IL 60093

Annual Compensation: $37,571 per annum, plus expenses

Per diem: Not Applicable

Nominee's Senator: Senator Laura Fine

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 1010203

To the Honorable Members of the Senate, One Hundred First General Assembly:

I, JB Pritzker, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Elections

Start Date: July 1, 2019

End Date: June 30, 2023

Name: : William Haine

Residence: 1407 Liberty St., Alton, IL 62002

Annual Compensation: $37,571 per annum, plus expenses

Per diem: Not Applicable

Nominee's Senator: Senator Rachelle Crowe

Most Recent Holder of Office: John Keith

Superseded Appointment Message: Not Applicable

Appointment Message No. 1010204

To the Honorable Members of the Senate, One Hundred First General Assembly:

I, JB Pritzker, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Elections

Start Date: July 1, 2019

End Date: June 30, 2023

Name: : Laura Kent Donahue

Residence: 3808 Dulaney Pl., Quincy, IL 62305

Annual Compensation: $37,571 per annum, plus expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jil Tracy

Most Recent Holder of Office: Andy Carruthers

Superseded Appointment Message: Not Applicable

Appointment Message No. 1010205

To the Honorable Members of the Senate, One Hundred First General Assembly:

I, JB Pritzker, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Elections

Start Date: July 1, 2019

End Date: June 30, 2023

Name: : William McGuffage

Residence: 900N. Lake Shore Dr., Apt. 2408, Chicago, IL 60611

Annual Compensation: $37,571 per annum, plus expenses

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Executive Appointments.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chairperson of the Committee on Assignments, during its May 16, 2019 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Floor Amendment No. 2 to Senate Joint Resolution 36; Floor Amendment No. 1 to House Bill 3086**.

Government Accountability and Pensions: **House Bill 2071**.

Human Services: **Floor Amendment No. 1 to House Bill 3065**.

Judiciary: **Floor Amendment No. 1 to House Bill 2528; Floor Amendment No. 3 to House Bill 3222; Floor Amendment No. 2 to House Bill 3606**.

Labor: **Floor Amendment No. 2 to House Bill 834**.

Public Health: **Floor Amendment No. 3 to House Bill 3**.

Transportation: **Floor Amendment No. 1 to House Bill 2856**.

Senator Lightford, Chairperson of the Committee on Assignments, during its May 16, 2019 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Environment and Conservation: **Senate Resolution No. 419.**

Human Services: **Senate Resolutions Numbered 403 and 422.**

Public Health: **Senate Resolution No. 406.**

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Villivalam, **House Bill No. 245** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **House Bill No. 2** having been printed, was taken up and read by title a second time.

Senator Collins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2

AMENDMENT NO. 1. Amend House Bill 2 by replacing everything after the enacting clause with the following:

"Section 5. The Medical Patient Rights Act is amended by adding Section 3.4 as follows:
(410 ILCS 50/3.4 new)
Sec. 3.4. Rights of women; pregnancy and childbirth.
(a) In addition to any other right provided under this Act, every woman has the following rights with regard to pregnancy and childbirth:
(1) The right to receive health care before, during, and after pregnancy and childbirth.
(2) The right to receive care for her and her infant that is consistent with generally accepted medical standards.
(3) The right to choose a certified nurse midwife or physician as her maternity care professional.
(4) The right to choose her birth setting from the full range of birthing options available in her community.

(5) The right to leave her maternity care professional and select another if she becomes dissatisfied with her care, except as otherwise provided by law.

(6) The right to receive information about the names of those health care professionals involved in her care.

(7) The right to privacy and confidentiality of records, except as provided by law.

(8) The right to receive information concerning her condition and proposed treatment, including methods of relieving pain.

(9) The right to accept or refuse any treatment, to the extent medically possible.

(10) The right to be informed if her caregivers wish to enroll her or her infant in a research study in accordance with Section 3.1 of this Act.

(11) The right to access her medical records in accordance with Section 8-2001 of the Code of Civil Procedure.

(12) The right to receive information in a language in which she can communicate in accordance with federal law.

(13) The right to receive emotional and physical support during labor and birth.

(14) The right to freedom of movement during labor and to give birth in the position of her choice, within generally accepted medical standards.

(15) The right to contact with her newborn, except where necessary care must be provided to the mother or infant.

(16) The right to receive information about breastfeeding.

(17) The right to decide collaboratively with caregivers when she and her baby will leave the birth site for home, based on their conditions and circumstances.

(18) The right to be treated with respect at all times before, during, and after pregnancy by her health care professionals.

(19) The right of each patient, regardless of source of payment, to examine and receive a reasonable explanation of her total bill for services rendered by her maternity care professional or health care provider, including itemized charges for specific services received. Each maternity care professional or health care provider shall be responsible only for a reasonable explanation of those specific services provided by the maternity care professional or health care provider.

(b) The Department of Public Health, Department of Healthcare and Family Services, Department of Children and Family Services, and Department of Human Services shall post information about these rights on their publicly available websites. Every health care provider, day care center licensed under the Child Care Act of 1969, Head Start, and community center shall post information about these rights in a prominent place and on their websites, if applicable.

(c) The Department of Public Health shall adopt rules to implement this Section.

(d) Nothing in this Section or any rules adopted under subsection (c) shall be construed to require a physician, health care professional, hospital, hospital affiliate, or health care provider to provide care inconsistent with generally accepted medical standards or available capabilities or resources.

Section 99. Effective date. This Act takes effect January 1, 2020.".

The motion prevailed.
And the amendment was adopted and ordered printed.
There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Collins, **House Bill No. 3** was taken up, read by title a second time.
Committee Amendment No. 1 was postponed in the Committee on Public Health.
Committee Amendment No. 2 was held in the Committee on Assignments.
Floor Amendment No. 3 was referred to the Committee on Public Health earlier today.
There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Collins, **House Bill No. 26** was taken up, read by title a second time.
Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.
There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Collins, **House Bill No. 51** was taken up, read by title a second time.
Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.
There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Barickman, **House Bill No. 250** having been printed, was taken up and read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

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

AMENDMENT NO. 2 TO HOUSE BILL 250

AMENDMENT NO. 2. Amend House Bill 250 on page 1, line 5, by replacing "Section 21-115" with "Sections 21-115, 21-310, and 22-35"; and

on page 2, immediately below line 19, by inserting the following:

"(35 ILCS 200/21-310)

Sec. 21-310. Sales in error.

(a) When, upon application of the county collector, the owner of the certificate of purchase, or a municipality which owns or has owned the property ordered sold, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) the property was not subject to taxation, or all or any part of the lien of taxes sold has become null and void pursuant to Section 21-95 or unenforceable pursuant to subsection (c) of Section 18-250 or subsection (b) of Section 22-40,

(2) the taxes or special assessments had been paid prior to the sale of the property,

(3) there is a double assessment,

(4) the description is void for uncertainty,

(5) the assessor, chief county assessment officer, board of review, board of appeals, or other county official has made an error (other than an error of judgment as to the value of any property),

(5.5) the owner of the homestead property had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the homestead property, and the county collector did not apply the payment to the homestead property; provided that this provision applies only to homeowners, not their agents or third-party payors,

(6) prior to the tax sale a voluntary or involuntary petition has been filed by or against the legal or beneficial owner of the property requesting relief under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13,

(7) the property is owned by the United States, the State of Illinois, a municipality, or a taxing district, or

(8) the owner of the property is a reservist or guardsperson who is granted an extension of his or her due date under Sections 21-15, 21-20, and 21-25 of this Act.

(b) When, upon application of the owner of the certificate of purchase only, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) A voluntary or involuntary petition under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13 has been filed subsequent to the tax sale and prior to the issuance of the tax deed.

(2) The improvements upon the property sold have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy subsequent to the tax sale and prior to the issuance of the tax deed; however, if the court declares a sale in error under this paragraph (2), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received pursuant to this paragraph (2) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

(3) There is an interest held by the United States in the property sold which could not be extinguished by the tax deed.

(4) The real property contains a hazardous substance, hazardous waste, or underground storage tank that would require cleanup or other removal under any federal, State, or local law, ordinance, or regulation, only if the tax purchaser purchased the property without actual knowledge of the hazardous substance, hazardous waste, or underground storage tank. This paragraph (4) applies only if the owner of the certificate of purchase has made application for a sale in error at any time before the issuance of a tax deed. If the court declares a sale in error under this paragraph (4), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received

pursuant to this paragraph (4) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

Whenever a court declares a sale in error under this subsection (b), the court shall promptly notify the county collector in writing. Every such declaration pursuant to any provision of this subsection (b) shall be made within the proceeding in which the tax sale was authorized.

(c) When the county collector discovers, prior to the expiration of the period of redemption, that a tax sale should not have occurred for one or more of the reasons set forth in subdivision (a)(1), (a)(2), (a)(6), or (a)(7) of this Section, the county collector shall notify the last known owner of the certificate of purchase by certified and regular mail, or other means reasonably calculated to provide actual notice, that the county collector intends to declare an administrative sale in error and of the reasons therefor, including documentation sufficient to establish the reason why the sale should not have occurred. The owner of the certificate of purchase may object in writing within 28 days after the date of the mailing by the county collector. If an objection is filed, the county collector shall not administratively declare a sale in error, but may apply to the circuit court for a sale in error as provided in subsection (a) of this Section. Thirty days following the receipt of notice by the last known owner of the certificate of purchase, or within a reasonable time thereafter, the county collector shall make a written declaration, based upon clear and convincing evidence, that the taxes were sold in error and shall deliver a copy thereof to the county clerk within 30 days after the date the declaration is made for entry in the tax judgment, sale, redemption, and forfeiture record pursuant to subsection (d) of this Section. The county collector shall promptly notify the last known owner of the certificate of purchase of the declaration by regular mail and shall promptly pay the amount of the tax sale, together with interest and costs as provided in Section 21-315, upon surrender of the original certificate of purchase.

(d) If a sale is declared to be a sale in error, the county clerk shall make entry in the tax judgment, sale, redemption and forfeiture record, that the property was erroneously sold, and the county collector shall, on demand of the owner of the certificate of purchase, refund the amount paid, pay any interest and costs as may be ordered under Sections 21-315 through 21-335, and cancel the certificate so far as it relates to the property. The county collector shall deduct from the accounts of the appropriate taxing bodies their pro rata amounts paid. Alternatively, for sales in error declared under subsection (b)(2) or (b)(4), the county collector may request the circuit court to direct the county clerk to record any assignment of the tax certificate to or from the county collector without charging a fee for the assignment. The owner of the certificate of purchase shall receive all statutory refunds and payments. The county collector shall deduct costs and payments in the same manner as if a sale in error had occurred.

(Source: P.A. 100-890, eff. 1-1-19.)

(35 ILCS 200/22-35)

Sec. 22-35. Reimbursement of a county or municipality before issuance of tax deed. Except in any proceeding in which the tax purchaser is a county acting as a trustee for taxing districts as provided in Section 21-90, an order for the issuance of a tax deed under this Code shall not be entered affecting the title to or interest in any property in which a county, city, village or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the county, city, village or incorporated town of the money so advanced or the county, city, village, or town waives its lien on the property for the money so advanced. However, in lieu of reimbursement or waiver, the purchaser or his or her assignee may make application for and the court shall order that the tax purchase be set aside as a sale in error. A sale in error may not be granted under this Section if the lien has been released, satisfied, discharged, or waived. A filing or appearance fee shall not be required of a county, city, village or incorporated town seeking to enforce its claim under this Section in a tax deed proceeding.

(Source: P.A. 98-1162, eff. 6-1-15.)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 357** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Belt, **House Bill No. 456** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **House Bill No. 823** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Public Health, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 823

AMENDMENT NO. 1. Amend House Bill 823 on page 1, line 13, by deleting "develop and".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Anderson, **House Bill No. 889** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 1553** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **House Bill No. 1561** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1561

AMENDMENT NO. 1. Amend House Bill 1561 as follows:

by deleting line 25 on page 69 through line 2 on page 70; and

on page 70, line 3, by replacing "(c)" with "(b)"; and

on page 70, line 9, by replacing "(d)" with "(c)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Belt, **House Bill No. 1652** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 1652

AMENDMENT NO. 1. Amend House Bill 1652 as follows:

on page 4, line 14, by replacing "~~not~~" with "not"; and

on page 6, line 14, by replacing "~~not~~" with "not".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Gillespie, **House Bill No. 2076** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment and Conservation, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2076

AMENDMENT NO. 1. Amend House Bill 2076 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 22.59 as follows:
(415 ILCS 5/22.59 new)
Sec. 22.59. Regulation of bisphenol A in business transaction paper.
(a) For purposes of this Section, "thermal paper" means paper with bisphenol A added to the coating.
(b) Beginning January 1, 2020, no person shall manufacture, for sale in this State, thermal paper.
(c) No person shall distribute or use any thermal paper for the making of business or banking records, including, but not limited to, records of receipts, credits, withdrawals, deposits, or credit or debit card

transactions. This subsection shall not apply to thermal paper that was manufactured prior to January 1, 2020.

(d) The prohibition in subsections (a) and (b) shall not apply to paper containing recycled material.

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

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 2084** having been printed, was taken up and read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Education.

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

AMENDMENT NO. 2 TO HOUSE BILL 2084

AMENDMENT NO. 2. Amend House Bill 2084 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 2-3.162 as follows:

(105 ILCS 5/2-3.162)

Sec. 2-3.162. Student discipline report; school discipline improvement plan.

(a) On or before October 31, 2015 and on or before October 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a report on student discipline in all school districts in this State, including State-authorized charter schools. This report shall include data from all public schools within school districts, including district-authorized charter schools. This report must be posted on the Internet website of the State Board of Education. The report shall include data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action and the total number of school days missed by a student due to an out-of-school suspension or expulsion, disaggregated by race and ethnicity, gender, age, individual grade level, whether a student is an English learner, whether a student qualifies for services under the federal Individuals with Disabilities Education Act, incident type, and discipline duration. The report shall also include data on the number of arrests made by law enforcement officers of students on school grounds, in school vehicles, at school activities or school-sanctioned events, or as a result of referrals by school officials, disaggregated by race and ethnicity, gender, age, individual grade level, whether a student is an English learner, whether a student qualifies for services under the federal Individuals with Disabilities Education Act, the offense for which the student was arrested, and the final disposition of the arrest.

In compiling the report under this subsection, the State Board of Education must also disaggregate the data by the total number of school days missed by a student as follows: by less than or equal to one day, 2 days, 3 days, 4 days, 5 days, 6 days, 7 days, 8 days, 9 days, 10 days, 11 through 30 days, 31 through 60 days, 61 through 90 days, and 91 through 180 days.

In compiling the report under this subsection, the State Board of Education must also disaggregate the data on suspensions, expulsions, and removals to alternative settings by all of the following incident types:

(1) Disruption, disrespect, or defiance of authority.
(2) Truancy, tardiness, or class-cutting.
(3) Alcohol.
(4) Threats.
(5) Fighting.
(6) Other violent offenses.
(7) Bullying or harassment.
(8) Dress code violation.
(9) Drugs or controlled substances.
(10) Theft.
(11) Property damage.
(12) Tobacco.
(13) Dangerous weapon – firearm.
(14) Dangerous weapon – other.
(15) Trespassing.
(16) Other.

In compiling the report under this subsection, the State Board of Education must also disaggregate the data on the issuance of school-based arrests by the criminal offense for which the student was arrested.

(a-5) In compiling the report under subsection (a), the State Board of Education must use the same disclosure avoidance standards used by the United States Department of Education in its public reporting of data submitted by each school district as part of the Civil Rights Data Collection. The State Board must also ensure that cross-tabulation by the various categories of disaggregation is possible.

(b) The State Board of Education shall analyze the data under subsection (a) of this Section on an annual basis and determine the top 20% of elementary school districts, high school districts, and unit school districts for the following metrics:

(1) Total number of out-of-school suspensions divided by the total district enrollment by the last school day in September for the year in which the data was collected, multiplied by 100.

(2) Total number of out-of-school expulsions divided by the total district enrollment by the last school day in September for the year in which the data was collected, multiplied by 100.

(2.5) Total number of school-based arrests divided by the total district enrollment by the last school day in September for the year in which the data was collected, multiplied by 100.

(3) Racial disproportionality, defined as the overrepresentation of students of color or white students in comparison to the total number of students of color or white students on October 1st of the school year in which data are collected, with respect to the use of out-of-school suspensions and expulsions, which must be calculated using the same method as the U.S. Department of Education's Office for Civil Rights uses.

The analysis must be based on data collected over 3 consecutive school years, beginning with the 2014-2015 school year.

Beginning with the 2017-2018 school year, the State Board of Education shall require each of the school districts that are identified in the top 20% of any of the metrics described in this subsection (b) for 3 consecutive years to submit a plan identifying the strategies the school district will implement to reduce the use of exclusionary disciplinary practices, school-based arrests, or racial disproportionality ~~or both~~, if applicable. School districts that no longer meet the criteria described in any of the metrics described in this subsection (b) for 3 consecutive years shall no longer be required to submit a plan.

This plan may be combined with any other improvement plans required under federal or State law.

The calculation of the top 20% of any of the metrics described in this subsection (b) shall exclude all school districts, State-authorized charter schools, and special charter districts that issued fewer than a total of 10 out-of-school suspensions or expulsions or school-based arrests, whichever is applicable, during the school year. The calculation of the top 20% of the metric described in subdivision (3) of this subsection (b) shall exclude all school districts with an enrollment of fewer than 50 white students or fewer than 50 students of color.

The plan must be approved at a public school board meeting and posted on the school district's Internet website. Within one year after being identified, the school district shall submit to the State Board of Education and post on the district's Internet website a progress report describing the implementation of the plan and the results achieved.

(Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15; 100-863, eff. 8-14-18.)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Bertino-Tarrant, **House Bill No. 2087** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilcox, **House Bill No. 2088** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 2103** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **House Bill No. 2118** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 2129** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 2135** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 2146** having been printed, was taken up and read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 2146

AMENDMENT NO. 2. Amend House Bill 2146 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Health in All Policies Act.

Section 5. Definition. In this Act, "health in all policies framework" means a public health framework through which policymakers and stakeholders in the public and private sectors use a collaborative approach to improve health outcomes and reduce health inequities in the State by incorporating health considerations into decision-making across sectors and policy areas.

Section 10. Workgroup.

(a) The University of Illinois at Chicago School of Public Health, in consultation with the Department of Public Health, shall convene a workgroup to review legislation and make new policy recommendations relating to the health of residents of the State.

(b) The workgroup shall examine the following:

(1) The health of residents of the State, to the extent necessary to carry out the requirements of this Act.

(2) Ways for units of local government and State agencies to collaborate in implementing policies that will positively impact the health of residents of the State.

(3) The impact of the following on the health of residents of the State:

(A) Access to safe and affordable housing.

(B) Educational attainment.

(C) Opportunities for employment.

(D) Economic stability.

(E) Inclusion, diversity, and equity in the workplace.

(F) Barriers to career success and promotion in the workplace.

(G) Access to transportation and mobility.

(H) Social justice.

(I) Environmental factors.

(J) Public safety, including the impact of crime, citizen unrest, the criminal justice system, and governmental policies that affect individuals who are in prison or released from prison.

(c) The workgroup, using a health in all policies framework, shall perform the following:

(1) Review and make recommendations regarding how health considerations may be incorporated into the decision-making processes of government agencies and private stakeholders who interact with government agencies.

(2) Foster collaboration among units of local government and State agencies.

(3) Develop laws and policies to improve health and reduce health inequities.

(4) Make recommendations regarding how to implement laws and policies to improve health and reduce health inequities.

(d) The workgroup shall consist of the following members:

(1) The Secretary of Human Services, or the Secretary's designee.

(2) The Secretary of Transportation, or the Secretary's designee.

(3) The Director of the Illinois Environmental Protection Agency, or the Director's designee.

(4) The Director of Agriculture, or the Director's designee.

(5) The Director of Labor, or the Director's designee.

(6) The Director of Public Health, or the Director's designee.

(7) One representative of a statewide public health association.

(8) One administrator of a Federally Qualified Health Center.

(9) One administrator of a public health department local to the University of Illinois at Chicago.

(10) One representative of an association representing hospitals and health systems.

(11) The Director of Healthcare and Family Services, or the Director's designee.

(12) The State Superintendent of Education, or the Superintendent's designee.

(13) The Director of Corrections, or the Director's designee.

(14) The Chair of the Criminal Justice Information Authority, or the Chair's designee.

(15) The Director of Commerce and Economic Opportunity, or the Director's designee.

(16) The Director of Aging, or the Director's designee.

(17) One representative of the Office of the Governor appointed by the Governor.

(18) One representative of a local health department located in a county with a population of less than 3,000,000.

(19) One representative of a statewide public health institute representing multisector public health system stakeholders.

(20) Two representatives of organizations that represent minority populations in public health.

(21) One representative of a statewide organization representing physicians licensed to practice medicine in all its branches.

(e) To the extent practicable, the members of the workgroup shall reflect the geographic, racial, ethnic, cultural, and gender diversity of the State.

(f) Workgroup members shall serve without compensation.

(g) A State agency or entity shall, in a timely manner, provide information in response to requests for information submitted by the workgroup, except where that information is otherwise prohibited from disclosure or dissemination by federal or State law, rules or regulations implementing federal or State law, or a court order.

(h) The Department of Public Health shall provide administrative and other support to the workgroup.

(i) The workgroup shall meet at least twice a year and at other times as it deems appropriate. The workgroup shall prepare a report that summarizes its work and makes recommendations resulting from its study. On an annual basis, the University of Illinois at Chicago School of Public Health, in consultation with the Department of Public Health and members of the workgroup, shall determine a focus area for the report. Focus areas may include, but are not limited to, the areas designated in subsection (b) of Section 10. The workgroup shall submit the report of its findings and recommendations to the General Assembly by December 31, 2020 and by December 31 of each year thereafter. The annual report and recommendations shall be shared with the Department of Public Health and the State Board of Health and shall be considered in the development of the State Health Improvement Plan every 5 years.

Section 99. Effective date. This Act takes effect January 1, 2020.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Castro, **House Bill No. 2156** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Commerce and Economic Development, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2156

AMENDMENT NO. 1. Amend House Bill 2156 on page 2, line 16, by replacing "post-issuance fees" with "post-issuance fees to the consumer".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Bertino-Tarrant, **House Bill No. 2189** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **House Bill No. 2238** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **House Bill No. 2243** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 2252** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **House Bill No. 2265** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 2296** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 2301** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 2308** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 2309** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Barickman, **House Bill No. 2383** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2383

AMENDMENT NO. 1. Amend House Bill 2383 as follows:

on page 10, by deleting lines 2 through 6; and

on page 10, line 7, by replacing "50" with "49".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Castro, **House Bill No. 2399** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **House Bill No. 2438** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **House Bill No. 2444** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **House Bill No. 2459** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 2473** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Barickman, **House Bill No. 2489** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fowler, **House Bill No. 2505** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 2571** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Barickman, **House Bill No. 2583** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment and Conservation, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2583

AMENDMENT NO. 1. Amend House Bill 2583 on page 1, by replacing lines 7 and 8 with the following:

"Sec. 3. Additional territory may be added to any"; and

on page 2, by replacing lines 16 and 17 with "described in Section 1 of this Act. The".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Link, **House Bill No. 2594** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 2601** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **House Bill No. 2617** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **House Bill No. 2577** was taken up, read by title a second time.

Senate Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2650** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **House Bill No. 2669** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 2670** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **House Bill No. 2700** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **House Bill No. 2708** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2708

AMENDMENT NO. 1. Amend House Bill 2708 by replacing everything after the enacting clause with the following:

"Section 5. The Missing Persons Identification Act is amended by changing Sections 5 and 10 as follows:

(50 ILCS 722/5)

Sec. 5. Missing person reports.

(a) Report acceptance. All law enforcement agencies shall accept without delay any report of a missing person and shall attempt to obtain a DNA sample from the missing person or a DNA reference sample created from family members' DNA samples for submission under paragraph (1) of subsection (c) of Section 10. Acceptance of a missing person report filed in person may not be refused on any ground. No law enforcement agency may refuse to accept a missing person report:

(1) on the basis that the missing person is an adult;

(2) on the basis that the circumstances do not indicate foul play;
(3) on the basis that the person has been missing for a short period of time;
(4) on the basis that the person has been missing a long period of time;
(5) on the basis that there is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;
(6) on the basis that the circumstances suggest that the disappearance may be voluntary;
(7) on the basis that the reporting individual does not have personal knowledge of the facts;
(8) on the basis that the reporting individual cannot provide all of the information requested by the law enforcement agency;
(9) on the basis that the reporting individual lacks a familial or other relationship with the missing person;
(9-5) on the basis of the missing person's mental state or medical condition; or
(10) for any other reason.

(b) Manner of reporting. All law enforcement agencies shall accept missing person reports in person. Law enforcement agencies are encouraged to accept reports by phone or by electronic or other media to the extent that such reporting is consistent with law enforcement policies or practices.

(c) Contents of report. In accepting a report of a missing person, the law enforcement agency shall attempt to gather relevant information relating to the disappearance. The law enforcement agency shall attempt to gather at the time of the report information that shall include, but shall not be limited to, the following:
(1) the name of the missing person, including alternative names used;
(2) the missing person's date of birth;
(3) the missing person's identifying marks, such as birthmarks, moles, tattoos, and scars;
(4) the missing person's height and weight;
(5) the missing person's gender;
(6) the missing person's race;
(7) the missing person's current hair color and true or natural hair color;
(8) the missing person's eye color;
(9) the missing person's prosthetics, surgical implants, or cosmetic implants;
(10) the missing person's physical anomalies;
(11) the missing person's blood type, if known;
(12) the missing person's driver's license number, if known;
(13) the missing person's social security number, if known;
(14) a photograph of the missing person; recent photographs are preferable and the agency is encouraged to attempt to ascertain the approximate date the photograph was taken;
(15) a description of the clothing the missing person was believed to be wearing;
(16) a description of items that might be with the missing person, such as jewelry, accessories, and shoes or boots;
(17) information on the missing person's electronic communications devices, such as cellular telephone numbers and e-mail addresses;
(18) the reasons why the reporting individual believes that the person is missing;
(19) the name and location of the missing person's school or employer, if known;
(20) the name and location of the missing person's dentist or primary care physician or provider, or both, if known;
(21) any circumstances that may indicate that the disappearance was not voluntary;
(22) any circumstances that may indicate that the missing person may be at risk of injury or death;
(23) a description of the possible means of transportation of the missing person, including make, model, color, license number, and Vehicle Identification Number of a vehicle;
(24) any identifying information about a known or possible abductor or person last seen with the missing person, or both, including:
(A) name;
(B) a physical description;
(C) date of birth;
(D) identifying marks;
(E) the description of possible means of transportation, including make, model, color, license number, and Vehicle Identification Number of a vehicle;

(F) known associates;

(25) any other information that may aid in locating the missing person; ~~and~~

(26) the date of last contact; ~~.~~

(27) a DNA sample of the missing person; and

(28) a DNA reference sample created from family members' DNA samples for submission under paragraph (1) of subsection (c) of Section 10.

(d) Notification and follow up action.

(1) Notification. The law enforcement agency shall notify the person making the report, a family member, or other person in a position to assist the law enforcement agency in its efforts to locate the missing person of the following:

(A) general information about the handling of the missing person case or about intended efforts in the case to the extent that the law enforcement agency determines that disclosure would not adversely affect its ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance;

(B) that the person should promptly contact the law enforcement agency if the missing person remains missing in order to provide additional information and materials that will aid in locating the missing person such as the missing person's credit cards, debit cards, banking information, and cellular telephone records; and

(C) that any DNA samples provided for the missing person case are provided on a voluntary basis and will be used solely to help locate or identify the missing person and will not be used for any other purpose.

The law enforcement agency, upon acceptance of a missing person report, shall inform the reporting citizen of one of 2 resources, based upon the age of the missing person. If the missing person is under 18 years of age, contact information for the National Center for Missing and Exploited Children shall be given. If the missing person is age 18 or older, contact information for the National Missing and Unidentified Persons System (NamUs) organization ~~Center for Missing Adults~~ shall be given.

~~Agencies handling the remains of a missing person who is deceased must notify the agency handling the missing person's case. Documented efforts must be made to locate family members of the deceased person to inform them of the death and location of the remains of their family member.~~

The law enforcement agency is encouraged to make available informational materials, through publications or electronic or other media, that advise the public about how the information or materials identified in this subsection are used to help locate or identify missing persons.

(2) Follow up action. If the person identified in the missing person report remains missing after 30 days, but not more than 60 days, the law enforcement agency shall generate a report of the missing person within the National Missing and Unidentified Persons System (NamUs), and the law enforcement agency shall attempt to obtain the additional information and materials that have not been received, specified below ~~and the additional information and materials specified below have not been received, the law enforcement agency shall attempt to obtain~~:

(A) DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of State or federal DNA databases, including, but not limited to, the Local DNA Index System (LDIS), State DNA Index System (SDIS), ~~and~~ National DNA Index System (NDIS) , and National Missing and Unidentified Persons System (NamUs) partner laboratories;

(B) an authorization to release dental or skeletal x-rays of the missing person;

(C) any additional photographs of the missing person that may aid the investigation or an identification; the law enforcement agency is not required to obtain written authorization before it releases publicly any photograph that would aid in the investigation or identification of the missing person;

(D) dental information and x-rays; and

(E) fingerprints.

(3) Samples collected for DNA analysis shall be submitted to a National Missing and Unidentified Persons System (NamUs) partner laboratory or other resource where DNA profiles are entered into local, State, and national DNA Index Systems within 30 days ~~All DNA samples obtained in missing person cases shall be immediately forwarded to the Department of State Police for analysis~~. The Department of State Police shall establish procedures for determining how to prioritize analysis of the samples relating to missing person cases. All DNA samples obtained in missing person cases from family members of the missing person shall not be retained after the location or identification of the remains of the missing person unless there is a search warrant signed by a court of competent jurisdiction.

(4) This subsection shall not be interpreted to preclude a law enforcement agency from attempting to obtain the materials identified in this subsection before the expiration of the 30-day period. The responsible law enforcement agency shall make a National Missing and Unidentified Persons System (NamUs) report on the missing person within 60 days after the report of the disappearance of the missing person.

(5) Law enforcement agencies are encouraged to establish written protocols for the handling of missing person cases to accomplish the purposes of this Act.

(Source: P.A. 99-244, eff. 1-1-16; 99-581, eff. 1-1-17.)

(50 ILCS 722/10)

Sec. 10. Law enforcement analysis and reporting of missing person information.

(a) Prompt determination and definition of a high-risk missing person.

(1) Definition. "High-risk missing person" means a person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include, but are not limited to, any of the following:

(A) the person is missing as a result of a stranger abduction;

(B) the person is missing under suspicious circumstances;

(C) the person is missing under unknown circumstances;

(D) the person is missing under known dangerous circumstances;

(E) the person is missing more than 30 days;

(F) the person has already been designated as a high-risk missing person by another law enforcement agency;

(G) there is evidence that the person is at risk because:

(i) the person is in need of medical attention, including but not limited to persons with dementia-like symptoms, or prescription medication;

(ii) the person does not have a pattern of running away or disappearing;

(iii) the person may have been abducted by a non-custodial parent;

(iv) the person is mentally impaired, including, but not limited to, a person having a developmental disability, as defined in Section 1-106 of the Mental Health and Developmental Disabilities Code, or a person having an intellectual disability, as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code;

(v) the person is under the age of 21;

(vi) the person has been the subject of past threats or acts of violence;

(vii) the person has eloped from a nursing home;

(G-5) the person is a veteran or active duty member of the United States Armed Forces, the National Guard, or any reserve component of the United States Armed Forces who is believed to have a physical or mental health condition that is related to his or her service; or

(H) any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk.

(b) ~~(2)~~ Law enforcement risk assessment.

(1) ~~(A)~~ Upon initial receipt of a missing person report, the law enforcement agency shall immediately determine whether there is a basis to determine that the missing person is a high-risk missing person.

(2) ~~(B)~~ If a law enforcement agency has previously determined that a missing person is not a high-risk missing person, but obtains new information, it shall immediately determine whether the information indicates that the missing person is a high-risk missing person.

(3) ~~(C)~~ Law enforcement agencies are encouraged to establish written protocols for the handling of missing person cases to accomplish the purposes of this Act.

(c) Law enforcement reporting ~~(3) Law enforcement agency reports~~.

(1) ~~(A)~~ The responding local law enforcement agency shall immediately enter all collected information relating to the missing person case in the Law Enforcement Agencies Data System (LEADS) and the National Crime Information Center (NCIC) databases and the National Missing and Unidentified Persons System (NamUs) within 45 days after the receipt of the report, or in the case of a high risk missing person, within 30 days after the receipt of the report. If the DNA sample submission is to a National Missing and Unidentified Persons System (NamUs) partner laboratory, the DNA profile shall be uploaded by the partner laboratory to the National DNA Index System (NDIS). A packet submission of all relevant reports and DNA samples shall be sent to the National Missing and Unidentified Persons System (NamUs) within 30 days for any high-risk missing person cases. The

information shall be provided in accordance with applicable guidelines relating to the databases. The information shall be entered as follows:

(A) If Department of State Police laboratories are utilized in lieu of National Missing and Unidentified Persons System (NamUs) partner laboratories, all ~~(i) All~~ appropriate DNA profiles, as determined by the Department of State Police, shall be uploaded into the missing person databases of the State DNA Index System (SDIS) and National DNA Index System (NDIS) after completion of the DNA analysis and other procedures required for database entry. The responding local law enforcement agency shall submit any DNA samples voluntarily obtained from family members to a National Missing and Unidentified Persons System (NamUs) partner laboratory for DNA analysis within 30 days. A notation of DNA submission shall be made within the National Missing and Unidentified Persons System (NamUs) record.

(B) ~~(ii)~~ Information relevant to the Federal Bureau of Investigation's Violent Criminal Apprehension Program shall be entered as soon as possible.

(C) ~~(iii)~~ The Department of State Police shall ensure that persons entering data relating to medical or dental records in State or federal databases are specifically trained to understand and correctly enter the information sought by these databases. The Department of State Police shall either use a person with specific expertise in medical or dental records for this purpose or consult with a chief medical examiner, forensic anthropologist, or odontologist to ensure the accuracy and completeness of information entered into the State and federal databases.

(2) ~~(B)~~ The Department of State Police shall immediately notify all law enforcement agencies within this State and the surrounding region of the information that will aid in the prompt location and safe return of the high-risk missing person.

(3) ~~(C)~~ The local law enforcement agencies that receive the notification from the Department of State Police shall notify officers to be on the lookout for the missing person or a suspected abductor.

(4) ~~(D)~~ Pursuant to any applicable State criteria, local law enforcement agencies shall also provide for the prompt use of an Amber Alert in cases involving abducted children; or use of the Endangered Missing Person Advisory in appropriate high risk cases.

(Source: P.A. 100-631, eff. 1-1-19; 100-662, eff. 1-1-19; 100-835, eff. 1-1-19; revised 9-28-18.)

Section 99. Effective date. This Act takes effect January 1, 2020.".

AMENDMENT NO. 2 TO HOUSE BILL 2708

AMENDMENT NO. 2. Amend House Bill 2708, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 14, line 20, by replacing "2020" with "2021".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2720** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 2723** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2723

AMENDMENT NO. 1. Amend House Bill 2723 on page 4, by replacing lines 1 through 6 with the following:

"(12) one person appointed by the Governor who represents ~~a person representing~~ a non-profit, statewide organization that represents private sector child welfare providers; and ~~.~~

(13) 2 persons appointed by the Governor who each serve as a chief executive officer or chief administrator of a private sector child welfare provider.".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 2737** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 2764** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **House Bill No. 2811** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **House Bill No. 2830** having been printed, was taken up and read by title a second time.

Senator T. Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2830

AMENDMENT NO. 1. Amend House Bill 2830 by replacing everything after the enacting clause with the following:

"Section 5. The School Visitation Rights Act is amended by changing Sections 15 and 35 as follows:

(820 ILCS 147/15)

Sec. 15. School conference and activity leave.

(a) An employer must grant an employee leave of up to a total of 8 hours during any school year, and no more than 4 hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings ~~classroom activities~~ related to the employee's child if the conference or meeting ~~classroom activities~~ cannot be scheduled during nonwork hours; however, no leave may be taken by an employee of an employer that is subject to this Act unless the employee has exhausted all accrued vacation leave, personal leave, compensatory leave and any other leave that may be granted to the employee except sick leave and disability leave. Before arranging attendance at the conference or activity, the employee shall provide the employer with a written request for leave at least 7 days in advance of the time the employee is required to utilize the visitation right. In emergency situations, no more than 24 hours' ~~hours~~ notice shall be required. The employee must consult with the employer to schedule the leave so as not to disrupt unduly the operations of the employer.

(b) Nothing in this Act requires that the leave be paid.

(c) For regularly scheduled, nonemergency visitations, schools shall make time available for visitation during both regular school hours and evening hours.

(Source: P.A. 87-1240.)

(820 ILCS 147/35)

Sec. 35. Employee rights.

(a) No employee shall lose any employee benefits, except as provided for in Section 20 of this Act, for exercising his or her rights under this Act. Nothing in this Act shall be construed to affect an employer's obligation to comply with any collective bargaining agreement or employee benefit plan. Nothing in this Act shall prevent an employer from providing school visitation rights in excess of the requirements of this Act. The rights afforded by this Act shall not be diminished by any collective bargaining act or by any employee benefit plan.

(b) An employer may not terminate an employee for an absence from work if the absence is due solely to the employee's attendance at a school conference, behavioral meeting, or academic meeting, as provided in Section 15.

(Source: P.A. 87-1240.)

Section 99. Effective date. This Act takes effect August 1, 2020.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2852** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 2860** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Gillespie, **House Bill No. 2868** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 2884** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Government Accountability and Pensions, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2884

AMENDMENT NO. 1. Amend House Bill 2884 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 7-139 as follows:

(40 ILCS 5/7-139) (from Ch. 108 1/2, par. 7-139)

Sec. 7-139. Credits and creditable service to employees.

(a) Each participating employee shall be granted credits and creditable service, for purposes of determining the amount of any annuity or benefit to which he or a beneficiary is entitled, as follows:

1. For prior service: Each participating employee who is an employee of a participating municipality or participating instrumentality on the effective date shall be granted creditable service, but no credits under paragraph 2 of this subsection (a), for periods of prior service for which credit has not been received under any other pension fund or retirement system established under this Code, as follows:

If the effective date of participation for the participating municipality or participating instrumentality is on or before January 1, 1998, creditable service shall be granted for the entire period of prior service with that employer without any employee contribution.

If the effective date of participation for the participating municipality or participating instrumentality is after January 1, 1998, creditable service shall be granted for the last 20% of the period of prior service with that employer, but no more than 5 years, without any employee contribution. A participating employee may establish creditable service for the remainder of the period of prior service with that employer by making an application in writing, accompanied by payment of an employee contribution in an amount determined by the Fund, based on the employee contribution rates in effect at the time of application for the creditable service and the employee's salary rate on the effective date of participation for that employer, plus interest at the effective rate from the date of the prior service to the date of payment. Application for this creditable service may be made at any time while the employee is still in service.

A municipality that (i) has at least 35 employees; (ii) is located in a county with at least 2,000,000 inhabitants; and (iii) maintains an independent defined benefit pension plan for the benefit of its eligible employees may restrict creditable service in whole or in part for periods of prior service with the employer if the governing body of the municipality adopts an irrevocable resolution to restrict that creditable service and files the resolution with the board before the municipality's effective date of participation.

Any person who has withdrawn from the service of a participating municipality or participating instrumentality prior to the effective date, who reenters the service of the same municipality or participating instrumentality after the effective date and becomes a participating employee is entitled to creditable service for prior service as otherwise provided in this subdivision (a)(1) only if he or she renders 2 years of service as a participating employee after the effective date. Application for such service must be made while in a participating status. The salary rate to be used in the calculation of the required employee contribution, if any, shall be the employee's salary rate at the time of first reentering service with the employer after the employer's effective date of participation.

2. For current service, each participating employee shall be credited with:

a. Additional credits of amounts equal to each payment of additional contributions received from him under Section 7-173, as of the date the corresponding payment of earnings is payable to him.

b. Normal credits of amounts equal to each payment of normal contributions received from him, as of the date the corresponding payment of earnings is payable to him, and normal contributions made for the purpose of establishing out-of-state service credits as permitted under the conditions set forth in paragraph 6 of this subsection (a).

c. Municipality credits in an amount equal to 1.4 times the normal credits, except those established by out-of-state service credits, as of the date of computation of any benefit if these credits would increase the benefit.

d. Survivor credits equal to each payment of survivor contributions received from

the participating employee as of the date the corresponding payment of earnings is payable, and survivor contributions made for the purpose of establishing out-of-state service credits.

3. For periods of temporary and total and permanent disability benefits, each employee receiving disability benefits shall be granted creditable service for the period during which disability benefits are payable. Normal and survivor credits, based upon the rate of earnings applied for disability benefits, shall also be granted if such credits would result in a higher benefit to any such employee or his beneficiary.

4. For authorized leave of absence without pay: A participating employee shall be granted credits and creditable service for periods of authorized leave of absence without pay under the following conditions:

a. An application for credits and creditable service is submitted to the board while the employee is in a status of active employment.

b. Not more than 12 complete months of creditable service for authorized leave of absence without pay shall be counted for purposes of determining any benefits payable under this Article.

c. Credits and creditable service shall be granted for leave of absence only if such leave is approved by the governing body of the municipality, including approval of the estimated cost thereof to the municipality as determined by the fund, and employee contributions, plus interest at the effective rate applicable for each year from the end of the period of leave to date of payment, have been paid to the fund in accordance with Section 7-173. The contributions shall be computed upon the assumption earnings continued during the period of leave at the rate in effect when the leave began.

d. Benefits under the provisions of Sections 7-141, 7-146, 7-150 and 7-163 shall become payable to employees on authorized leave of absence, or their designated beneficiary, only if such leave of absence is creditable hereunder, and if the employee has at least one year of creditable service other than the service granted for leave of absence. Any employee contributions due may be deducted from any benefits payable.

e. No credits or creditable service shall be allowed for leave of absence without pay during any period of prior service.

5. For military service: The governing body of a municipality or participating instrumentality may elect to allow creditable service to participating employees who leave their employment to serve in the armed forces of the United States for all periods of such service, provided that the person returns to active employment within 90 days after completion of full time active duty, but no creditable service shall be allowed such person for any period that can be used in the computation of a pension or any other pay or benefit, other than pay for active duty, for service in any branch of the armed forces of the United States. If necessary to the computation of any benefit, the board shall establish municipality credits for participating employees under this paragraph on the assumption that the employee received earnings at the rate received at the time he left the employment to enter the armed forces. A participating employee in the armed forces shall not be considered an employee during such period of service and no additional death and no disability benefits are payable for death or disability during such period.

Any participating employee who left his employment with a municipality or participating instrumentality to serve in the armed forces of the United States and who again became a participating employee within 90 days after completion of full time active duty by entering the service of a different municipality or participating instrumentality, which has elected to allow creditable service for periods of military service under the preceding paragraph, shall also be allowed creditable service for his period of military service on the same terms that would apply if he had been employed, before entering military service, by the municipality or instrumentality which employed him after he left the military service and the employer costs arising in relation to such grant of creditable service shall be charged to and paid by that municipality or instrumentality.

Notwithstanding the foregoing, any participating employee shall be entitled to creditable service as required by any federal law relating to re-employment rights of persons who served in the United States Armed Services. Such creditable service shall be granted upon payment by the member of an amount equal to the employee contributions which would have been required had the employee continued in service at the same rate of earnings during the military leave period, plus interest at the effective rate.

5.1. In addition to any creditable service established under paragraph 5 of this subsection (a), creditable service may be granted for up to 48 months of service in the armed forces of the United States.

In order to receive creditable service for military service under this paragraph 5.1, a participating employee must (1) apply to the Fund in writing and provide evidence of the military service that is satisfactory to the Board; (2) obtain the written approval of the current employer; and (3) make contributions to the Fund equal to (i) the employee contributions that would have been required had the service been rendered as a member, plus (ii) an amount determined by the board to be equal to the employer's normal cost of the benefits accrued for that military service, plus (iii) interest on items (i) and (ii) from the date of first membership in the Fund to the date of payment. The required interest shall be calculated at the regular interest rate.

The changes made to this paragraph 5.1 by Public Acts 95-483 and 95-486 apply only to participating employees in service on or after August 28, 2007 (the effective date of those Public Acts).

6. For out-of-state service: Creditable service shall be granted for service rendered to an out-of-state local governmental body under the following conditions: The employee had participated and has irrevocably forfeited all rights to benefits in the out-of-state public employees pension system; the governing body of his participating municipality or instrumentality authorizes the employee to establish such service; the employee has 2 years current service with this municipality or participating instrumentality; the employee makes a payment of contributions, which shall be computed at 8% (normal) plus 2% (survivor) times length of service purchased times the average rate of earnings for the first 2 years of service with the municipality or participating instrumentality whose governing body authorizes the service established plus interest at the effective rate on the date such credits are established, payable from the date the employee completes the required 2 years of current service to date of payment. In no case shall more than 120 months of creditable service be granted under this provision.

7. For retroactive service: Any employee who could have but did not elect to become a participating employee, or who should have been a participant in the Municipal Public Utilities Annuity and Benefit Fund before that fund was superseded, may receive creditable service for the period of service not to exceed 50 months; however, a current or former elected or appointed official of a participating municipality may establish credit under this paragraph 7 for more than 50 months of service as an official of that municipality, if the excess over 50 months is approved by resolution of the governing body of the affected municipality filed with the Fund before January 1, 2002.

Any employee who is a participating employee on or after September 24, 1981 and who was excluded from participation by the age restrictions removed by Public Act 82-596 may receive creditable service for the period, on or after January 1, 1979, excluded by the age restriction and, in addition, if the governing body of the participating municipality or participating instrumentality elects to allow creditable service for all employees excluded by the age restriction prior to January 1, 1979, for service during the period prior to that date excluded by the age restriction. Any employee who was excluded from participation by the age restriction removed by Public Act 82-596 and who is not a participating employee on or after September 24, 1981 may receive creditable service for service after January 1, 1979. Creditable service under this paragraph shall be granted upon payment of the employee contributions which would have been required had he participated, with interest at the effective rate for each year from the end of the period of service established to date of payment.

8. For accumulated unused sick leave: A participating employee who is applying for a retirement annuity shall be entitled to creditable service for that portion of the employee's accumulated unused sick leave for which payment is not received, as follows:

a. Sick leave days shall be limited to those accumulated under a sick leave plan established by a participating municipality or participating instrumentality which is available to all employees or a class of employees.

b. Except as provided in item b-1, only sick leave days accumulated with a participating municipality or participating instrumentality with which the employee was in service within 60 days of the effective date of his retirement annuity shall be credited; If the employee was in service with more than one employer during this period only the sick leave days with the employer with which the employee has the greatest number of unpaid sick leave days shall be considered.

b-1. If the employee was in the service of more than one employer as defined in item (2) of paragraph (a) of subsection (A) of Section 7-132, then the sick leave days from all such employers shall be credited, as long as the creditable service attributed to those sick leave days does not exceed the limitation in item d ~~f~~ of this paragraph 8. If the employee was in the service of more than one employer described in paragraph (c) of subsection (B) of Section 7-132 on or after the effective date of this amendatory Act of the 101st General Assembly, then the sick leave days from all such employers, except for employers from which the employee terminated service before the effective date of this amendatory Act of the 101st General Assembly, shall be credited, as long as the

creditable service attributed to those sick leave days does not exceed the limitation in item d of this paragraph 8. In calculating the creditable service under this item b-1, the sick leave days from the last employer shall be considered first, then the remaining sick leave days shall be considered until there are no more days or the maximum creditable sick leave threshold under item d ~~f~~ of this paragraph 8 has been reached.

c. The creditable service granted shall be considered solely for the purpose of computing the amount of the retirement annuity and shall not be used to establish any minimum service period required by any provision of the Illinois Pension Code, the effective date of the retirement annuity, or the final rate of earnings.

d. The creditable service shall be at the rate of 1/20 of a month for each full sick day, provided that no more than 12 months may be credited under this subdivision 8.

e. Employee contributions shall not be required for creditable service under this subdivision 8.

f. Each participating municipality and participating instrumentality with which an employee has service within 60 days of the effective date of his retirement annuity shall certify to the board the number of accumulated unpaid sick leave days credited to the employee at the time of termination of service.

9. For service transferred from another system: Credits and creditable service shall be granted for service under Article 4, 5, 8, 14, or 16 of this Act, to any active member of this Fund, and to any inactive member who has been a county sheriff, upon transfer of such credits pursuant to Section 4-108.3, 5-235, 8-226.7, 14-105.6, or 16-131.4, and payment by the member of the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund as a sheriff's law enforcement employee during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund. Such transferred service shall be deemed to be service as a sheriff's law enforcement employee for the purposes of Section 7-142.1.

10. (Blank).

11. For service transferred from an Article 3 system under Section 3-110.3: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.3, to any active member of this Fund, upon transfer of such credits pursuant to Section 3-110.3. If the board determines that the amount transferred is less than the true cost to the Fund of allowing that creditable service to be established, then in order to establish that creditable service, the member must pay to the Fund an additional contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under this paragraph. If the member does not make the full additional payment as required by this paragraph prior to termination of his participation with that employer, then his or her creditable service shall be reduced by an amount equal to the difference between the amount transferred under Section 3-110.3, including any payments made by the member under this paragraph prior to termination, and the true cost to the Fund of allowing that creditable service to be established, as determined by the board in accordance with the rules and procedures adopted under this paragraph.

The board shall establish by rule the manner of making the calculation required under this paragraph 11, taking into account the appropriate actuarial assumptions; the member's service, age, and salary history, and any other factors that the board determines to be relevant.

12. For omitted service: Any employee who was employed by a participating employer in a position that required participation, but who was not enrolled in the Fund, may establish such credits under the following conditions:

a. Application for such credits is received by the Board while the employee is an active participant of the Fund or a reciprocal retirement system.

b. Eligibility for participation and earnings are verified by the Authorized Agent of the participating employer for which the service was rendered.

Creditable service under this paragraph shall be granted upon payment of the employee contributions that would have been required had he participated, which shall be calculated by the Fund using the member contribution rate in effect during the period that the service was rendered.

(b) Creditable service - amount:

1. One month of creditable service shall be allowed for each month for which a participating employee made contributions as required under Section 7-173, or for which creditable service is otherwise granted hereunder. Not more than 1 month of service shall be credited and counted for 1 calendar month, and not more than 1 year of service shall be credited and counted for any calendar

year. A calendar month means a nominal month beginning on the first day thereof, and a calendar year means a year beginning January 1 and ending December 31.

2. A seasonal employee shall be given 12 months of creditable service if he renders the number of months of service normally required by the position in a 12-month period and he remains in service for the entire 12-month period. Otherwise a fractional year of service in the number of months of service rendered shall be credited.

3. An intermittent employee shall be given creditable service for only those months in which a contribution is made under Section 7-173.

(c) No application for correction of credits or creditable service shall be considered unless the board receives an application for correction while (1) the applicant is a participating employee and in active employment with a participating municipality or instrumentality, or (2) while the applicant is actively participating in a pension fund or retirement system which is a participating system under the Retirement Systems Reciprocal Act. A participating employee or other applicant shall not be entitled to credits or creditable service unless the required employee contributions are made in a lump sum or in installments made in accordance with board rule. Payments made to establish service credit under paragraph 1, 4, 5, 5.1, 6, 7, or 12 of subsection (a) of this Section must be received by the Board while the applicant is an active participant in the Fund or a reciprocal retirement system, except that an applicant may make one payment after termination of active participation in the Fund or a reciprocal retirement system.

(d) Upon the granting of a retirement, surviving spouse or child annuity, a death benefit or a separation benefit, on account of any employee, all individual accumulated credits shall thereupon terminate. Upon the withdrawal of additional contributions, the credits applicable thereto shall thereupon terminate. Terminated credits shall not be applied to increase the benefits any remaining employee would otherwise receive under this Article.

(Source: P.A. 100-148, eff. 8-18-17.)

Section 90. The State Mandates Act is amended by adding Section 8.43 as follows:

(30 ILCS 805/8.43 new)

Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 101st General Assembly.

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

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2896** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2934** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2935** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 2957** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2992** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McClure, **House Bill No. 2993** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 3018** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 3035** having been printed, was taken up and read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Public Health.

The following amendment was offered in the Committee on Public Health, adopted and ordered printed:

AMENDMENT NO. 2 TO HOUSE BILL 3035

AMENDMENT NO. 2. Amend House Bill 3035 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Lead Service Line Replacement and Notification Act.

Section 5. Purpose. The purpose of this Act is to: (1) require the owners and operators of community water supplies to develop, implement, and maintain a comprehensive water service line material inventory and a comprehensive lead service line replacement plan, provide notice to occupants of potentially affected buildings before any construction or repair work on water mains or lead service lines, and to request access to potentially affected buildings before replacing lead service lines; and (2) to prohibit partial lead service line replacements.

Section 10. Definitions. As used in this Act, unless the context otherwise clearly requires:

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"Community water supply" has the meaning ascribed to it in Section 3.145 of the Environmental Protection Act.

"Department" means the Illinois Department of Public Health.

"Emergency repair" means any unscheduled water main, water service, or water valve repair or replacement that results from failure or accident.

"Lead service line" means a service line made of lead or a service line connected to a lead pigtail, lead gooseneck, or other lead fitting.

"Material inventory" means a water service line material inventory developed by a community water supply pursuant to this Act.

"Non-community water supply" has the meaning ascribed to it in Section 3.145 of the Environmental Protection Act.

"NSF/ANSI Standard" means a water treatment standard developed by NSF International.

"Partial lead service line replacement" means replacement of only a portion of a lead service line.

"Potentially affected building" means any building that is provided water service through a service line that is either a lead service line or a suspected lead service line.

"Public water supply" has the meaning ascribed to it in Section 3.365 of the Environmental Protection Act.

"Service line" means the piping, tubing, and necessary appurtenances acting as a conduit from the water main or source of potable water supply to the building plumbing at the first shut-off valve or 18 inches inside the building, whichever is shorter.

"Suspected lead service line" means a line that a community water supply finds more likely than not to be made of lead after completing the activities under paragraphs (2) and (5) of subsection (d) of Section 15.

"Small system" means a community water supply that regularly serves water to 3,300 or fewer persons.

Section 15. Material inventories.

(a) The owner or operator of each community water supply shall:

(1) develop an initial material inventory and submit the material inventory electronically to the Agency by April 15, 2020;

(2) update its material inventory and submit the updated material inventory electronically to the Agency by April 15, 2021, and each April 15 thereafter, until the owner or operator has substantially completed an inventory of all service lines in its distribution system; and

(3) after the Agency has initially reviewed and approved the community water supply's substantially complete material inventory, and so long as the community water supply continues to have lead water services, update its material inventory and electronically submit its revised material inventory to the Agency by April 15 of every third year after the Agency's initial review and approval.

A community water supply is not required to submit a material inventory to the Agency if the community water supply has completed its lead service line replacement plan or if it does not contain lead service lines.

(b) The Agency shall review each material inventory submitted to it under this Section. If the Agency determines that the community water supply is making substantial progress toward characterizing the materials of all service lines connected to its distribution system, with a priority on identifying all lead service lines connected to its distribution system, then the Agency shall approve the material inventory.

(c) Each material inventory prepared for a community water supply shall identify:

(1) the total number of service lines connected to the community water supply's distribution system;

(2) the materials of construction of each service line connected to the community water supply's distribution system;

(3) the number of suspected lead service lines that were newly identified in the material inventory for the community water supply after the community water supply last submitted a service line inventory to the Agency; and

(4) the number of suspected or known lead service lines that were replaced after the community water supply last submitted a service line inventory to the Agency, and the material of the service line that replaced each lead service line.

When identifying the materials of construction under paragraph (2) of this subsection, the owner or operator of the community water supply shall identify the type of construction material used on the customer's side of the curb box or meter or other line of demarcation and the community water supply's side of the curb box or meter or other line of demarcation.

(d) In substantially completing its material inventory, the owner or operator of each community water supply shall:

(1) prioritize inspections of high-risk areas identified by the community water supply and inspections of high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, and confirm service line materials in those areas and at those facilities;

(2) review historical documentation, such as construction logs or cards, as-built drawings, purchase orders, and subdivision plans, to determine service line material construction;

(3) when conducting distribution system maintenance, visually inspect service lines and document materials of construction;

(4) identify any time period when the service lines being connected to its distribution system were primarily lead service lines, if such a time period is known or suspected; and

(5) discuss service line repair and installation with its employees, contractors, plumbers, other workers who worked on service lines connected to its distribution system, or all of the above.

(e) The owner or operator of each community water supply shall maintain records of persons who refuse to grant access to the interior of a building for purposes of identifying the materials of construction of a service line. If a community water supply has been denied access to the interior of a building for that reason, then the community water supply may identify the service line as a suspected lead service line.

(f) If a community water supply identifies a lead service line connected to a building, the owner or operator of the community water supply shall notify the owner of the building and all occupants of the building of the existence of the lead service line within 15 days after identifying the lead service line, or as soon as is reasonably possible thereafter.

(g) Nothing in this Section shall be construed to require service lines to be unearthed for the sole purpose of inventorying.

(h) An owner or operator of a community water supply has no duty to include in the material inventory required under this Section information about service lines that are physically disconnected from a water main in its distribution system.

(i) When conducting engineering evaluations of community water supplies, the Agency may conduct a separate audit to identify progress that the community water supply has made toward completing the material inventory required under this Act.

(j) The owner or operator of each community water supply shall post on its website a copy of the material inventory most recently approved by the Agency or shall request that the Agency post a copy of that material inventory on the Agency's website.

(k) The Agency shall determine if substantial progress or substantial completion of material inventories has been made. The Agency shall give primary consideration to the impact of lead on public health when making these determinations, especially with respect to high-risk areas.

Section 20. Lead service line replacement plans.

(a) Every owner or operator of a community water supply that has known or suspected lead service lines shall:

(1) create a plan to:

(A) replace each lead service line connected to its distribution system;

(B) replace each galvanized service line connected to its distribution system, if the galvanized service line is or was connected downstream to lead piping;

(C) determine the materials of construction of suspected lead service lines and service lines of unknown materials; and

(D) propose a timeline for review and regular revisions of the lead service line replacement plan; and

(2) electronically submit, by April 15, 2021, its lead service line replacement plan to the Agency for approval; and

(3) post on its website a copy of the plan most recently approved by the Agency or request that the Agency post a copy of that plan on the Agency's website.

(b) Each plan required under subsection (a) shall include the following:

(1) the name and identification number of the community water supply;

(2) the total number of service lines connected to the distribution system of the community water supply;

(3) the total number of suspected lead service lines connected to the distribution system of the community water supply;

(4) the total number of known lead service lines connected to the distribution system of the community water supply;

(5) the total number of lead service lines connected to the distribution system of the community water supply that have been replaced each year beginning in 2018;

(6) a proposed lead service line replacement schedule that includes one-year, 5-year, and 10-year goals;

(7) the estimated total number of remaining years until all known lead service lines have been replaced or suspected lead service lines have been determined to be made of materials other than lead, and the estimated year in which lead service line replacement will be complete;

(8) an analysis of costs and financing options for replacing the lead service lines connected to the community water supply's distribution system, which shall include, but shall not be limited to:

(A) a detailed accounting of costs associated with replacing lead service lines and galvanized lines that are or were connected downstream to lead piping;

(B) measures to address affordability and prevent service shut-offs for customers or ratepayers; and

(C) consideration of different scenarios for structuring payments between the utility and its customers over time; and

(9) a feasibility and affordability plan that includes, but is not limited to, information on how the community water supply intends to fund or finance lead service line replacement, in different situations, such as those situations including, but not limited to, where the community water supply pays for:

(A) the portion of the service lines owned by the community water supply and the property owner pays for the portion he or she owns;

(B) the entire replacement and has a low interest loan for the property owner to pay for the replacement over time on his or her water bill; or

(C) the entire replacement; and

(10) a plan for prioritizing high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, as well as high-risk areas identified by the community water supply;

(11) a map of the areas where lead service lines are expected to be found and the sequence with which those areas will be inventoried and lead service lines replaced; and

(12) measures for how the community water supply will inform the public of the plan and provide opportunity for public comment.

(c) The Agency shall review each plan submitted to it under this Section. The Agency shall approve a plan if the plan includes all of the elements set forth in subsection (b) and the Agency determines that:

(1) the proposed lead service line replacement schedule set forth in the plan, including the one-year, 5-year, and 10-year goals in the plan and the estimated date by which all lead service lines will be replaced, are acceptable;

(2) the plan prioritizes the replacement of lead service lines that provide water service to high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, and high-risk areas identified by the community water supply;

(3) the plan includes an analysis of cost and financing options; and

(4) the plan provides an opportunity for public review.

(d) An owner or operator of a community water supply has no duty to include in the plans required under this Section information about service lines that are physically disconnected from a water main in its distribution system.

Section 25. Lead service line replacement requirements.

(a) When a community water supply replaces a water main, the community water supply shall identify all lead service lines connected to the water main and shall replace, in accordance with its lead service line replacement plan, the lead service lines by:

(1) identifying the material or materials of each service line connected to the water main, including, but not limited to, any portion of the service line (i) running on private property and (ii) within the building plumbing at the first shut-off valve or 18 inches inside the building, whichever is shorter; and

(2) in conjunction with replacement of the water main, replacing any and all portions of each service line connected to that water main that are composed of lead.

In the event of an emergency repair that affects a lead service line or a suspected lead service line, a community water supply must contact the building owner to begin the process of replacing the entire service line. If the building owner is not able to be contacted or the building owner or occupant refuses to grant access and permission to replace the entire service line at the time of the emergency repair, then the community water supply may perform a partial lead service line replacement. When a partial lead service line replacement occurs due to an emergency repair, the community water supply must (i) provide filters, for each kitchen area, certified to meet the requirements of NSF/ANSI Standard 53, which is hereby incorporated by reference, and (ii) must replace the remaining portion of the lead service line within 30 days of the emergency repair unless access is denied under Section 30. A community water supply may take up to 120 days if necessary due to weather conditions. If a replacement takes longer than 30 days, provided filters must be replaced in accordance with the manufacturer's recommendations. Partial lead service line replacement by the owner or operator of a community water supply is otherwise prohibited.

(b) If an owner of a potentially affected building intends to replace a portion of a lead service line or a galvanized service line, if the galvanized service line is or was connected downstream to lead piping, then the owner of the potentially affected building shall provide the owner or operator of the community water supply with notice at least 45 days before commencing the work. In the case of an emergency repair, if the owner of the potentially affected building notifies the owner or operator of the community water supply of the replacement of a portion of the lead service line after the emergency repair is completed, then the owner or operator of the community water supply must provide filters, for each kitchen area, certified to meet the requirements of NSF/ANSI Standard 53, and replace the remainder of the lead service line within 30 days after completion of the emergency repair. A community water supply may take up to 120 days if necessary due to weather conditions. If a replacement takes longer than 30 days, provided filters must be replaced in accordance with the manufacturer's recommendations. Partial lead service line replacements by the owners of potentially affected buildings are otherwise prohibited.

Section 30. Request for private property access.

(a) At least one month before conducting planned lead service line replacement, the owner or operator of a community water supply shall, by certified mail, attempt to contact the owner of the potentially affected building serviced by the lead service line to request access to the building and permission to replace the lead service line in accordance with the lead service line replacement plan. If the owner of the potentially affected building does not respond to that request within 2 weeks after the request is sent, the owner or operator of the community water supply shall attempt to post the request on the entryway of the potentially affected building.

(b) If the owner or operator of a community water supply is unable to obtain approval to access and replace the lead service line, the owner or operator of the community water supply shall request that the owner of the potentially affected building sign a waiver. The waiver shall be developed by the Department and should be made available in the owner's language. If the owner of the potentially affected building refuses to sign the waiver, or fails to respond to the community water supply after the community water

supply has complied with subsection (a), the community water supply shall notify the Department in writing within 15 working days.

Section 35. Construction notice.

(a) When replacing a lead service line or repairing or replacing water mains with lead service lines or partial lead service lines attached to them, the owner or operator of a community water supply shall provide the owner of each potentially affected building that is serviced by the affected lead service lines or partial lead service lines, as well as the occupants of those buildings, with an individual written notice that includes, at a minimum, the following:

(1) a warning that the work may result in sediment, possibly containing lead from the service line, in the building's water;

(2) information concerning the best practices for preventing exposure to or risk of consumption of lead in drinking water, including a recommendation to flush water lines during and after the completion of the repair or replacement work and to clean faucet aerator screens; and

(3) information regarding the dangers of lead exposure to young children and pregnant women.

(b) When the individual written notice described in subsection (a) is required as a result of planned work other than the repair or replacement of a water meter, the owner or operator of the community water supply shall provide the notice not less than 14 days before work begins. When the individual written notice described in subsection (a) is required as a result of emergency repairs other than the repair or replacement of a water meter, the owner or operator of the community water supply shall provide the notice at the time the work is initiated. When the individual written notice described in subsection (a) is required as a result of the repair or replacement of a water meter, the owner or operator of the community water supply shall provide the notice at the time the work is initiated.

(c) If a community water supply serves a significant proportion of non-English speaking consumers, the notifications required under this Section must contain information in the appropriate language regarding the importance of the notice and a telephone number or address where a person may contact the owner or operator of the community water supply to obtain a translated copy of the notification or request assistance in the appropriate language.

(d) An owner or operator of a community water supply that is required under this Section to provide an individual written notice to the owner and occupants of a potentially affected building that is a multi-dwelling building may satisfy that requirement and the requirements of subsection (c) by posting the required notice on the primary entranceway of the building and at the location where the occupant's mail is delivered as reasonably as possible.

(e) When this Section would require the owner or operator of a community water supply to provide an individual written notice to the entire community served by the community water supply or would require the owner or operator of a community water supply to provide individual written notices as a result of emergency repairs or when the community water supply that is required to comply with this Section is a small system, the owner or operator of the community water supply may provide the required notice through local media outlets, social media, or other similar means in lieu of providing the individual written notices otherwise required under this Section.

(f) No notifications are required under this Section for work performed on water mains that are used to transmit treated water between community water supplies and that have no service connections.

Section 40. Replacement program progress reports. The owner or operator of each community water supply shall include the following information in the annual consumer confidence report required under the United States Environmental Protection Agency's National Primary Drinking Water Regulations:

(1) an estimate of the number of known or suspected lead service lines connected to its distribution system; and

(2) a statement describing progress that has been made toward replacing lead service lines connected to its distribution system.

Section 45. Sale to wholesale or retail consecutive community water supply. No community water supply that sells water to any wholesale or retail consecutive community water supply may pass on any costs associated with compliance with this Act to consecutive systems.

Section 50. Board review. Authority is hereby vested in the Illinois Pollution Control Board to conduct hearings to review final actions of the Agency.

Section 55. Community water supply liability. To the extent allowed by law, when a community water supply enters into an agreement with a private contractor for replacement or installation of water service lines, the community water supply shall be held harmless for damage to property when replacing or installing water service lines. If dangers are encountered that prevent the replacement of the lead service line, the community water supply shall notify the Department within 15 working days of why the replacement of the lead service line could not be accomplished.

Section 60. Rules.

(a) The Agency may propose and the Board may adopt any rules necessary to implement and administer this Act.

(b) The Department may adopt rules necessary to address lead service lines attached to non-community water supplies.

Section 100. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-870 as follows:

(20 ILCS 605/605-870 new)

Sec. 605-870. Low-income water assistance policy and program.

(a) The Department shall by rule establish a comprehensive low-income water assistance policy and program that incorporates financial assistance and includes, but is not limited to, water efficiency or water quality projects, such as lead service line replacement, or other measures to ensure that residents have access to affordable and clean water. The policy and program shall not jeopardize the ability of public utilities, community water supplies, or other entities to receive just compensation for providing services. The resources applied in achieving the policy and program shall be coordinated and efficiently used through the integration of public programs and through the targeting of assistance. The Department shall use all appropriate and available means to fund this program and, to the extent possible, identify and use sources of funding that complement State tax revenues. The rule shall be finalized within 180 days after the effective date of this Act, or within 60 days after receiving an appropriation for the program.

(b) Any person who is a resident of the State and whose household income is not greater than an amount determined annually by the Department may apply for assistance under this Section in accordance with rules adopted by the Department. In setting the annual eligibility level, the Department shall consider the amount of available funding and may not set a limit higher than 150% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).

(c) Applicants who qualify for assistance under subsection (b) shall, subject to appropriation from the General Assembly and subject to availability of funds to the Department, receive assistance as provided in this Section. The Department, upon receipt of moneys authorized under this Section for assistance, shall commit funds for each qualified applicant in an amount determined by the Department. In determining the amounts of assistance to be provided to or on behalf of a qualified applicant, the Department shall ensure that the highest amounts of assistance go to households with the greatest water costs in relation to household income. The Department may consider factors such as water costs, household size, household income, and region of the State when determining individual household benefits. In adopting rules for the administration of this Section, the Department shall ensure that a minimum of one-third of the funds for the program are available for benefits to eligible households with the lowest incomes and that elderly households, households with persons with disabilities, and households with children under 6 years of age are offered a priority application period.

(d) Application materials for the program shall be made available in multiple languages.

(e) The Department may adopt any rules necessary to implement this Section.

Section 105. The Public Utilities Act is amended by changing Section 8-306 as follows:

(220 ILCS 5/8-306)

Sec. 8-306. Special provisions relating to water and sewer utilities.

(a) No later than 120 days after the effective date of this amendatory Act of the 94th General Assembly, the Commission shall prepare, make available to customers upon request, and post on its Internet web site information concerning the service obligations of water and sewer utilities and remedies that a customer may pursue for a violation of the customer's rights. The information shall specifically address the rights of a customer of a water or sewer utility in the following situations:

(1) The customer's water meter is replaced.

(2) The customer's bill increases by more than 50% within one billing period.

(3) The customer's water service is terminated.

(4) The customer wishes to complain after receiving a termination of service notice.

(5) The customer is unable to make payment on a billing statement.

(6) A rate is filed, including without limitation a surcharge or annual reconciliation filing, that will increase the amount billed to the customer.

(7) The customer is billed for services provided prior to the date covered by the billing statement.

(8) The customer is due to receive a credit.

Each billing statement issued by a water or sewer utility shall include an Internet web site address where the customer can view the information required under this subsection (a) and a telephone number that the customer may call to request a copy of the information.

(b) A water or sewer utility may discontinue service only after it has mailed or delivered by other means a written notice of discontinuance substantially in the form of Appendix A of 83 Ill. Adm. Code 280. The notice must include the Internet web site address where the customer can view the information required under subsection (a) and a telephone number that the customer may call to request a copy of the information. Any notice required to be delivered or mailed to a customer prior to discontinuance of service shall be delivered or mailed separately from any bill. Service shall not be discontinued until at least 5 days after delivery or 8 days after the mailing of this notice. Service shall not be discontinued and shall be restored if discontinued for the reason which is the subject of a dispute or complaint during the pendency of informal or formal complaint procedures of the Illinois Commerce Commission under 83 Ill. Adm. Code 280.160 or 280.170, where the customer has complied with those rules. Service shall not be discontinued and shall be restored if discontinued where a customer has established a deferred payment agreement pursuant to 83 Ill. Adm. Code 280.110 and has not defaulted on such agreement. Residential customers who are indebted to a utility for past due utility service shall have the opportunity to make arrangements with the utility to retire the debt by periodic payments, referred to as a deferred payment agreement, unless this customer has failed to make payment under such a plan during the past 12 months. The terms and conditions of a reasonable deferred payment agreement shall be determined by the utility after consideration of the following factors, based upon information available from current utility records or provided by the customer or applicant:

(1) size of the past due account;

(2) customer or applicant's ability to pay;

(3) customer or applicant's payment history;

(4) reason for the outstanding indebtedness; and

(5) any other relevant factors relating to the circumstances of the customer or applicant's service.

A residential customer shall pay a maximum of one-fourth of the amount past due and owing at the time of entering into the deferred payment agreement, and the water or sewer utility shall allow a minimum of 2 months from the date of the agreement and a maximum of 12 months for payment to be made under a deferred payment agreement. Late payment charges may be assessed against the amount owing that is the subject of a deferred payment agreement.

(c) A water or sewer utility shall provide notice as required by subsection (a) of Section 9-201 after the filing of each information sheet under a purchased water surcharge, purchased sewage treatment surcharge, or qualifying infrastructure plant surcharge. The utility also shall post notice of the filing in accordance with the requirements of 83 Ill. Adm. Code 255. Unless filed as part of a general rate increase, notice of the filing of a purchased water surcharge rider, purchased sewage treatment surcharge rider, or qualifying infrastructure plant surcharge rider also shall be given in the manner required by this subsection (c) for the filing of information sheets.

(d) Commission rules pertaining to formal and informal complaints against public utilities shall apply with full and equal force to water and sewer utilities and their customers, including provisions of 83 Ill. Adm. Code 280.170, and the Commission shall respond to each complaint by providing the consumer with a copy of the utility's response to the complaint and a copy of the Commission's review of the complaint and its findings. The Commission shall also provide the consumer with all available options for recourse.

(e) Any refund shown on the billing statement of a customer of a water or sewer utility must be itemized and must state if the refund is an adjustment or credit.

(f) Water service for building construction purposes. At the request of any municipality or township within the service area of a public utility that provides water service to customers within the municipality or township, a public utility must (1) require all water service used for building construction purposes to be measured by meter and subject to approved rates and charges for metered water service and (2) prohibit the unauthorized use of water taken from hydrants or service lines installed at construction sites.

(g) Water meters.

(1) Periodic testing. Unless otherwise approved by the Commission, each service water meter shall be periodically inspected and tested in accordance with the schedule specified in 83 Ill. Adm. Code 600.340, or more frequently as the results may warrant, to insure that the meter accuracy is maintained within the limits set out in 83 Ill. Adm. Code 600.310.

(2) Meter tests requested by customer.

(A) Each utility furnishing metered water service shall, without charge, test the accuracy of any meter upon request by the customer served by such meter, provided that the meter in question has not been tested by the utility or by the Commission within 2 years previous to such request. The customer or his or her representatives shall have the privilege of witnessing the test at the option of the customer. A written report, giving the results of the test, shall be made to the customer.

(B) When a meter that has been in service less than 2 years since its last test is found to be accurate within the limits specified in 83 Ill. Adm. Code 600.310, the customer shall pay a fee to the utility not to exceed the amounts specified in 83 Ill. Adm. Code 600.350(b). Fees for testing meters not included in this Section or so located that the cost will be out of proportion to the fee specified will be determined by the Commission upon receipt of a complete description of the case.

(3) Commission referee tests. Upon written application to the Commission by any customer, a test will be made of the customer's meter by a representative of the Commission. For such a test, a fee as provided for in subsection (g)(2) shall accompany the application. If the meter is found to be registering more than 1.5% fast on the average when tested as prescribed in 83 Ill. Adm. Code 600.310, the utility shall refund to the customer the amount of the fee. The utility shall in no way disturb the meter after a customer has made an application for a referee test until authority to do so is given by the Commission or the customer in writing.

(h) Water and sewer utilities; low usage. Each public utility that provides water and sewer service must establish a unit sewer rate, subject to review by the Commission, that applies only to those customers who use less than 1,000 gallons of water in any billing period.

(i) Water and sewer utilities; separate meters. Each public utility that provides water and sewer service must offer separate rates for water and sewer service to any commercial or residential customer who uses separate meters to measure each of those services. In order for the separate rate to apply, a combination of meters must be used to measure the amount of water that reaches the sewer system and the amount of water that does not reach the sewer system.

(j) Each water or sewer public utility must disclose on each billing statement any amount billed that is for service provided prior to the date covered by the billing statement. The disclosure must include the dates for which the prior service is being billed. Each billing statement that includes an amount billed for service provided prior to the date covered by the billing statement must disclose the dates for which that amount is billed and must include a copy of the document created under subsection (a) and a statement of current Commission rules concerning unbilled or misbilled service.

(k) When the customer is due a refund resulting from payment of an overcharge, the utility shall credit the customer in the amount of overpayment with interest from the date of overpayment by the customer. The rate for interest shall be at the appropriate rate determined by the Commission under 83 Ill. Adm. Code 280.70.

(l) Water and sewer public utilities; subcontractors. The Commission shall adopt rules for water and sewer public utilities to provide notice to the customers of the proper kind of identification that a subcontractor must present to the customer, to prohibit a subcontractor from soliciting or receiving payment of any kind for any service provided by the water or sewer public utility or the subcontractor, and to establish sanctions for violations.

(m) Water and sewer public utilities; non-revenue ~~unaccounted-for~~ water. Each ~~By December 31, 2006, each~~ water public utility shall file tariffs with the Commission to establish the maximum percentage of non-revenue ~~unaccounted-for~~ water that would be considered in the determination of any rates or surcharges. The rates or surcharges approved for a water public utility shall not include charges for non-revenue ~~unaccounted-for~~ water in excess of this maximum percentage without well-documented support and justification for the Commission to consider in any request to recover charges in excess of the tariffed maximum percentage.

(n) Rate increases; public forums. When any public utility providing water or sewer service proposes a general rate increase, in addition to other notice requirements, the water or sewer public utility must notify its customers of their right to request a public forum. A customer or group of customers must make written request to the Commission for a public forum and must also provide written notification of the request to the customer's municipal or, for unincorporated areas, township government. The Commission, at its

discretion, may schedule the public forum. If it is determined that public forums are required for multiple municipalities or townships, the Commission shall schedule these public forums, in locations within approximately 45 minutes drive time of the municipalities or townships for which the public forums have been scheduled. The public utility must provide advance notice of 30 days for each public forum to the governing bodies of those units of local government affected by the increase. The day of each public forum shall be selected so as to encourage the greatest public participation. Each public forum will begin at 7:00 p.m. Reports and comments made during or as a result of each public forum must be made available to the hearing officials and reviewed when drafting a recommended or tentative decision, finding or order pursuant to Section 10-111 of this Act.

(o) The Commission may allow or direct a water utility to establish a customer assistance program that provides financial relief to residential customers who qualify for income-related assistance.

A customer assistance program established under this subsection that affects rates and charges for service is not discriminatory for purposes of this Act or any other law regulating rates and charges for service. In considering whether to approve a water utility's proposed customer assistance program, the Commission must determine that a customer assistance program established under this subsection is in the public interest.

The Commission shall adopt rules to implement this subsection. These rules shall require customer assistance programs under this subsection to coordinate with utility energy efficiency programs and the Illinois Home Weatherization Assistance Program for the purpose of informing eligible customers of additional resources that may help the customer conserve water.

(Source: P.A. 94-950, eff. 6-27-06.)

Section 110. The Environmental Protection Act is amended by adding Section 17.12 as follows:

(415 ILCS 5/17.12 new)

Sec. 17.12. Water cost information.

(a) An entity subject to the federal Safe Drinking Water Act that has over 3,500 meter connections shall provide to the Agency by December 31, 2022, and again by December 31, 2024, the following information as it relates to the cost of providing water service:

(1) All revenue recovered from water bills or any other revenue used for water service from the preceding year.

(2) Total operating expenses, including both principal and interest debt service payments.

(3) The percentage of the revenue recovered from water bills used or allocated for water capital infrastructure investment.

(4) A narrative description of the capital infrastructure investment made based on the information provided under paragraph (3).

(b) The Agency shall publish the information provided under subsection (a) on the Agency's website.

(c) The Agency may adopt rules setting forth the general requirements for submittal of the information provided under subsection (a).

(d) This Section is repealed on January 1, 2025.

(415 ILCS 5/17.11 rep.)

Section 200. The Environmental Protection Act is amended by repealing Section 17.11.

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

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sims, **House Bill No. 3061** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3084** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 3129** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 3151** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schimpf, **House Bill No. 3168** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 3249** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3299** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 3440** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Public Health, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 3440

AMENDMENT NO. 1. Amend House Bill 3440 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Food, Drug and Cosmetic Act is amended by changing Section 3.15 as follows: (410 ILCS 620/3.15) (from Ch. 56 1/2, par. 503.15)

Sec. 3.15. To offer for sale any bulk food in a manner other than to prevent direct handling of such items by the consumer. This Section shall not prohibit self-service by consumers provided that the dispensers utilized prevent the direct handling of such foods and that take-home containers, including bags, cups, and lids, provided for consumer use are cleaned, stored, and dispensed in a sanitary manner.

A retailer may allow a consumer to fill or refill a personal container with bulk food if the dispensers used prevent the direct handling of the bulk food. Personal containers used for this purpose shall be clean and sanitary.

Except as provided under Part 750 of Title 77 of the Illinois Administrative Code, county health departments and municipalities shall not prohibit the ability of a retailer to allow a consumer to fill or refill a personal container with bulk food if the dispensers used prevent the direct handling of the bulk food and the personal containers used are clean and sanitary.

(Source: P.A. 84-891.)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Bertino-Tarrant, **House Bill No. 3498** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3498

AMENDMENT NO. 1. Amend House Bill 3498 on page 7, by replacing lines 23 and 24 with the following:

"(c) Sentence. Female genital mutilation as described in subsection (a) is a Class X felony. Female genital mutilation as described in subsection (a-5) is a Class 1 felony.".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Bush, **House Bill No. 3501** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed::

AMENDMENT NO. 1 TO HOUSE BILL 3501

AMENDMENT NO. 1. Amend House Bill 3501 on page 1, line 10, by deleting "second" each time it appears; and

on page 1, lines 13 through 15, by replacing "hire or appoint an elected or appointed official to a second position in the unit of local government with a salary or hourly wages" with "consolidate positions within the unit of local government".

The following amendments were offered in the Committee on Revenue, adopted and ordered printed:

AMENDMENT NO. 2 TO HOUSE BILL 3501

AMENDMENT NO. 2 . Amend House Bill 3501 by replacing everything after the enacting clause with the following:

"Section 5. The Property Assessed Clean Energy Act is amended by changing Sections 5, 10, 15, 20, 25, 30, and 35 and by adding Sections 42, 45, and 50 as follows:

(50 ILCS 50/5)

Sec. 5. Definitions. As used in this Act:

"Alternative energy improvement" means any fixture, product, system, equipment, device, material, or interacting group thereof intended ~~the installation or upgrade of electrical wiring, outlets, or charging stations~~ to charge a motor vehicle that is fully or partially powered by electricity , including, but not limited to, electrical wiring, outlets, or charging stations.

"Assessment" means a special assessment imposed by a governmental unit pursuant to an assessment contract.

"Assessment contract" means a voluntary written contract between the applicable governmental ~~local~~ unit ~~of government~~ (or a permitted assignee) and record owner governing the terms and conditions of financing and assessment under a program.

"Authority" means the Illinois Finance Authority.

"Capital provider" means any credit union, federally insured depository institution, insurance company, trust company, or other institution approved by a governmental unit or its program administrator or program administrators that finances or refinances an energy project by purchasing PACE bonds issued by the governmental unit or the Authority for that purpose. "Capital provider" includes any special purpose vehicle that is directly or indirectly wholly owned by one or more of the entities listed in this definition or any bond underwriter.

~~"PACE area" means an area within the jurisdictional boundaries of a local unit of government created by an ordinance or resolution of the local unit of government to provide financing for energy projects under a property assessed clean energy program. A local unit of government may create more than one PACE area under the program, and PACE areas may be separate, overlapping, or coterminous.~~

"Energy efficiency improvement" means any fixture, product, system, equipment, device, material, or interacting group thereof ~~devices, or materials~~ intended to decrease energy consumption or enable ~~promote~~ a more efficient use of electricity, natural gas, propane, or other forms of energy on property, including, but not limited to, all of the following:

(1) insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems;

(2) energy efficient ~~storm~~ windows and doors, multi-glazed windows and doors, heat-absorbing or heat-reflective glazed and coated window and door systems, and additional glazing, reductions in glass area, and other window and door systems ~~system modifications~~ that reduce energy consumption;

(3) automated energy or water control systems;

(4) high efficiency heating, ventilating, or air-conditioning and distribution systems ~~system modifications or replacements~~;

(5) caulking, weather-stripping, and air sealing;

(6) ~~replacement or modification of~~ lighting fixtures ~~to reduce the energy use of the lighting system~~;

(7) energy controls or recovery systems;

(8) day lighting systems;

(8.1) any energy efficiency project, as defined in Section 825-65 of the Illinois Finance Authority Act; and

(9) any other fixture, product, system, ~~installation or modification of~~ equipment, device, or material intended ~~devices, or materials approved~~ as a utility or other cost-savings measure as approved by the governmental unit ~~governing body~~.

"Energy project" means the acquisition, construction, installation, or modification of an alternative energy improvement, energy efficiency improvement, renewable energy improvement, resiliency

improvement, or water use improvement ~~, or the acquisition, installation, or improvement of a renewable energy system that is~~ affixed to real ~~a stabilized existing~~ property (including new construction).

"Governing body" means the legislative body, council, board, commission, trustees, or any other body by whatever name it is known having charge of the corporate affairs of a governmental unit ~~county board or board of county commissioners of a county, the city council of a city, or the board of trustees of a village~~.

"Governmental ~~Local~~ unit ~~of government~~" means a county or municipality ~~, city, or village~~.

"PACE area" means an area within the jurisdictional boundaries of a governmental unit created by an ordinance or resolution of the governmental unit to provide financing for energy projects under a property assessed clean energy program. A governmental unit may create more than one PACE area under the program and PACE areas may be separate, overlapping, or coterminous.

"PACE bond" means any bond, note, or other evidence of indebtedness representing an obligation to pay money, including refunding bonds, issued under or in accordance with Section 35.

"Permitted assignee" means (i) the Authority ~~any body politic and corporate~~, (ii) any bond trustee, ~~or~~ (iii) any capital provider ~~warehouse lender~~, or (iv) any other assignee of a governmental ~~local~~ unit ~~of government~~ designated by the governmental unit in an assessment contract.

~~"Person" means an individual, firm, partnership, association, corporation, limited liability company, unincorporated joint venture, trust, or any other type of entity that is recognized by law and has the title to or interest in property. "Person" does not include a local unit of government or a homeowner's or condominium association, but does include other governmental entities that are not local units of government.~~

"Program administrator" means a for-profit entity or a not-for-profit ~~not-for profit~~ entity that will administer a program on behalf of or at the discretion of the governmental unit ~~local unit of government. It or its affiliates, consultants, or advisors shall have done business as a program administrator or capital provider for a minimum of 18 months and shall be responsible for arranging capital for the acquisition of bonds issued by the local unit of government or the Authority to finance energy projects~~.

"Property" means any privately-owned commercial, industrial, non-residential agricultural, or multi-family (of 5 or more units) real property located within the governmental ~~local~~ unit ~~of government~~, but does not include property owned by a governmental ~~local~~ unit ~~of government~~ or property used for residential purposes and subject to a ~~homeowner's or~~ condominium association or non-condominium common interest community association. Real property located within the governmental unit that is owned or leased by a not-for-profit entity is deemed "commercial" for purposes of this Act.

"Property assessed clean energy program" or "program" means the program of a governmental unit to provide financing or refinancing for energy projects within PACE areas it has created under Section 10 and Section 15 ~~a program as described in Section 10~~.

"Record owner" means the titleholder or holder of another ~~person who is the titleholder or owner of the beneficial~~ interest in property , including lessees.

"Renewable energy improvement" means any fixture, product, system, equipment, device, material, or interacting group thereof on the property of the record owner that uses one or more renewable energy resources to generate electricity, including a renewable energy project, as that term is defined in Section 825-65 of the Illinois Finance Authority Act.

"Renewable energy resource" includes energy and its associated renewable energy credit or renewable energy credits from wind energy, solar thermal energy, geothermal energy, photovoltaic cells and panels, biodiesel, anaerobic digestion, and hydropower that does not involve new construction or significant expansion of hydropower dams. For purposes of this Act, landfill gas produced in the State is considered a renewable energy resource. The term "renewable energy resources" does not include the incineration or burning of any solid material.

~~"Renewable energy system" means a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity, and specifically includes any renewable energy project, as defined in Section 825-65 of the Illinois Finance Authority Act.~~

"Resiliency improvement" means any fixture, product, system, equipment, device, material, or interacting group thereof intended to increase resilience, including but not limited to, seismic retrofits, flood mitigation, fire suppression, wind resistance, energy storage, microgrids, and backup power generation.

"Warehouse fund" means any fund or account established by a governmental unit, the Authority, or a capital provider ~~local unit of government, body politic and corporate, or warehouse lender~~.

~~"Warehouse lender" means any financial institution participating in a PACE area that finances an energy project from lawfully available funds in anticipation of issuing bonds as described in Section 35.~~

"Water use improvement" means any resiliency improvement, fixture, product, system, equipment, device, material, or interacting group thereof intended to conserve ~~for or serving any property that has the effect of conserving~~ water resources or improve water quality on property, including, but not limited to, all of the following: ~~through improved~~

(1) water management or efficiency systems; ~~.~~

(2) water recycling;

(3) capturing, reusing, managing, and treating stormwater;

(4) bioretention, trees, green roofs, porous pavements, or cisterns for maintaining or restoring natural hydrology;

(5) replacing or otherwise abating or mitigating the use of lead pipes in the supply of water; or

(6) any other resiliency improvement, fixture, product, system, equipment, device, or material intended as a utility or other cost-savings measure as approved by the governmental unit.

(Source: P.A. 100-77, eff. 8-11-17; 100-980, eff. 1-1-19; revised 9-28-18.)

(50 ILCS 50/10)

Sec. 10. Property assessed clean energy program; creation.

(a) Pursuant to the procedures provided in Section 15, a governmental ~~a local~~ unit ~~of government~~ may establish a property assessed clean energy program and, from time to time, create a PACE area or PACE areas under the program.

(b) Under a program, the governmental ~~local~~ unit ~~of government~~ may enter into an assessment contract with the record owner of property within a PACE area to finance or refinance one or more energy projects on the property. The assessment contract shall provide for the repayment of all or a portion of the cost of an energy project through assessments upon the property benefited. The amount of the financing or refinancing may include any and all of the following: the cost of materials and labor necessary for acquisition, construction, installation, or modification of the energy project, permit fees, inspection fees, application and administrative fees, financing fees, reserves, capitalized interest, costs of billing and collecting the assessment ~~bank fees~~, and all other fees , costs, and expenses that may be incurred by the record owner pursuant to the acquisition, construction, installation, or modification of the energy project, and the costs of issuance of PACE bonds on a specific or pro rata basis, as determined by the governmental ~~local~~ unit ~~of government~~ and may also include a prepayment premium.

(b-5) A governmental ~~local~~ unit ~~of government~~ may sell or assign, for consideration, any and all assessment contracts; the permitted assignee of the assessment contract shall have and possess the delegable ~~same~~ powers and rights at law or in equity as the applicable governmental ~~local~~ unit ~~of government and its tax collector~~ would have if the assessment contract had not been assigned with regard to (i) the precedence and priority of liens evidenced by the assessment contract, (ii) the accrual of interest, and (iii) the fees and expenses of collection. The permitted assignee shall have the right ~~same rights~~ to enforce such liens pursuant to subsection (a) of Section 30 ~~as any private party holding a lien on real property, including, but not limited to, foreclosure~~. Costs and reasonable attorney's fees incurred by the permitted assignee as a result of any foreclosure action or other legal proceeding brought pursuant to this Act ~~Section~~ and directly related to the proceeding shall be assessed in any such proceeding against each record owner subject to the proceedings. A governmental unit or the Authority may sell or assign assessment contracts without competitive bidding or the solicitation of requests for proposals or requests for qualifications ~~Such costs and fees may be collected by the assignee at any time after demand for payment has been made by the permitted assignee~~.

(c) A program shall ~~may~~ be administered by either one or more than one program administrators or the governmental ~~local~~ unit , as determined by the governing body ~~of government~~.

(Source: P.A. 100-77, eff. 8-11-17; 100-980, eff. 1-1-19.)

(50 ILCS 50/15)

Sec. 15. Program established.

(a) To establish a property assessed clean energy program, the governing body ~~of a local unit of government~~ shall adopt a resolution or ordinance that includes all of the following:

(1) a finding that the financing or refinancing of energy projects is a valid public purpose;

(2) a statement of intent to facilitate access to capital (which may be from one or more program administrators or as otherwise permitted by this Act) to provide funds for energy projects, which will be repaid by assessments on the property benefited with the agreement of the record owners;

(3) a description of the proposed arrangements for financing the program through the issuance of PACE bonds under or in accordance with Section 35, which PACE bonds may be purchased by one or more capital providers ~~, which may be through one or more program administrators~~;

(4) the types of energy projects that may be financed or refinanced;

(5) a description of the territory within the PACE area;

(6) a transcript of public comments if any discretionary public hearing ~~reference to a report~~ on the proposed program was previously held by the governmental unit prior to the consideration of the resolution or ordinance establishing the program; and ~~as described in Section 20~~;

(7) (blank); ~~the time and place for a public hearing to be held by the local unit of government if required for the adoption of the proposed program by resolution or ordinance;~~

(8) the report on the proposed program as described in ~~matters required by~~ Section 20 ~~to be included in the report~~; for this purpose, the resolution or ordinance may incorporate the report or an amended version thereof by reference~~;~~ and shall be available for public inspection.

(9) (blank). ~~a description of which aspects of the program may be amended without a new public hearing and which aspects may be amended only after a new public hearing is held.~~

(b) A property assessed clean energy program may be amended in accordance with ~~by resolution or ordinance of the governing body. Adoption of~~ the resolution or ordinance establishing the program ~~shall be preceded by a public hearing if required~~.

(Source: P.A. 100-77, eff. 8-11-17; 100-863, eff. 8-14-18; 100-980, eff. 1-1-19.)

(50 ILCS 50/20)

Sec. 20. Program Report. The report on the proposed program required under Section 15 shall include all of the following:

(1) a form of assessment contract between the governmental ~~local~~ unit ~~of government~~ and record owner governing the terms and conditions of financing and assessment under the program; ~~.~~

(2) identification of one or more officials ~~an official~~ authorized to enter into an assessment contract on behalf of the governmental ~~local~~ unit ~~of government~~;

(3) (blank); ~~a maximum aggregate annual dollar amount for all financing to be provided by the applicable program administrator under the program;~~

(4) an application process and eligibility requirements for financing or refinancing energy projects under the program;

(5) a method for determining interest rates on amounts financed or refinanced under assessment contracts ~~installments~~, repayment periods, and the maximum amount of an assessment, if any;

(6) an explanation of the process for billing and collecting ~~how~~ assessments ~~will be made and collected~~;

(7) a plan to ~~raise capital to~~ finance ~~improvements under~~ the program pursuant to the issuance ~~sale~~ of PACE bonds under or in accordance with Section 35; ~~, subject to this Act or the Special Assessment Supplemental Bond and Procedures Act, or alternatively, through the sale of bonds by the Authority pursuant to subsection (d) of Section 825-65 of the Illinois Finance Authority Act;~~

(8) information regarding all of the following, to the extent known, or procedures to determine the following in the future:

(A) any revenue source or reserve fund or funds to be used as security for PACE bonds described in paragraph (7); and

(B) any application, administration, or other program fees to be charged to record owners participating in the program, which revenues generated by a governmental unit as a result thereof shall only ~~that will~~ be used to finance and reimburse all or a portion of costs incurred by the governmental ~~local~~ unit ~~of government~~ as a result of its ~~the~~ program;

(9) (blank); ~~a requirement that the term of an assessment not exceed the useful life of the energy project paid for by the assessment; provided that the local unit of government may allow projects that consist of multiple improvements with varying lengths of useful life to have a term that is no greater than the improvement with the longest useful life;~~

(10) a requirement for an appropriate ratio of the amount of the assessment to the greater of any of the following: ~~assessed value of the property or market value of the property as determined by a recent appraisal no older than 12 months;~~

(A) the value of the property as determined by the office of the county assessor;

(B) the value of the property as determined by an appraisal conducted by a licensed appraiser; or

(C) the value of the property calculated using either an automated valuation model provided by an independent third party or broker price opinion;

(11) a requirement that the record owner of property subject to a mortgage obtain written consent from the mortgage lender ~~holder~~ before participating in the program;

(12) provisions for marketing and participant education; and

(13) (blank); ~~provisions for an adequate debt service reserve fund, if any; and~~

(14) quality assurance and antifraud measures.

(Source: P.A. 100-77, eff. 8-11-17; 100-980, eff. 1-1-19.)

(50 ILCS 50/25)

Sec. 25. Assessment contracts ~~Contracts~~ with record owners of property.

(a) A ~~After creation of a program and PACE area, a~~ record owner of property within the PACE area may apply to ~~with~~ the governmental ~~local~~ unit ~~of government~~ or its program administrator or program administrators ~~for funding~~ to finance or refinance an energy project under the governmental unit's program.

(b) A governmental ~~local~~ unit ~~of government~~ may impose an assessment under a property assessed clean energy program only pursuant to the terms of a recorded assessment contract with the record owner of the property to be assessed.

(c) Before entering into an assessment contract with a record owner under a program, the governmental unit or its program administrator or program administrators ~~local unit of government~~ shall verify that the applicable property is entirely within the PACE area and receive evidence of all of the following:

(1) that the holder of the fee title interest in the property has consented to the record owner entering into an assessment contract pertaining to such property ~~property is within the PACE area~~;

(2) that there are no delinquent taxes, special assessments, or water or sewer charges on the property;

(3) that there are no delinquent assessments on the property under a property assessed clean energy program;

(4) whether there are any ~~no~~ involuntary liens on the property, including, but not limited to, construction or mechanics liens, lis pendens or judgments against the record owner, environmental proceedings, or eminent domain proceedings;

(5) that no notices of default or other evidence of property-based debt delinquency have been recorded and not cured;

(6) that the record owner is current on all mortgage debt on the property, the record owner has not filed for bankruptcy in the last 2 years, and the property is not an asset in ~~to~~ a current bankruptcy proceeding; ~~.~~

(7) that all work requiring a license under any applicable law to acquire, construct, install, or modify an energy project ~~make a qualifying improvement~~ shall be performed by a licensed ~~registered~~ contractor that has agreed to adhere to a set of terms and conditions through a process established by the governmental ~~local~~ unit or its program administrator or program administrators; ~~of government.~~

(8) that the contractor or contractors to be used have signed a written acknowledgement that the governmental unit or its program administrator or program administrators ~~local unit of government~~ will not authorize final payment to the contractor or contractors until the governmental ~~local~~ unit ~~of government~~ has received written confirmation from the record owner that the energy project ~~improvement~~ was properly acquired, constructed, installed, or modified and is operating as intended; provided, however, that the contractor or contractors retain ~~retains~~ all legal rights and remedies in the event there is a disagreement with the record owner;

(9) that the aggregate amount financed or refinanced under one or more ~~amount of the~~ assessment contracts does not exceed 25% in relation to the greater of any of the following:

(A) the value of the property as determined by the office of the county assessor;

(B) the value of the property as determined by an appraisal conducted by a licensed appraiser; or

(C) the value of the property calculated using either an automated valuation model provided by an independent third party or broker price opinion ~~the assessed value of the property or the appraised value of the property, as determined by a licensed appraiser, does not exceed 25%~~; and

(10) ~~a requirement~~ that an evaluation ~~assessment~~ of the existing water or energy use and a modeling of expected monetary savings have been conducted for any proposed energy efficiency improvement, renewable energy improvement, or water use improvement, unless the water use improvement is undertaken to improve water quality ~~project~~.

(d) Before ~~At least 30 days before~~ entering into an assessment contract with the governmental ~~local~~ unit ~~of government~~, the record owner shall provide to the mortgage lenders holding ~~holders or loan servicers of~~ any existing mortgages encumbering or otherwise secured by the property a notice of the record owner's intent to enter into an assessment contract with the governmental ~~local~~ unit ~~of government~~, together with the maximum principal amount to be financed or refinanced and the maximum annual assessment necessary to repay that amount, along with an additional ~~a~~ request that the mortgage lenders holding ~~holders or loan servicers of~~ any existing mortgages consent to the record owner subjecting the property to the program. The governmental unit shall be provided with a ~~A verified~~ copy or other proof of those notices and the written consent of the ~~existing~~ mortgage lender ~~holder~~ for the record owner to enter into the

assessment contract which acknowledges ~~and acknowledging~~ that (i) the existing mortgage or mortgages for which the consent was received will be subordinate to the ~~financing and~~ assessment contract and the lien created thereby and (ii) the governmental ~~agreement and that the local~~ unit ~~of government~~ or its permitted assignee can foreclose the property if the assessments are ~~assessment is~~ not paid ~~shall be provided to the local unit of government~~.

(e) (Blank). ~~A provision in any agreement between a local unit of government and a public or private power or energy provider or other utility provider is not enforceable to limit or prohibit any local unit of government from exercising its authority under this Section.~~

(f) If the ~~The~~ record owner has signed a certification that the governmental ~~local~~ unit ~~of government~~ has complied with the provisions of this Section, then this ~~which~~ shall be conclusive evidence as to compliance with these provisions, but shall not relieve any contractor~~,~~ or the governmental ~~local~~ unit ~~of government,~~ from any potential liability.

(g) (Blank). ~~This Section is additional and supplemental to county and municipal home rule authority and not in derogation of such authority or limitation upon such authority.~~

(h) The imposition of any assessment pursuant to this Act shall be exempt from any other statutory procedures or requirements that condition the imposition of assessments or ~~other~~ taxes against ~~a~~ property, except as specifically set forth in this Act.

(Source: P.A. 100-77, eff. 8-11-17; 100-980, eff. 1-1-19.)

(50 ILCS 50/30)

Sec. 30. Assessments constitute a lien; billing and collecting.

(a) An assessment contract shall be recorded with the county in which the PACE area is located. An assessment imposed under a property assessed clean energy program pursuant to an assessment contract, including any interest on the assessment and any penalty, shall, upon recording of the assessment contract in the county in which the PACE area is located, constitute a lien against the property on which the assessment is imposed until the assessment, including any interest or penalty, is paid in full. The lien of the assessment contract shall run with the property until the assessment is paid in full and a satisfaction or release for the same has been recorded by the governmental unit or its program administrator or program administrators ~~with the local unit of government~~ and shall have the same lien priority and status as other property tax and special assessment liens as provided in the Property Tax Code. The governmental ~~local~~ unit ~~of government~~ (or any permitted assignee) shall have all rights and remedies in the case of default or delinquency in the payment of an assessment as it does with respect to delinquent property taxes and other delinquent special assessments as set forth in Article 9 of the Illinois Municipal Code, including the lien, sale, and foreclosure remedies described in that Article. When the assessment, including any interest and penalty, is paid, the lien shall be removed and released from the property.

(a-5) The assessment shall be imposed by the governmental ~~local~~ unit ~~of government~~ against each lot, block, tract, ~~track~~ and parcel of land set forth in ~~within~~ the assessment contract ~~PACE area to be assessed in accordance with an assessment roll setting forth: (i) a description of the method of spreading the assessment; (ii) a list of lots, blocks, tracts and parcels of land in the PACE area; and (iii) the amount assessed on each parcel. The assessment roll shall be filed with the county clerk of the county in which the PACE area is located for use in establishing the lien and collecting the assessment~~.

(b) (Blank). ~~Installments of assessments due under a program may be included in each tax bill issued under the Property Tax Code and may be collected at the same time and in the same manner as taxes collected under the Property Tax Code. Alternatively, installments may be billed and collected as provided in a special assessment ordinance of general applicability adopted by the local unit of government pursuant to State law or local charter. In no event will partial payment of an assessment be allowed.~~

(b-5) Assessments created under this Act may be billed and collected as follows:

(1) A county which has established a program may include assessments in the regular property tax bills. Pursuant to the Illinois constitutional or statutory provisions relating to intergovernmental cooperation, the county collector of the county in which a PACE area is located may bill and collect assessments with the regular property tax bills of the county if requested by a municipality within its jurisdiction. If the county collector agrees to bill and collect assessments with the regular property tax bills of the county, then the applicable assessment contract shall be filed with the county collector and the annual amount due as set forth in an assessment contract shall become due in installments at the times property taxes shall become due in accordance with each regular property tax bill payable during the year in which such assessment comes due. If the county collector agrees to bill and collect assessments on behalf of a governmental unit, the county collector may charge a flat dollar fee for such services to be paid from the assessment being billed and the fee is a cost of billing and collecting the assessment provided for in this Act. The flat dollar fee shall be fixed upon recording of the assessment contract, shall be consistent for all assessment contracts in the applicable PACE area, and shall be as agreed to with the applicable

governmental unit or its program administrator or program administrators. Commencing on the anniversary date of the recording of the assessment contract, the fee may be increased annually by no more than 3% of the fee paid during the preceding year.

(2) If the county collector does not agree to bill and collect assessments with the regular property tax bills of the county or the governmental unit in which the PACE area is located declines to request the county collector to do so, then the governmental unit shall bill and collect the assessments, either directly or as permitted in paragraph (3) of this subsection, and the annual amount due as set forth in an assessment contract shall become due in installments on or about the times property taxes would otherwise become due in accordance with each regular property tax bill payable during the year in which such assessment comes due. Additionally, if the governmental unit is billing and collecting assessments, it may charge a flat dollar fee for such services to be paid from the assessment being billed and the fee is a cost of billing and collecting the assessment provided for in this Act. The flat dollar fee shall be fixed upon recording of the assessment contract, shall be consistent for all assessment contracts in the applicable PACE area, and shall be as agreed to with its applicable program administrator or program administrators, provided that commencing on the anniversary date of the recording of the assessment contract, such fee may be increased annually by no more than 3% of the fee paid during the preceding year.

(3) If a governmental unit is billing and collecting assessments pursuant to paragraph (2) of this subsection, assessment installments may be billed and collected by the governmental unit's program administrator or program administrators or another third party.

The assessment installments for assessments billed as provided for under any paragraph of this subsection shall be payable at the times and in the manner as set forth in the applicable bill.

(c) If a governmental unit, a program administrator, or another third party is billing and collecting assessments pursuant to subsection (b-5), and the applicable assessment becomes delinquent, then the applicable collector shall, on or before the 15th day of August next following the delinquency, make a report in writing to the general office of the county in which the applicable property subject to the assessment is situated and authorized by the general revenue laws of this State to apply for judgment and sell lands for taxes due the county and the State, of the assessments or installments thereof the applicable collector has billed for and not received as required under the applicable bill, including any interest or penalties that may be due as set forth in the applicable assessment contract. This report shall be certified by the applicable collector and shall include statements that (i) the report contains true and correct list of delinquent assessments that the collector has not received as required by the applicable bill and (ii) an itemization of the amount of the delinquent assessment, including interest and penalties, if applicable. The report of the applicable collector, when so made, shall be prima facie evidence that all requirements of the law in relation to making the report have been complied with and that the assessments or the matured installments thereof, and the interest thereon, and the interest accrued on installments not yet matured, mentioned in the report, are due and unpaid. Upon proper filing of the report, the county collector shall enforce the collection of the assessments in the manner provided by law.

(d) Payment received by mail and postmarked on or before the required due date is not delinquent. From and after the due date of any installment of an assessment, an additional rate of interest of 1 1/2% per month may be imposed with respect to the delinquent amount of such installment, which shall be payable to the applicable governmental unit or other permitted assignee as set forth in the applicable bill.

(e) By entering into the assessment contract, the record owner shall be held to have waived every and all objections to the assessment related to its assessment contract.

(Source: P.A. 100-77, eff. 8-11-17; 100-980, eff. 1-1-19; revised 9-28-18.)

(50 ILCS 50/35)

Sec. 35. Issuance of PACE bonds ~~Bonds~~.

(a) Except as provided for in subsection (j), a governmental unit shall ~~A local unit of government may~~ issue PACE bonds under this Act ~~or the Special Assessment Supplemental Bond and Procedures Act~~, or the Authority shall ~~may~~ issue PACE bonds in accordance with this Act and pursuant to ~~under~~ subsection (d) of Section 825-65 of the Illinois Finance Authority Act ~~upon assignment of the assessment contracts securing such bonds by the local unit of government to the Authority~~, in either case to finance or refinance energy projects under a property assessed clean energy program. ~~Interim financing prior to the issuance of bonds authorized by this Section may be provided only by a warehouse fund, except that warehouse funds established by a warehouse lender may only hold assessment contracts for 36 months or less.~~

(b) PACE bonds issued under this Act or in accordance with this Act and pursuant to subsection (d) of Section 825-65 of the Illinois Finance Authority Act: ~~Bonds issued under subsection (a) shall~~

(1) are not ~~be~~ general obligations of the governmental ~~local~~ unit ~~of government~~ or the Authority, as applicable, but shall be secured by the

following ~~as provided by the governing body in the resolution or ordinance approving the bonds~~:

(A) ~~(1)~~ payments under one or more assessment contracts of assessments on benefited property or properties within the PACE area or PACE areas

specified; ~~and~~

(B) if applicable, municipal bond insurance, letters of credit, or public or private guarantees or sureties; and

(C) ~~(2)~~ if applicable, revenue sources or reserves established by the governmental ~~local~~ unit ~~of government~~ or the

Authority from bond proceeds or other lawfully available funds; ~~.~~

(2) may be secured on a parity basis with PACE bonds of another series or subseries issued by the governmental unit or the Authority pursuant to the terms of a master indenture entered into as authorized by an ordinance or resolution adopted by the governing body or the Authority, as applicable;

(3) may bear interest at any rate or rates not to exceed such rate or rates as the governing body or the Authority shall determine by ordinance or resolution;

(4) may pay interest upon the date or dates described in such PACE bonds;

(5) shall have a maturity no more than 40 years from the date of issuance;

(6) may be subject to redemption with or without premium upon such terms and provisions as may be provided under the terms of a master indenture entered into as authorized by an ordinance or resolution adopted by the governing body or the Authority, as applicable, including, without limitation, terms as to the order of redemption (numerical, pro rata, by series, subseries, or otherwise) and as to the timing thereof;

(7) shall be negotiable instruments under Illinois law and be subject to the Registered Bond Act; and

(8) may be payable either serially or at term, or any combination thereof, in such order of preference, priority, lien position, or rank (including, without limitation, numerical, pro rata, by series, subseries, or otherwise) as the governing body or Authority may provide.

(c) A pledge of assessments, funds, or contractual rights made by a governmental unit or the Authority ~~governing body~~ in connection with the issuance of PACE bonds ~~by a local unit of government~~ under this Act or in accordance with this Act and pursuant to Section 825-65 of the Illinois Finance Authority Act constitutes a statutory lien on the assessments, funds, or contractual rights so pledged in favor of the person or persons to whom the pledge is given, without further action taken by a governmental unit or the Authority, as applicable ~~by the governing body~~. The statutory lien is valid and binding against all other persons, with or without notice.

(d) (Blank). ~~Bonds of one series issued under this Act may be secured on a parity with bonds of another series issued by the local unit of government or the Authority pursuant to the terms of a master indenture or master resolution entered into or adopted by the governing body of the local unit of government or the Authority.~~

(d-5) The State pledges to and agrees with the holders of any PACE bonds issued under this Act or in accordance with the Act and pursuant to Section 825-65 of the Illinois Finance Authority Act that the State will not limit or alter the rights and powers vested in governmental units by this Act or in the Authority in accordance with this Act and pursuant to Section 825-65 of the Illinois Finance Authority Act so as to impair the terms of any contract made by a governmental unit or by the Authority with those bondholders or in any way to impair the rights or remedies of those bondholders until the PACE bonds, together with the interest thereon, and all costs and expenses in connection with any actions or proceedings by or on behalf of those bondholders are fully met and discharged.

(e) (Blank). ~~Bonds issued under this Act are subject to the Bond Authorization Act and the Registered Bond Act.~~

(f) PACE bonds ~~Bonds~~ issued under this Act or in accordance with this Act and pursuant to Section 825-65 of the Illinois Finance Authority Act further essential public and governmental purposes, including, but not limited to, reduced energy costs and ~~, reduced~~ greenhouse gas emissions, enhanced water quality and conservation, economic stimulation and development, improved property resiliency and valuation, and increased employment.

(g) A capital provider ~~program administrator~~ can assign its rights to purchase PACE ~~the~~ bonds issued by the governmental unit or the Authority to a designated transferee ~~to a third party~~.

(h) A law firm shall be retained to give a written bond opinion in connection with any PACE bond issued under this Act or in accordance with this Act and pursuant to Section 825-65 of the Illinois Finance Authority Act.

(i) PACE bonds ~~Bonds~~ issued by the Authority in accordance with ~~under~~ this Act and pursuant to subsection (d) of Section 825-65 of the Illinois Finance Authority Act shall not be entitled to the benefits of Section 825-75 of the Illinois Finance Authority Act.

(j) PACE bonds issued by a governmental unit may otherwise have any attributes permitted to bonds under the Local Government Debt Reform Act, as the governing body may provide.

(k) Interim financing prior to the issuance of PACE bonds authorized by this Section may be provided only by a warehouse fund, except that warehouse funds established by capital providers shall only interim finance energy projects secured by one or more assessment contracts for 36 months or less from the date of recording of the applicable assessment contract.

(Source: P.A. 100-77, eff. 8-11-17; 100-980, eff. 1-1-19.)

(50 ILCS 50/42 new)

Sec. 42. Supplemental powers.

(a) The provisions of this Act are intended to be supplemental and in addition to all other powers or authorities granted to any governmental unit, shall be construed liberally, and shall not be construed as a limitation of any power or authority otherwise granted.

(b) A governmental unit may use the provisions of this Act by referencing this Act in the resolution or ordinance described in Section 15.

(50 ILCS 50/45 new)

Sec. 45. Recital. PACE bonds that are issued under this Act or in accordance with this Act and pursuant to Section 825-65 of the Illinois Finance Authority Act may contain a recital to that effect and any such recital shall be conclusive as against the issuer thereof and any other person as to the validity of the PACE bonds and as to their compliance with the provisions of this Act and, as applicable, the provisions of Section 825-65 of the Illinois Finance Authority Act.

(50 ILCS 50/50 new)

Sec. 50. Validation. All actions taken by the Authority or any governmental unit under this Act prior to the effective date of this amendatory Act of the 101st General Assembly, including, without limitation, creation of a property assessed clean energy program under Section 10 and Section 15, preparation and approval of a report on the proposed program under Section 20, entering into assessment contracts under Section 25, and issuance of bonds, notes, and other evidences of indebtedness under Section 35 shall be unaffected by the enactment of this amendatory Act of the 101st General Assembly and shall continue to be legal, valid, and in full force and effect, notwithstanding any lack of compliance with the requirements of this amendatory Act of the 101st General Assembly.

(50 ILCS 50/40 rep.)

Section 10. The Property Assessed Clean Energy Act is amended by repealing Section 40.

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

AMENDMENT NO. 3 TO HOUSE BILL 3501

AMENDMENT NO. 3. Amend House Bill 3501, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 6, line 1, after "include", by inserting "(i)"; and

on page 6, line 2, after "or", by inserting "(ii)"; and

on page 6, line 20, by replacing "a" with "any"; and

on page 6, line 20, by deleting "that term is"; and

on page 26, line 3, by replacing "(j)" with "(k)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Crowe, **House Bill No. 3509** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3509

AMENDMENT NO. 1. Amend House Bill 3509 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by adding Section 6.16 as follows:

(5 ILCS 375/6.16 new)

Sec. 6.16. Human breast milk coverage. Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed

medical practitioner, shall be covered under a health plan for persons who are otherwise eligible for coverage under this Act, if the covered person is an infant under the age of 6 months, a physician prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that is licensed by the Department of Public Health;

(2) the infant is critically ill and the infant's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the infant's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the infant; and

(4) one or more of the following applies:

(A) the infant's birth weight is below 1,500 grams;

(B) the infant has a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis;

(C) the infant has infant hypoglycemia;

(D) the infant has congenital heart disease;

(E) the infant has had or will have an organ transplant;

(F) the infant has sepsis; or

(G) the infant has any other serious congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the infant.

Section 10. The Illinois Insurance Code is amended by adding Section 356z.33 as follows:

(215 ILCS 5/356z.33 new)

Sec. 356z.33. Human breast milk coverage. Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under an individual or group health insurance for persons who are otherwise eligible for coverage under this Act, if the covered person is an infant under the age of 6 months, a physician prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that is licensed by the Department of Public Health;

(2) the infant is critically ill and the infant's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the infant's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the infant; and

(4) one or more of the following applies:

(A) the infant's birth weight is below 1,500 grams;

(B) the infant has a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis;

(C) the infant has infant hypoglycemia;

(D) the infant has congenital heart disease;

(E) the infant has had or will have an organ transplant;

(F) the infant has sepsis; or

(G) the infant has any other serious congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the infant.

Section 15. The Illinois Public Aid Code is amended by adding Section 5-40 as follows:

(305 ILCS 5/5-40 new)

Sec. 5-40. Human breast milk coverage. Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under a health plan for persons who are otherwise eligible for coverage under this Act, if the covered person is an infant under the age of 6 months, a physician prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that is licensed by the Department of Public Health;

(2) the infant is critically ill and the infant's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the infant's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the infant; and

(4) one or more of the following applies:

(A) the infant's birth weight is below 1,500 grams;

(B) the infant has a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis;

(C) the infant has infant hypoglycemia;

(D) the infant has congenital heart disease;
(E) the infant has had or will have an organ transplant;
(F) the infant has sepsis; or
(G) the infant has any other serious congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the infant.

Section 99. Effective date. This Act takes effect January 1, 2020.".

Committee Amendment No. 2 was held in the Committee on Assignments.
There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 3584** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3584

AMENDMENT NO. 1. Amend House Bill 3584 on page 20, by replacing line 8 with the following:

"(d) Procedures after the imposition of sentence.

(1) The Prisoner Review Board shall inform a victim or"; and

on page 22, by replacing lines 4 through 21 with the following:

"(4) The victim of the crime for which the prisoner has been sentenced has the right to register with the Prisoner Review Board's victim registry. Victims registered with the Board shall receive reasonable written notice not less than 30 days prior to the parole hearing or target aftercare release date. The victim has the right to submit a victim statement for consideration by the Prisoner Review Board or the Department of Juvenile Justice in writing, on film, videotape, or other electronic means, or in the form of a recording prior to the parole hearing or target aftercare release date, or in person at the parole hearing or aftercare release protest hearing, or by calling the toll-free number established in subsection (f) of this Section. ~~and may submit, in writing, on film, videotape or other electronic means or in the form of a recording prior to the parole hearing or target aftercare release date or in person at the parole hearing or aftercare release protest hearing or if a victim of a violent crime, by calling the toll-free number established in subsection (f) of this Section, information for consideration by the Prisoner Review Board or Department of Juvenile Justice.~~ The victim shall be notified within 7 days after the prisoner has been granted parole or aftercare release and shall be informed of the right to inspect the registry of parole decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections. The provisions of this paragraph (4) are subject to the Open Parole Hearings Act. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public.

(4-1) The crime victim has the right to submit a victim statement for consideration by the Prisoner Review Board or the Department of Juvenile Justice prior to or at a hearing to determine the conditions of mandatory supervised release of a person sentenced to a determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence. A victim statement may be submitted in writing, on film, videotape, or other electronic means, or in the form of a recording, or orally at a hearing, or by calling the toll-free number established in subsection (f) of this Section. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public.

(4-2) The crime victim has the right to submit a victim statement to the Prisoner Review Board for consideration at an executive clemency hearing as provided in Section 3-3-13 of the Unified Code of Corrections. A victim statement may be submitted in writing, on film, videotape, or other electronic means, or in the form of a recording prior to a hearing, or orally at a hearing, or by calling the toll-free number established in subsection (f) of this Section. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public."; and

on page 24, by replacing lines 12 through 23 with the following:

"(f) The Prisoner Review ~~To permit a crime victim of a violent crime to provide information to the Prisoner Review Board or the Department of Juvenile Justice for consideration by the Board or Department at a parole hearing or before an aftercare release decision of a person who committed the crime against the victim in accordance with clause (d)(4) of this Section or at a proceeding to determine the conditions of mandatory supervised release of a person sentenced to a determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence, the~~ Board shall establish a toll-free number that may be accessed by the crime victim ~~of a violent crime~~ to present a victim statement ~~that information~~ to the Board in accordance with paragraphs (4), (4-1), and (4-2) of subsection (d)."; and

by replacing line 26 on page 27 through line 7 on page 28 with the following:

"(b-5) The crime victim has the right to register with the Prisoner Review Board's victim registry. The crime victim has the right to submit a victim statement to the Board for consideration at hearings as provided in Section 4.5. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public."; and

on page 28, by replacing line 20 with the following:

"changing Sections 3-3-1, 3-3-2, 3-3-4, 3-3-9, 3-3-13, 5-4.5-20, 5-4.5-25, 5-4.5-30, and 5-8-1 and by renumbering and changing Section 5-4.5-10 as added by Public Act 100-1182 as follows:

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

(Text of Section before amendment by P.A. 100-1182)

Sec. 3-3-1. Establishment and appointment of Prisoner Review Board.

(a) There shall be a Prisoner Review Board independent of the Department which shall be:

(1) the paroling authority for persons sentenced under the law in effect prior to the effective date of this amendatory Act of 1977;

(1.5) (blank);

(2) the board of review for cases involving the revocation of sentence credits or a suspension or reduction in the rate of accumulating the credit;

(3) the board of review and recommendation for the exercise of executive clemency by the Governor;

(4) the authority for establishing release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(5) the authority for setting conditions for parole and mandatory supervised release under Section 5-8-1(a) of this Code, and determining whether a violation of those conditions warrant revocation of parole or mandatory supervised release or the imposition of other sanctions; and

(6) the authority for determining whether a violation of aftercare release conditions warrant revocation of aftercare release.

(b) The Board shall consist of 15 persons appointed by the Governor by and with the advice and consent of the Senate. One member of the Board shall be designated by the Governor to be Chairman and shall serve as Chairman at the pleasure of the Governor. The members of the Board shall have had at least 5 years of actual experience in the fields of penology, corrections work, law enforcement, sociology, law, education, social work, medicine, psychology, other behavioral sciences, or a combination thereof. At least 6 members so appointed must have had at least 3 years experience in the field of juvenile matters. No more than 8 Board members may be members of the same political party.

Each member of the Board shall serve on a full-time basis and shall not hold any other salaried public office, whether elective or appointive, nor any other office or position of profit, nor engage in any other business, employment, or vocation. The Chairman of the Board shall receive $35,000 a year, or an amount set by the Compensation Review Board, whichever is greater, and each other member $30,000, or an amount set by the Compensation Review Board, whichever is greater.

(c) Notwithstanding any other provision of this Section, the term of each member of the Board who was appointed by the Governor and is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the successor members to be appointed pursuant to this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later. As soon as possible, the Governor shall appoint persons to fill the vacancies created by this amendatory Act.

Of the initial members appointed under this amendatory Act of the 93rd General Assembly, the Governor shall appoint 5 members whose terms shall expire on the third Monday in January 2005, 5 members whose terms shall expire on the third Monday in January 2007, and 5 members whose terms

shall expire on the third Monday in January 2009. Their respective successors shall be appointed for terms of 6 years from the third Monday in January of the year of appointment. Each member shall serve until his or her successor is appointed and qualified.

Any member may be removed by the Governor for incompetence, neglect of duty, malfeasance or inability to serve.

(d) The Chairman of the Board shall be its chief executive and administrative officer. The Board may have an Executive Director; if so, the Executive Director shall be appointed by the Governor with the advice and consent of the Senate. The salary and duties of the Executive Director shall be fixed by the Board.

(Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

(Text of Section after amendment by P.A. 100-1182)

Sec. 3-3-1. Establishment and appointment of Prisoner Review Board.

(a) There shall be a Prisoner Review Board independent of the Department which shall be:

(1) the paroling authority for persons sentenced under the law in effect prior to the effective date of this amendatory Act of 1977;

(1.2) the paroling authority for persons eligible for parole review under Section 5-4.5-115 ~~5-4.5-110~~;

(1.5) (blank);

(2) the board of review for cases involving the revocation of sentence credits or a suspension or reduction in the rate of accumulating the credit;

(3) the board of review and recommendation for the exercise of executive clemency by the Governor;

(4) the authority for establishing release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(5) the authority for setting conditions for parole and mandatory supervised release under Section 5-8-1(a) of this Code, and determining whether a violation of those conditions warrant revocation of parole or mandatory supervised release or the imposition of other sanctions; and

(6) the authority for determining whether a violation of aftercare release conditions warrant revocation of aftercare release.

(b) The Board shall consist of 15 persons appointed by the Governor by and with the advice and consent of the Senate. One member of the Board shall be designated by the Governor to be Chairman and shall serve as Chairman at the pleasure of the Governor. The members of the Board shall have had at least 5 years of actual experience in the fields of penology, corrections work, law enforcement, sociology, law, education, social work, medicine, psychology, other behavioral sciences, or a combination thereof. At least 6 members so appointed must have at least 3 years experience in the field of juvenile matters. No more than 8 Board members may be members of the same political party.

Each member of the Board shall serve on a full-time basis and shall not hold any other salaried public office, whether elective or appointive, nor any other office or position of profit, nor engage in any other business, employment, or vocation. The Chairman of the Board shall receive $35,000 a year, or an amount set by the Compensation Review Board, whichever is greater, and each other member $30,000, or an amount set by the Compensation Review Board, whichever is greater.

(c) Notwithstanding any other provision of this Section, the term of each member of the Board who was appointed by the Governor and is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the successor members to be appointed pursuant to this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later. As soon as possible, the Governor shall appoint persons to fill the vacancies created by this amendatory Act.

Of the initial members appointed under this amendatory Act of the 93rd General Assembly, the Governor shall appoint 5 members whose terms shall expire on the third Monday in January 2005, 5 members whose terms shall expire on the third Monday in January 2007, and 5 members whose terms shall expire on the third Monday in January 2009. Their respective successors shall be appointed for terms of 6 years from the third Monday in January of the year of appointment. Each member shall serve until his or her successor is appointed and qualified.

Any member may be removed by the Governor for incompetence, neglect of duty, malfeasance or inability to serve.

(d) The Chairman of the Board shall be its chief executive and administrative officer. The Board may have an Executive Director; if so, the Executive Director shall be appointed by the Governor with the advice and consent of the Senate. The salary and duties of the Executive Director shall be fixed by the Board.

(Source: P.A. 99-628, eff. 1-1-17; 100-1182, eff. 6-1-19; revised 4-3-19.)

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

(Text of Section before amendment by P.A. 100-1182)

Sec. 3-3-2. Powers and duties.

(a) The Parole and Pardon Board is abolished and the term "Parole and Pardon Board" as used in any law of Illinois, shall read "Prisoner Review Board." After the effective date of this amendatory Act of 1977, the Prisoner Review Board shall provide by rule for the orderly transition of all files, records, and documents of the Parole and Pardon Board and for such other steps as may be necessary to effect an orderly transition and shall:

(1) hear by at least one member and through a panel of at least 3 members decide, cases of prisoners who were sentenced under the law in effect prior to the effective date of this amendatory Act of 1977, and who are eligible for parole;

(2) hear by at least one member and through a panel of at least 3 members decide, the conditions of parole and the time of discharge from parole, impose sanctions for violations of parole, and revoke parole for those sentenced under the law in effect prior to this amendatory Act of 1977; provided that the decision to parole and the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the Prisoner Review Board. One representative supporting parole and one representative opposing parole will be allowed to speak. Their comments shall be limited to making corrections and filling in omissions to the Board's presentation and discussion;

(3) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after the effective date of this amendatory Act of 1977;

(3.5) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those serving extended supervised release terms pursuant to paragraph (4) of subsection (d) of Section 5-8-1;

(3.6) hear by at least one member and through a panel of at least 3 members decide whether to revoke aftercare release for those committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987;

(4) hear by at least one member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to sentence credits under Section 3-6-3 of this Code in which the Department seeks to revoke sentence credits, if the amount of time at issue exceeds 30 days or when, during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In such cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of thirty days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit for any prisoner or to increase any penalty beyond the length requested by the Department;

(5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation, and make confidential recommendations to the Governor;

(7) comply with the requirements of the Open Parole Hearings Act;

(8) hear by at least one member and, through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks to revoke up to 180 days of sentence credit, and if the prisoner has not accumulated 180 days of sentence credit at the time of the dismissal, then all sentence credit accumulated by the prisoner shall be revoked;

(9) hear by at least 3 members, and, through a panel of at least 3 members, decide whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V;

(10) upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for sealing recommending that the court order the sealing of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for sealing:

(A) until 5 years have elapsed since the expiration of his or her sentence;

(B) until 5 years have elapsed since any arrests or detentions by a law enforcement officer for an alleged violation of law, other than a petty offense, traffic offense, conservation offense, or local ordinance offense;

(C) if convicted of a violation of the Cannabis Control Act, Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or the Methamphetamine Precursor Tracking Act unless the petitioner has completed a drug abuse program for the offense on which sealing is sought and provides proof that he or she has completed the program successfully;

(D) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012;

(ii) aggravated assault;

(iii) aggravated battery;

(iv) domestic battery;

(v) aggravated domestic battery;

(vi) violation of an order of protection;

(vii) an offense under the Criminal Code of 1961 or the Criminal Code of 2012 involving a firearm;

(viii) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof;

(ix) aggravated driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof; or

(x) any crime defined as a crime of violence under Section 2 of the Crime Victims Compensation Act.

If a person has applied to the Board for a certificate of eligibility for sealing and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for pardon from the Governor unless the Chairman of the Prisoner Review Board grants a waiver.

The decision to issue or refrain from issuing a certificate of eligibility for sealing shall be at the Board's sole discretion, and shall not give rise to any cause of action against either the Board or its members.

The Board may only authorize the sealing of Class 3 and 4 felony convictions of the petitioner from one information or indictment under this paragraph (10). A petitioner may only receive one certificate of eligibility for sealing under this provision for life; and

(11) upon a petition by a person who after having been convicted of a Class 3 or Class 4 felony thereafter served in the United States Armed Forces or National Guard of this or any other state and had received an honorable discharge from the United States Armed Forces or National Guard or who at the time of filing the petition is enlisted in the United States Armed Forces or National Guard of this or any other state and served one tour of duty and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for expungement recommending that the court order the expungement of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for expungement:

(A) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or Criminal Code of 2012;

(ii) an offense under the Criminal Code of 1961 or Criminal Code of 2012 involving a firearm; or

(iii) a crime of violence as defined in Section 2 of the Crime Victims Compensation Act; or

(B) if the person has not served in the United States Armed Forces or National Guard

of this or any other state or has not received an honorable discharge from the United States Armed Forces or National Guard of this or any other state or who at the time of the filing of the petition is serving in the United States Armed Forces or National Guard of this or any other state and has not completed one tour of duty.

If a person has applied to the Board for a certificate of eligibility for expungement and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for a pardon with authorization for expungement from the Governor unless the Governor or Chairman of the Prisoner Review Board grants a waiver.

(a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall implement a pilot project in 3 correctional institutions providing for the conduct of hearings under paragraphs (1) and (4) of subsection (a) of this Section through interactive video conferences. The project shall be implemented within 6 months after the effective date of this amendatory Act of 1996. Within 6 months after the implementation of the pilot project, the Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report to the Governor and the General Assembly regarding the use, costs, effectiveness, and future viability of interactive video conferences for Prisoner Review Board hearings.

(b) Upon recommendation of the Department the Board may restore sentence credit previously revoked.

(c) The Board shall cooperate with the Department in promoting an effective system of parole and mandatory supervised release.

(d) The Board shall promulgate rules for the conduct of its work, and the Chairman shall file a copy of such rules and any amendments thereto with the Director and with the Secretary of State.

(e) The Board shall keep records of all of its official actions and shall make them accessible in accordance with law and the rules of the Board.

(f) The Board or one who has allegedly violated the conditions of his or her parole, aftercare release, or mandatory supervised release may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation or hearing. The Chairman of the Board may sign subpoenas which shall be served by any agent or public official authorized by the Chairman of the Board, or by any person lawfully authorized to serve a subpoena under the laws of the State of Illinois. The attendance of witnesses, and the production of documentary evidence, may be required from any place in the State to a hearing location in the State before the Chairman of the Board or his or her designated agent or agents or any duly constituted Committee or Subcommittee of the Board. Witnesses so summoned shall be paid the same fees and mileage that are paid witnesses in the circuit courts of the State, and witnesses whose depositions are taken and the persons taking those depositions are each entitled to the same fees as are paid for like services in actions in the circuit courts of the State. Fees and mileage shall be vouchered for payment when the witness is discharged from further attendance.

In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order requiring the attendance and testimony of witnesses or the production of documentary evidence or both. A copy of such petition shall be served by personal service or by registered or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a hearing upon the petition will be requested in a court room to be designated in such notice before the judge hearing motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after the deposit of the copy of the written notice and petition in the U.S. mails addressed to the person at his last known address or after the personal service of the copy of the notice and petition upon such person. The court upon the filing of such a petition, may order the person refusing to obey the subpoena to appear at an investigation or hearing, or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that investigation or hearing. Any failure to obey such order of the circuit court may be punished by that court as a contempt of court.

Each member of the Board and any hearing officer designated by the Board shall have the power to administer oaths and to take the testimony of persons under oath.

(g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.

(h) The Prisoner Review Board shall annually transmit to the Director a detailed report of its work for the preceding calendar year. The annual report shall also be transmitted to the Governor for submission to the Legislature.

(Source: P.A. 98-399, eff. 8-16-13; 98-558, eff. 1-1-14; 98-756, eff. 7-16-14; 99-628, eff. 1-1-17.)

(Text of Section after amendment by P.A. 100-1182)

Sec. 3-3-2. Powers and duties.

(a) The Parole and Pardon Board is abolished and the term "Parole and Pardon Board" as used in any law of Illinois, shall read "Prisoner Review Board." After the effective date of this amendatory Act of 1977, the Prisoner Review Board shall provide by rule for the orderly transition of all files, records, and documents of the Parole and Pardon Board and for such other steps as may be necessary to effect an orderly transition and shall:

(1) hear by at least one member and through a panel of at least 3 members decide, cases of prisoners who were sentenced under the law in effect prior to the effective date of this amendatory Act of 1977, and who are eligible for parole;

(2) hear by at least one member and through a panel of at least 3 members decide, the conditions of parole and the time of discharge from parole, impose sanctions for violations of parole, and revoke parole for those sentenced under the law in effect prior to this amendatory Act of 1977; provided that the decision to parole and the conditions of parole for all prisoners who were sentenced for first degree murder or who received a minimum sentence of 20 years or more under the law in effect prior to February 1, 1978 shall be determined by a majority vote of the Prisoner Review Board. One representative supporting parole and one representative opposing parole will be allowed to speak. Their comments shall be limited to making corrections and filling in omissions to the Board's presentation and discussion;

(3) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, impose sanctions for violations of mandatory supervised release, and revoke mandatory supervised release for those sentenced under the law in effect after the effective date of this amendatory Act of 1977;

(3.5) hear by at least one member and through a panel of at least 3 members decide, the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those serving extended supervised release terms pursuant to paragraph (4) of subsection (d) of Section 5-8-1;

(3.6) hear by at least one member and through a panel of at least 3 members decide whether to revoke aftercare release for those committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987;

(4) hear by at least one member and through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for alleged violation of Department rules with respect to sentence credits under Section 3-6-3 of this Code in which the Department seeks to revoke sentence credits, if the amount of time at issue exceeds 30 days or when, during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In such cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of thirty days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit for any prisoner or to increase any penalty beyond the length requested by the Department;

(5) hear by at least one member and through a panel of at least 3 members decide, the release dates for certain prisoners sentenced under the law in existence prior to the effective date of this amendatory Act of 1977, in accordance with Section 3-3-2.1 of this Code;

(6) hear by at least one member and through a panel of at least 3 members decide, all requests for pardon, reprieve or commutation, and make confidential recommendations to the Governor;

(6.5) hear by at least one member who is qualified in the field of juvenile matters and through a panel of at least 3 members, 2 of whom are qualified in the field of juvenile matters, decide parole review cases in accordance with Section 5-4.5-115 ~~5-4.5-110~~ of this Code and make release determinations of persons under the age of 21 at the time of the commission of an offense or offenses, other than those persons serving sentences for first degree murder or aggravated criminal sexual assault;

(6.6) hear by at least a quorum of the Prisoner Review Board and decide by a majority of members present at the hearing, in accordance with Section 5-4.5-115 ~~5-4.5-110~~ of this Code, release determinations of persons under the age of 21 at the time of the commission of an offense or offenses of those persons serving sentences for first degree murder or aggravated criminal sexual assault;

(7) comply with the requirements of the Open Parole Hearings Act;

(8) hear by at least one member and, through a panel of at least 3 members, decide cases brought by the Department of Corrections against a prisoner in the custody of the Department for court dismissal of a frivolous lawsuit pursuant to Section 3-6-3(d) of this Code in which the Department seeks

to revoke up to 180 days of sentence credit, and if the prisoner has not accumulated 180 days of sentence credit at the time of the dismissal, then all sentence credit accumulated by the prisoner shall be revoked;

(9) hear by at least 3 members, and, through a panel of at least 3 members, decide whether to grant certificates of relief from disabilities or certificates of good conduct as provided in Article 5.5 of Chapter V;

(10) upon a petition by a person who has been convicted of a Class 3 or Class 4 felony and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for sealing recommending that the court order the sealing of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for sealing:

(A) until 5 years have elapsed since the expiration of his or her sentence;

(B) until 5 years have elapsed since any arrests or detentions by a law enforcement officer for an alleged violation of law, other than a petty offense, traffic offense, conservation offense, or local ordinance offense;

(C) if convicted of a violation of the Cannabis Control Act, Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or the Methamphetamine Precursor Tracking Act unless the petitioner has completed a drug abuse program for the offense on which sealing is sought and provides proof that he or she has completed the program successfully;

(D) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012;

(ii) aggravated assault;

(iii) aggravated battery;

(iv) domestic battery;

(v) aggravated domestic battery;

(vi) violation of an order of protection;

(vii) an offense under the Criminal Code of 1961 or the Criminal Code of 2012 involving a firearm;

(viii) driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof;

(ix) aggravated driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof; or

(x) any crime defined as a crime of violence under Section 2 of the Crime Victims Compensation Act.

If a person has applied to the Board for a certificate of eligibility for sealing and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for pardon from the Governor unless the Chairman of the Prisoner Review Board grants a waiver.

The decision to issue or refrain from issuing a certificate of eligibility for sealing shall be at the Board's sole discretion, and shall not give rise to any cause of action against either the Board or its members.

The Board may only authorize the sealing of Class 3 and 4 felony convictions of the petitioner from one information or indictment under this paragraph (10). A petitioner may only receive one certificate of eligibility for sealing under this provision for life; and

(11) upon a petition by a person who after having been convicted of a Class 3 or Class 4 felony thereafter served in the United States Armed Forces or National Guard of this or any other state and had received an honorable discharge from the United States Armed Forces or National Guard or who at the time of filing the petition is enlisted in the United States Armed Forces or National Guard of this or any other state and served one tour of duty and who meets the requirements of this paragraph, hear by at least 3 members and, with the unanimous vote of a panel of 3 members, issue a certificate of eligibility for expungement recommending that the court order the expungement of all official records of the arresting authority, the circuit court clerk, and the Department of State Police concerning the arrest and conviction for the Class 3 or 4 felony. A person may not apply to the Board for a certificate of eligibility for expungement:

(A) if convicted of:

(i) a sex offense described in Article 11 or Sections 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or Criminal Code of 2012;

(ii) an offense under the Criminal Code of 1961 or Criminal Code of 2012

involving a firearm; or

(iii) a crime of violence as defined in Section 2 of the Crime Victims Compensation Act; or

(B) if the person has not served in the United States Armed Forces or National Guard of this or any other state or has not received an honorable discharge from the United States Armed Forces or National Guard of this or any other state or who at the time of the filing of the petition is serving in the United States Armed Forces or National Guard of this or any other state and has not completed one tour of duty.

If a person has applied to the Board for a certificate of eligibility for expungement and the Board denies the certificate, the person must wait at least 4 years before filing again or filing for a pardon with authorization for expungement from the Governor unless the Governor or Chairman of the Prisoner Review Board grants a waiver.

(a-5) The Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall implement a pilot project in 3 correctional institutions providing for the conduct of hearings under paragraphs (1) and (4) of subsection (a) of this Section through interactive video conferences. The project shall be implemented within 6 months after the effective date of this amendatory Act of 1996. Within 6 months after the implementation of the pilot project, the Prisoner Review Board, with the cooperation of and in coordination with the Department of Corrections and the Department of Central Management Services, shall report to the Governor and the General Assembly regarding the use, costs, effectiveness, and future viability of interactive video conferences for Prisoner Review Board hearings.

(b) Upon recommendation of the Department the Board may restore sentence credit previously revoked.

(c) The Board shall cooperate with the Department in promoting an effective system of parole and mandatory supervised release.

(d) The Board shall promulgate rules for the conduct of its work, and the Chairman shall file a copy of such rules and any amendments thereto with the Director and with the Secretary of State.

(e) The Board shall keep records of all of its official actions and shall make them accessible in accordance with law and the rules of the Board.

(f) The Board or one who has allegedly violated the conditions of his or her parole, aftercare release, or mandatory supervised release may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation or hearing. The Chairman of the Board may sign subpoenas which shall be served by any agent or public official authorized by the Chairman of the Board, or by any person lawfully authorized to serve a subpoena under the laws of the State of Illinois. The attendance of witnesses, and the production of documentary evidence, may be required from any place in the State to a hearing location in the State before the Chairman of the Board or his or her designated agent or agents or any duly constituted Committee or Subcommittee of the Board. Witnesses so summoned shall be paid the same fees and mileage that are paid witnesses in the circuit courts of the State, and witnesses whose depositions are taken and the persons taking those depositions are each entitled to the same fees as are paid for like services in actions in the circuit courts of the State. Fees and mileage shall be vouchered for payment when the witness is discharged from further attendance.

In case of disobedience to a subpoena, the Board may petition any circuit court of the State for an order requiring the attendance and testimony of witnesses or the production of documentary evidence or both. A copy of such petition shall be served by personal service or by registered or certified mail upon the person who has failed to obey the subpoena, and such person shall be advised in writing that a hearing upon the petition will be requested in a court room to be designated in such notice before the judge hearing motions or extraordinary remedies at a specified time, on a specified date, not less than 10 nor more than 15 days after the deposit of the copy of the written notice and petition in the U.S. mails addressed to the person at his last known address or after the personal service of the copy of the notice and petition upon such person. The court upon the filing of such a petition, may order the person refusing to obey the subpoena to appear at an investigation or hearing, or to there produce documentary evidence, if so ordered, or to give evidence relative to the subject matter of that investigation or hearing. Any failure to obey such order of the circuit court may be punished by that court as a contempt of court.

Each member of the Board and any hearing officer designated by the Board shall have the power to administer oaths and to take the testimony of persons under oath.

(g) Except under subsection (a) of this Section, a majority of the members then appointed to the Prisoner Review Board shall constitute a quorum for the transaction of all business of the Board.

(h) The Prisoner Review Board shall annually transmit to the Director a detailed report of its work for the preceding calendar year. The annual report shall also be transmitted to the Governor for submission to the Legislature.

(Source: P.A. 99-628, eff. 1-1-17; 100-1182, eff. 6-1-19; revised 4-3-19.)"; and

on page 32, by replacing lines 10 through 23 with the following:

"(h) The Board shall not release any material to the inmate, the inmate's attorney, any third party, or any other person containing any information from a ~~the~~ victim ~~or from a person related to the victim by blood, adoption, or marriage~~ who has written objections, testified at any hearing, or submitted audio or visual objections to the inmate's parole, unless provided with a waiver from that victim ~~objecting party~~. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public. The Board shall not release the names or addresses of any person on its victim registry to any other person except the victim, a law enforcement agency, or other victim notification system.

(Source: P.A. 98-463, eff. 8-16-13; 98-558, eff. 1-1-14; 98-717, eff. 1-1-15; 99-628, eff. 1-1-17.)

(730 ILCS 5/3-3-9) (from Ch. 38, par. 1003-3-9)

(Text of Section before amendment by P.A. 100-1182)

Sec. 3-3-9. Violations; changes of conditions; preliminary hearing; revocation of parole or mandatory supervised release; revocation hearing.

(a) If prior to expiration or termination of the term of parole or mandatory supervised release, a person violates a condition set by the Prisoner Review Board or a condition of parole or mandatory supervised release under Section 3-3-7 of this Code to govern that term, the Board may:

(1) continue the existing term, with or without modifying or enlarging the conditions; or

(2) parole or release the person to a half-way house; or

(3) revoke the parole or mandatory supervised release and reconfine the person for a term computed in the following manner:

(i) (A) For those sentenced under the law in effect prior to this amendatory Act of 1977, the recommitment shall be for any portion of the imposed maximum term of imprisonment or confinement which had not been served at the time of parole and the parole term, less the time elapsed between the parole of the person and the commission of the violation for which parole was revoked;

(B) Except as set forth in paragraph (C), for those subject to mandatory supervised release under paragraph (d) of Section 5-8-1 of this Code, the recommitment shall be for the total mandatory supervised release term, less the time elapsed between the release of the person and the commission of the violation for which mandatory supervised release is revoked. The Board may also order that a prisoner serve up to one year of the sentence imposed by the court which was not served due to the accumulation of sentence credit;

(C) For those subject to sex offender supervision under clause (d)(4) of Section 5-8-1 of this Code, the reconfinement period for violations of clauses (a)(3) through (b-1)(15) of Section 3-3-7 shall not exceed 2 years from the date of reconfinement;

(ii) the person shall be given credit against the term of reimprisonment or reconfinement for time spent in custody since he or she was paroled or released which has not been credited against another sentence or period of confinement;

(iii) (blank);

(iv) this Section is subject to the release under supervision and the reparole and rerelease provisions of Section 3-3-10.

(b) The Board may revoke parole or mandatory supervised release for violation of a condition for the duration of the term and for any further period which is reasonably necessary for the adjudication of matters arising before its expiration. The issuance of a warrant of arrest for an alleged violation of the conditions of parole or mandatory supervised release shall toll the running of the term until the final determination of the charge. When parole or mandatory supervised release is not revoked that period shall be credited to the term, unless a community-based sanction is imposed as an alternative to revocation and reincarceration, including a diversion established by the Illinois Department of Corrections Parole Services Unit prior to the holding of a preliminary parole revocation hearing. Parolees who are diverted to a community-based sanction shall serve the entire term of parole or mandatory supervised release, if otherwise appropriate.

(b-5) The Board shall revoke parole or mandatory supervised release for violation of the conditions prescribed in paragraph (7.6) of subsection (a) of Section 3-3-7.

(c) A person charged with violating a condition of parole or mandatory supervised release shall have a preliminary hearing before a hearing officer designated by the Board to determine if there is cause to hold the person for a revocation hearing. However, no preliminary hearing need be held when revocation is

based upon new criminal charges and a court finds probable cause on the new criminal charges or when the revocation is based upon a new criminal conviction and a certified copy of that conviction is available.

(d) Parole or mandatory supervised release shall not be revoked without written notice to the offender setting forth the violation of parole or mandatory supervised release charged against him or her.

(e) A hearing on revocation shall be conducted before at least one member of the Prisoner Review Board. The Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. A record of the hearing shall be made. At the hearing the offender shall be permitted to:

(1) appear and answer the charge; and

(2) bring witnesses on his or her behalf.

(f) The Board shall either revoke parole or mandatory supervised release or order the person's term continued with or without modification or enlargement of the conditions.

(g) Parole or mandatory supervised release shall not be revoked for failure to make payments under the conditions of parole or release unless the Board determines that such failure is due to the offender's willful refusal to pay.

(Source: P.A. 98-463, eff. 8-16-13; 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

(Text of Section after amendment by P.A. 100-1182)

Sec. 3-3-9. Violations; changes of conditions; preliminary hearing; revocation of parole or mandatory supervised release; revocation hearing.

(a) If prior to expiration or termination of the term of parole or mandatory supervised release, a person violates a condition set by the Prisoner Review Board or a condition of parole or mandatory supervised release under Section 3-3-7 of this Code to govern that term, the Board may:

(1) continue the existing term, with or without modifying or enlarging the conditions; or

(1.5) for those released as a result of youthful offender parole as set forth in Section 5-4.5-115 ~~5-4.5-110~~ of this Code, order that the inmate be subsequently rereleased to serve a specified mandatory supervised release term not to exceed the full term permitted under the provisions of Section 5-4.5-115 ~~5-4.5-110~~ and subsection (d) of Section 5-8-1 of this Code and may modify or enlarge the conditions of the release as the Board deems proper; or

(2) parole or release the person to a half-way house; or

(3) revoke the parole or mandatory supervised release and reconfine the person for a term computed in the following manner:

(i) (A) For those sentenced under the law in effect prior to this amendatory Act of 1977, the recommitment shall be for any portion of the imposed maximum term of imprisonment or confinement which had not been served at the time of parole and the parole term, less the time elapsed between the parole of the person and the commission of the violation for which parole was revoked;

(B) Except as set forth in paragraphs (C) and (D), for those subject to mandatory supervised release under paragraph (d) of Section 5-8-1 of this Code, the recommitment shall be for the total mandatory supervised release term, less the time elapsed between the release of the person and the commission of the violation for which mandatory supervised release is revoked. The Board may also order that a prisoner serve up to one year of the sentence imposed by the court which was not served due to the accumulation of sentence credit;

(C) For those subject to sex offender supervision under clause (d)(4) of Section 5-8-1 of this Code, the reconfinement period for violations of clauses (a)(3) through (b-1)(15) of Section 3-3-7 shall not exceed 2 years from the date of reconfinement;

(D) For those released as a result of youthful offender parole as set forth in Section 5-4.5-115 ~~5-4.5-110~~ of this Code, the reconfinement period shall be for the total mandatory supervised release term, less the time elapsed between the release of the person and the commission of the violation for which mandatory supervised release is revoked. The Board may also order that a prisoner serve up to one year of the mandatory supervised release term previously earned. The Board may also order that the inmate be subsequently rereleased to serve a specified mandatory supervised release term not to exceed the full term permitted under the provisions of Section 5-4.5-115 ~~5-4.5-110~~ and subsection (d) of Section 5-8-1 of this Code and may modify or enlarge the conditions of the release as the Board deems proper;

(ii) the person shall be given credit against the term of reimprisonment or reconfinement for time spent in custody since he or she was paroled or released which has not been credited against another sentence or period of confinement;

(iii) (blank);

(iv) this Section is subject to the release under supervision and the reparole and rerelease provisions of Section 3-3-10.

(b) The Board may revoke parole or mandatory supervised release for violation of a condition for the duration of the term and for any further period which is reasonably necessary for the adjudication of matters arising before its expiration. The issuance of a warrant of arrest for an alleged violation of the conditions of parole or mandatory supervised release shall toll the running of the term until the final determination of the charge. When parole or mandatory supervised release is not revoked that period shall be credited to the term, unless a community-based sanction is imposed as an alternative to revocation and reincarceration, including a diversion established by the Illinois Department of Corrections Parole Services Unit prior to the holding of a preliminary parole revocation hearing. Parolees who are diverted to a community-based sanction shall serve the entire term of parole or mandatory supervised release, if otherwise appropriate.

(b-5) The Board shall revoke parole or mandatory supervised release for violation of the conditions prescribed in paragraph (7.6) of subsection (a) of Section 3-3-7.

(c) A person charged with violating a condition of parole or mandatory supervised release shall have a preliminary hearing before a hearing officer designated by the Board to determine if there is cause to hold the person for a revocation hearing. However, no preliminary hearing need be held when revocation is based upon new criminal charges and a court finds probable cause on the new criminal charges or when the revocation is based upon a new criminal conviction and a certified copy of that conviction is available.

(d) Parole or mandatory supervised release shall not be revoked without written notice to the offender setting forth the violation of parole or mandatory supervised release charged against him or her.

(e) A hearing on revocation shall be conducted before at least one member of the Prisoner Review Board. The Board may meet and order its actions in panels of 3 or more members. The action of a majority of the panel shall be the action of the Board. A record of the hearing shall be made. At the hearing the offender shall be permitted to:

(1) appear and answer the charge; and

(2) bring witnesses on his or her behalf.

(f) The Board shall either revoke parole or mandatory supervised release or order the person's term continued with or without modification or enlargement of the conditions.

(g) Parole or mandatory supervised release shall not be revoked for failure to make payments under the conditions of parole or release unless the Board determines that such failure is due to the offender's willful refusal to pay.

(Source: P.A. 99-628, eff. 1-1-17; 100-1182, eff. 6-1-19; revised 4-3-19.)"; and

by replacing line 22 on page 33 through line 8 on page 34 with the following:

"(b-5) Victims registered with the Board shall receive reasonable written notice not less than 30 days prior to the executive clemency hearing date. The victim has the right to submit a victim statement to the Prisoner Review Board for consideration at an executive clemency hearing as provided in subsection (c) of this Section. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public.

(c) The Board shall, ~~if requested and~~ upon due notice, give a hearing to each application, allowing representation by counsel, if desired, after which it shall confidentially advise the Governor by a written report of its recommendations which shall be determined by majority vote. The written report to the Governor shall be confidential and privileged, including any reports made prior to the effective date of this amendatory Act of the 101st General Assembly. The Board shall meet to consider such petitions no less than 4 times each year.

Application for executive clemency under this Section may not be commenced on behalf of a person who has been sentenced to death without the written consent of the defendant, unless the defendant, because of a mental or physical condition, is incapable of asserting his or her own claim."; and

by replacing line 1 on page 35 through line 7 on page 36 with the following:

"(730 ILCS 5/5-4.5-115)

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

Sec. 5-4.5-115 ~~5-4.5-110~~. Parole review of persons under the age of 21 at the time of the commission of an offense.

(a) For purposes of this Section, "victim" means a victim of a violent crime as defined in subsection (a) of Section 3 of the Rights of Crime Victims and Witnesses Act including a witness as defined in subsection

(b) of Section 3 of the Rights of Crime Victims and Witnesses Act; any person legally related to the victim by blood, marriage, adoption, or guardianship; any friend of the victim; or any concerned citizen.

(b) A person under 21 years of age at the time of the commission of an offense or offenses, other than first degree murder, and who is not serving a sentence for first degree murder and who is sentenced on or after June 1, 2019 (the effective date of Public Act 100-1182) ~~this amendatory Act of the 100th General Assembly~~ shall be eligible for parole review by the Prisoner Review Board after serving 10 years or more of his or her sentence or sentences, except for those serving a sentence or sentences for: (1) aggravated criminal sexual assault who shall be eligible for parole review by the Prisoner Review Board after serving 20 years or more of his or her sentence or sentences or (2) predatory criminal sexual assault of a child who shall not be eligible for parole review by the Prisoner Review Board under this Section. A person under 21 years of age at the time of the commission of first degree murder who is sentenced on or after June 1, 2019 (the effective date of Public Act 100-1182) ~~this amendatory Act of the 100th General Assembly~~ shall be eligible for parole review by the Prisoner Review Board after serving 20 years or more of his or her sentence or sentences, except for those subject to a term of natural life imprisonment under Section 5-8-1 of this Code or any person subject to sentencing under subsection (c) of Section 5-4.5-105 of this Code.

(c) Three years prior to becoming eligible for parole review, the eligible person may file his or her petition for parole review with the Prisoner Review Board. The petition shall include a copy of the order of commitment and sentence to the Department of Corrections for the offense or offenses for which review is sought. Within 30 days of receipt of this petition, the Prisoner Review Board shall determine whether the petition is appropriately filed, and if so, shall set a date for parole review 3 years from receipt of the petition and notify the Department of Corrections within 10 business days. If the Prisoner Review Board determines that the petition is not appropriately filed, it shall notify the petitioner in writing, including a basis for its determination.

(d) Within 6 months of the Prisoner Review Board's determination that the petition was appropriately filed, a representative from the Department of Corrections shall meet with the eligible person and provide the inmate information about the parole hearing process and personalized recommendations for the inmate regarding his or her work assignments, rehabilitative programs, and institutional behavior. Following this meeting, the eligible person has 7 calendar days to file a written request to the representative from the Department of Corrections who met with the eligible person of any additional programs and services which the eligible person believes should be made available to prepare the eligible person for return to the community.

(e) One year prior to the person being eligible for parole, counsel shall be appointed by the Prisoner Review Board upon a finding of indigency. The eligible person may waive appointed counsel or retain his or her own counsel at his or her own expense.

(f) Nine months prior to the hearing, the Prisoner Review Board shall provide the eligible person, and his or her counsel, any written documents or materials it will be considering in making its decision unless the written documents or materials are specifically found to: (1) include information which, if disclosed, would damage the therapeutic relationship between the inmate and a mental health professional; (2) subject any person to the actual risk of physical harm; (3) threaten the safety or security of the Department or an institution. In accordance with Section 4.5(d)(4) of the Rights of Crime Victims and Witnesses Act and Section 10 ~~35~~ of the Open Parole Hearings Act, victim ~~impact~~ statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public. Victim statements ~~either oral, written, video-taped, tape recorded or made by other electronic means~~ shall not be considered public documents under the provisions of the Freedom of Information Act. The inmate or his or her attorney shall not be given a copy of the statement, but shall be informed of the existence of a victim ~~impact~~ statement and the position taken by the victim on the inmate's request for parole. This shall not be construed to permit disclosure to an inmate of any information which might result in the risk of threats or physical harm to a victim. The Prisoner Review Board shall have an ongoing duty to provide the eligible person, and his or her counsel, with any further documents or materials that come into its possession prior to the hearing subject to the limitations contained in this subsection.

(g) Not less than 12 months prior to the hearing, the Prisoner Review Board shall provide notification to the State's Attorney of the county from which the person was committed and written notification to the victim or family of the victim of the scheduled hearing place, date, and approximate time. The written notification shall contain: (1) information about their right to be present, appear in person at the parole hearing, and their right to make an oral statement and submit information in writing, by videotape, tape recording, or other electronic means; (2) a toll-free number to call for further information about the parole review process; and (3) information regarding available resources, including trauma-informed therapy, they may access. If the Board does not have knowledge of the current address of the victim or family of

the victim, it shall notify the State's Attorney of the county of commitment and request assistance in locating the victim or family of the victim. Those victims or family of the victims who advise the Board in writing that they no longer wish to be notified shall not receive future notices. A victim shall have the right to submit information by videotape, tape recording, or other electronic means. The victim may submit this material prior to or at the parole hearing. The victim also has the right to be heard at the parole hearing.

(h) The hearing conducted by the Prisoner Review Board shall be governed by Sections 15 and 20, subsection (f) of Section 5, subsections ~~subsection~~ (a) , (a-5), (b), (b-5), and (c) of Section 10, and subsection (d) of Section 25 ~~, and subsections (a), (b), and (e) of Section 35~~ of the Open Parole Hearings Act and Part 1610 of Title 20 of the Illinois Administrative Code. The eligible person has a right to be present at the Prisoner Review Board hearing, unless the Prisoner Review Board determines the eligible person's presence is unduly burdensome when conducting a hearing under paragraph (6.6) of subsection (a) of Section 3-3-2 of this Code. If a psychological evaluation is submitted for the Prisoner Review Board's consideration, it shall be prepared by a person who has expertise in adolescent brain development and behavior, and shall take into consideration the diminished culpability of youthful offenders, the hallmark features of youth, and any subsequent growth and increased maturity of the person. At the hearing, the eligible person shall have the right to make a statement on his or her own behalf.

(i) Only upon motion for good cause shall the date for the Prisoner Review Board hearing, as set by subsection (b) of this Section, be changed. No less than 15 days prior to the hearing, the Prisoner Review Board shall notify the victim or victim representative, the attorney, and the eligible person of the exact date and time of the hearing. All hearings shall be open to the public.

(j) The Prisoner Review Board shall not parole the eligible person if it determines that:

(1) there is a substantial risk that the eligible person will not conform to reasonable conditions of parole or aftercare release; or

(2) the eligible person's release at that time would deprecate the seriousness of his or her offense or promote disrespect for the law; or

(3) the eligible person's release would have a substantially adverse effect on institutional discipline.

In considering the factors affecting the release determination under 20 Ill. Adm. Code 1610.50(b), the Prisoner Review Board panel shall consider the diminished culpability of youthful offenders, the hallmark features of youth, and any subsequent growth and maturity of the youthful offender during incarceration.

(k) Unless denied parole under subsection (j) of this Section and subject to the provisions of Section 3-3-9 of this Code: (1) the eligible person serving a sentence for any non-first degree murder offense or offenses, shall be released on parole which shall operate to discharge any remaining term of years sentence imposed upon him or her, notwithstanding any required mandatory supervised release period the eligible person is required to serve; and (2) the eligible person serving a sentence for any first degree murder offense, shall be released on mandatory supervised release for a period of 10 years subject to Section 3-3-8, which shall operate to discharge any remaining term of years sentence imposed upon him or her, however in no event shall the eligible person serve a period of mandatory supervised release greater than the aggregate of the discharged underlying sentence and the mandatory supervised release period as sent forth in Section 5-4.5-20.

(l) If the Prisoner Review Board denies parole after conducting the hearing under subsection (j) of this Section, it shall issue a written decision which states the rationale for denial, including the primary factors considered. This decision shall be provided to the eligible person and his or her counsel within 30 days.

(m) A person denied parole under subsection (j) of this Section, who is not serving a sentence for either first degree murder or aggravated criminal sexual assault, shall be eligible for a second parole review by the Prisoner Review Board 5 years after the written decision under subsection (l) of this Section; a person denied parole under subsection (j) of this Section, who is serving a sentence or sentences for first degree murder or aggravated criminal sexual assault shall be eligible for a second and final parole review by the Prisoner Review Board 10 years after the written decision under subsection (k) of this Section. The procedures for a second parole review shall be governed by subsections (c) through (k) of this Section.

(n) A person denied parole under subsection (m) of this Section, who is not serving a sentence for either first degree murder or aggravated criminal sexual assault, shall be eligible for a third and final parole review by the Prisoner Review Board 5 years after the written decision under subsection (l) of this Section. The procedures for the third and final parole review shall be governed by subsections (c) through (k) of this Section.

(o) Notwithstanding anything else to the contrary in this Section, nothing in this Section shall be construed to delay parole or mandatory supervised release consideration for petitioners who are or will be eligible for release earlier than this Section provides. Nothing in this Section shall be construed as a limit,

substitution, or bar on a person's right to sentencing relief, or any other manner of relief, obtained by order of a court in proceedings other than as provided in this Section.
(Source: P.A. 100-1182, eff. 6-1-19; revised 4-2-19.)

(730 ILCS 5/5-4.5-20)

(Text of Section before amendment by P.A. 100-1182)

Sec. 5-4.5-20. FIRST DEGREE MURDER; SENTENCE. For first degree murder:

(a) TERM. The defendant shall be sentenced to imprisonment or, if appropriate, death under Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-1). Imprisonment shall be for a determinate term of (1) not less than 20 years and not more than 60 years; (2) not less than 60 years and not more than 100 years when an extended term is imposed under Section 5-8-2 (730 ILCS 5/5-8-2); or (3) natural life as provided in Section 5-8-1 (730 ILCS 5/5-8-1).

(b) PERIODIC IMPRISONMENT. A term of periodic imprisonment shall not be imposed.

(c) IMPACT INCARCERATION. The impact incarceration program or the county impact incarceration program is not an authorized disposition.

(d) PROBATION; CONDITIONAL DISCHARGE. A period of probation or conditional discharge shall not be imposed.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. Drug court is not an authorized disposition.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning no credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. Electronic monitoring and home detention are not authorized dispositions, except in limited circumstances as provided in Section 5-8A-3 (730 ILCS 5/5-8A-3).

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 (730 ILCS 5/3-3-8), the parole or mandatory supervised release term shall be 3 years upon release from imprisonment.
(Source: P.A. 100-431, eff. 8-25-17.)

(Text of Section after amendment by P.A. 100-1182)

Sec. 5-4.5-20. FIRST DEGREE MURDER; SENTENCE. For first degree murder:

(a) TERM. The defendant shall be sentenced to imprisonment or, if appropriate, death under Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-1). Imprisonment shall be for a determinate term, subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code, of (1) not less than 20 years and not more than 60 years; (2) not less than 60 years and not more than 100 years when an extended term is imposed under Section 5-8-2 (730 ILCS 5/5-8-2); or (3) natural life as provided in Section 5-8-1 (730 ILCS 5/5-8-1).

(b) PERIODIC IMPRISONMENT. A term of periodic imprisonment shall not be imposed.

(c) IMPACT INCARCERATION. The impact incarceration program or the county impact incarceration program is not an authorized disposition.

(d) PROBATION; CONDITIONAL DISCHARGE. A period of probation or conditional discharge shall not be imposed.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. Drug court is not an authorized disposition.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning no credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. Electronic monitoring and home detention are not authorized dispositions, except in limited circumstances as provided in Section 5-8A-3 (730 ILCS 5/5-8A-3).

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 (730 ILCS 5/3-3-8), the parole or mandatory supervised release term shall be 3 years upon release from imprisonment.

(Source: P.A. 100-431, eff. 8-25-17; 100-1182, eff. 6-1-19; revised 4-3-19.)

(730 ILCS 5/5-4.5-25)

(Text of Section before amendment by P.A. 100-1182)

Sec. 5-4.5-25. CLASS X FELONIES; SENTENCE. For a Class X felony:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of not less than 6 years and not more than 30 years. The sentence of imprisonment for an extended term Class X felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall be not less than 30 years and not more than 60 years.

(b) PERIODIC IMPRISONMENT. A term of periodic imprisonment shall not be imposed.

(c) IMPACT INCARCERATION. The impact incarceration program or the county impact incarceration program is not an authorized disposition.

(d) PROBATION; CONDITIONAL DISCHARGE. A period of probation or conditional discharge shall not be imposed.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning no credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be 3 years upon release from imprisonment.

(Source: P.A. 100-431, eff. 8-25-17.)

(Text of Section after amendment by P.A. 100-1182)

Sec. 5-4.5-25. CLASS X FELONIES; SENTENCE. For a Class X felony:

(a) TERM. The sentence of imprisonment shall be a determinate sentence, subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code, of not less than 6 years and not more than 30 years. The sentence of imprisonment for an extended term Class X felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code, shall be not less than 30 years and not more than 60 years.

(b) PERIODIC IMPRISONMENT. A term of periodic imprisonment shall not be imposed.

(c) IMPACT INCARCERATION. The impact incarceration program or the county impact incarceration program is not an authorized disposition.

(d) PROBATION; CONDITIONAL DISCHARGE. A period of probation or conditional discharge shall not be imposed.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning no credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be 3 years upon release from imprisonment.

(Source: P.A. 100-431, eff. 8-25-17; 100-1182, eff. 6-1-19; revised 4-3-19.)

(730 ILCS 5/5-4.5-30)

(Text of Section before amendment by P.A. 100-1182)

Sec. 5-4.5-30. CLASS 1 FELONIES; SENTENCE. For a Class 1 felony:

(a) TERM. The sentence of imprisonment, other than for second degree murder, shall be a determinate sentence of not less than 4 years and not more than 15 years. The sentence of imprisonment for second degree murder shall be a determinate sentence of not less than 4 years and not more than 20 years. The sentence of imprisonment for an extended term Class 1 felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall be a term not less than 15 years and not more than 30 years.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of from 3 to 4 years, except as otherwise provided in Section 5-5-3 or 5-7-1 (730 ILCS 5/5-5-3 or 5/5-7-1).

(c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for the impact incarceration program or the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the period of probation or conditional discharge shall not exceed 4 years. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3). In no case shall an offender be eligible for a disposition of probation or conditional discharge for a Class 1 felony committed while he or she was serving a term of probation or conditional discharge for a felony.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be 2 years upon release from imprisonment.

(Source: P.A. 100-431, eff. 8-25-17.)

(Text of Section after amendment by P.A. 100-1182)

Sec. 5-4.5-30. CLASS 1 FELONIES; SENTENCE. For a Class 1 felony:

(a) TERM. The sentence of imprisonment, other than for second degree murder, shall be a determinate sentence of not less than 4 years and not more than 15 years, subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code. The sentence of imprisonment for second degree murder shall be a determinate sentence of not less than 4 years and not more than 20 years, subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code. The sentence of imprisonment for an extended term Class 1 felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code, shall be a term not less than 15 years and not more than 30 years.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of from 3 to 4 years, except as otherwise provided in Section 5-5-3 or 5-7-1 (730 ILCS 5/5-5-3 or 5/5-7-1).

(c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for the impact incarceration program or the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the period of probation or conditional discharge shall not exceed 4 years. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3). In no case shall an offender be eligible for a disposition of probation or conditional discharge for a Class 1 felony committed while he or she was serving a term of probation or conditional discharge for a felony.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be 2 years upon release from imprisonment.

(Source: P.A. 100-431, eff. 8-25-17; 100-1182, eff. 6-1-19; revised 4-3-19.)

(730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

(Text of Section before amendment by P.A. 100-1182)

Sec. 5-8-1. Natural life imprisonment; enhancements for use of a firearm; mandatory supervised release terms.

(a) Except as otherwise provided in the statute defining the offense or in Article 4.5 of Chapter V, a sentence of imprisonment for a felony shall be a determinate sentence set by the court under this Section, according to the following limitations:

(1) for first degree murder,

(a) (blank),

(b) if a trier of fact finds beyond a reasonable doubt that the murder was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty or, except as set forth in subsection (a)(1)(c) of this Section, that any of the aggravating factors listed in subsection (b) or (b-5) of Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 are present, the court may sentence the defendant, subject to Section 5-4.5-105, to a term of natural life imprisonment, or

(c) the court shall sentence the defendant to a term of natural life imprisonment if the defendant, at the time of the commission of the murder, had attained the age of 18, and

(i) has previously been convicted of first degree murder under any state or federal law, or

(ii) is found guilty of murdering more than one victim, or

(iii) is found guilty of murdering a peace officer, fireman, or emergency management worker when the peace officer, fireman, or emergency management worker was killed in the course of performing his official duties, or to prevent the peace officer or fireman from performing his official duties, or in retaliation for the peace officer, fireman, or emergency management worker from performing his official duties, and the defendant knew or should have known that the murdered individual was a peace officer, fireman, or emergency management worker, or

(iv) is found guilty of murdering an employee of an institution or facility of the Department of Corrections, or any similar local correctional agency, when the employee was killed in the course of performing his official duties, or to prevent the employee from performing his official duties, or in retaliation for the employee performing his official duties, or

(v) is found guilty of murdering an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid person while employed by a municipality or other governmental unit when the person was killed in the course of performing official duties or to prevent the person from performing official duties or in retaliation for performing official duties and the defendant knew or should have known that the murdered individual was an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistant or first aid personnel, or

(vi) (blank), or

(vii) is found guilty of first degree murder and the murder was committed by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012.

For purposes of clause (v), "emergency medical technician - ambulance", "emergency

medical technician - intermediate", "emergency medical technician - paramedic", have the meanings ascribed to them in the Emergency Medical Services (EMS) Systems Act.

(d) (i) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(ii) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(iii) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(2) (blank);

(2.5) for a person who has attained the age of 18 years at the time of the commission of the offense and who is convicted under the circumstances described in subdivision (b)(1)(B) of Section 11-1.20 or paragraph (3) of subsection (b) of Section 12-13, subdivision (d)(2) of Section 11-1.30 or paragraph (2) of subsection (d) of Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or paragraph (1.2) of subsection (b) of Section 12-14.1, subdivision (b)(2) of Section 11-1.40 or paragraph (2) of subsection (b) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012, the sentence shall be a term of natural life imprisonment.

(b) (Blank).

(c) (Blank).

(d) Subject to earlier termination under Section 3-3-8, the parole or mandatory supervised release term shall be written as part of the sentencing order and shall be as follows:

(1) for first degree murder or a Class X felony except for the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offense of aggravated child pornography under Section 11-20.1B, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 3 years;

(2) for a Class 1 felony or a Class 2 felony except for the offense of criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offenses of manufacture and dissemination of child pornography under clauses (a)(1) and (a)(2) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 2 years;

(3) for a Class 3 felony or a Class 4 felony, 1 year;

(4) for defendants who commit the offense of predatory criminal sexual assault of a child, aggravated criminal sexual assault, or criminal sexual assault, on or after the effective date of this amendatory Act of the 94th General Assembly, or who commit the offense of aggravated child pornography under Section 11-20.1B, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, manufacture of child pornography, or dissemination of child pornography after January 1, 2009, the term of mandatory supervised release shall range from a minimum of 3 years to a maximum of the natural life of the defendant;

(5) if the victim is under 18 years of age, for a second or subsequent offense of aggravated criminal sexual abuse or felony criminal sexual abuse, 4 years, at least the first 2 years of which the defendant shall serve in an electronic monitoring or home detention program under Article 8A of Chapter V of this Code;

(6) for a felony domestic battery, aggravated domestic battery, stalking, aggravated stalking, and a felony violation of an order of protection, 4 years.

(e) (Blank).

(f) (Blank).

(Source: P.A. 99-69, eff. 1-1-16; 99-875, eff. 1-1-17; 100-431, eff. 8-25-17.)

(Text of Section after amendment by P.A. 100-1182)

Sec. 5-8-1. Natural life imprisonment; enhancements for use of a firearm; mandatory supervised release terms.

(a) Except as otherwise provided in the statute defining the offense or in Article 4.5 of Chapter V, a sentence of imprisonment for a felony shall be a determinate sentence set by the court under this Section, subject to Section 5-4.5-115 ~~5-4.5-110~~ of this Code, according to the following limitations:

(1) for first degree murder,

(a) (blank),

(b) if a trier of fact finds beyond a reasonable doubt that the murder was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty or, except as set forth in subsection (a)(1)(c) of this Section, that any of the aggravating factors listed in subsection (b) or (b-5) of Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 are present, the court may sentence the defendant, subject to Section 5-4.5-105, to a term of natural life imprisonment, or

(c) the court shall sentence the defendant to a term of natural life imprisonment if the defendant, at the time of the commission of the murder, had attained the age of 18, and

(i) has previously been convicted of first degree murder under any state or federal law, or

(ii) is found guilty of murdering more than one victim, or

(iii) is found guilty of murdering a peace officer, fireman, or emergency management worker when the peace officer, fireman, or emergency management worker was killed in the course of performing his official duties, or to prevent the peace officer or fireman from performing his official duties, or in retaliation for the peace officer, fireman, or emergency management worker from performing his official duties, and the defendant knew or should have known that the murdered individual was a peace officer, fireman, or emergency management worker, or

(iv) is found guilty of murdering an employee of an institution or facility of the Department of Corrections, or any similar local correctional agency, when the employee was killed in the course of performing his official duties, or to prevent the employee from performing his official duties, or in retaliation for the employee performing his official duties, or

(v) is found guilty of murdering an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid person while employed by a municipality or other governmental unit when the person was killed in the course of performing official duties or to prevent the person from performing official duties or in retaliation for performing official duties and the defendant knew or should have known that the murdered individual was an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistant or first aid personnel, or

(vi) (blank), or

(vii) is found guilty of first degree murder and the murder was committed by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012.

For purposes of clause (v), "emergency medical technician - ambulance", "emergency medical technician - intermediate", "emergency medical technician - paramedic", have the meanings ascribed to them in the Emergency Medical Services (EMS) Systems Act.

(d) (i) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(ii) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(iii) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(2) (blank);

(2.5) for a person who has attained the age of 18 years at the time of the commission of the offense and who is convicted under the circumstances described in subdivision (b)(1)(B) of Section 11-1.20 or paragraph (3) of subsection (b) of Section 12-13, subdivision (d)(2) of Section 11-1.30 or paragraph (2) of subsection (d) of Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or paragraph (1.2) of subsection (b) of Section 12-14.1, subdivision (b)(2) of Section 11-1.40 or paragraph (2) of subsection (b) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012, the sentence shall be a term of natural life imprisonment.

(b) (Blank).

(c) (Blank).

(d) Subject to earlier termination under Section 3-3-8, the parole or mandatory supervised release term shall be written as part of the sentencing order and shall be as follows:

(1) for first degree murder or a Class X felony except for the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offense of aggravated child pornography under Section 11-20.1B, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 3 years;

(2) for a Class 1 felony or a Class 2 felony except for the offense of criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offenses of manufacture and dissemination of child pornography under clauses (a)(1) and (a)(2) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 2 years;

(3) for a Class 3 felony or a Class 4 felony, 1 year;

(4) for defendants who commit the offense of predatory criminal sexual assault of a child, aggravated criminal sexual assault, or criminal sexual assault, on or after the effective date of this amendatory Act of the 94th General Assembly, or who commit the offense of aggravated child pornography under Section 11-20.1B, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, manufacture of child pornography, or dissemination of child pornography after January 1, 2009, the term of mandatory supervised release shall range from a minimum of 3 years to a maximum of the natural life of the defendant;

(5) if the victim is under 18 years of age, for a second or subsequent offense of aggravated criminal sexual abuse or felony criminal sexual abuse, 4 years, at least the first 2 years of which the defendant shall serve in an electronic monitoring or home detention program under Article 8A of Chapter V of this Code;

(6) for a felony domestic battery, aggravated domestic battery, stalking, aggravated stalking, and a felony violation of an order of protection, 4 years.

(e) (Blank).

(f) (Blank).

(Source: P.A. 99-69, eff. 1-1-16; 99-875, eff. 1-1-17; 100-431, eff. 8-25-17; 100-1182, eff. 6-1-19; revised 4-3-19.)

Section 15. The Open Parole Hearings Act is amended by changing Sections 10 and 25 as follows:

(730 ILCS 105/10) (from Ch. 38, par. 1660)

Sec. 10. Victim ~~Victim's~~ statements.

(a) The Board shall receive and consider victim statements.

(a-5) Pursuant to paragraph (19) of subsection (b) of Section 4.5 of the Rights of Crime Victims and Witnesses Act ~~Upon request of the victim~~, the State's Attorney shall forward a copy of any statement presented at the time of trial to the Prisoner Review Board to be considered at the time of a parole hearing.

(b) The victim has the right to submit a victim statement for consideration by the Prisoner Review Board in writing, on film, videotape, or other electronic means, or in the form of a recording prior to the parole hearing, or orally at the parole hearing, or by calling the toll-free number established in subsection (f) of Section 4.5 of the Rights of Crime Victims and Witnesses Act. Victim statements shall not be considered public documents under provisions of the Freedom of Information Act.

(b-5) Other than as provided in subsection (c), the Board shall not release any material to the inmate, the inmate's attorney, any third party, or any other person that contains any information from a victim who has provided a victim statement to the Board, unless provided with a waiver from that victim. The Board shall not release the names or addresses of any person on its victim registry to any other person except the victim, a law enforcement agency, or other victim notification system. Victim statements provided to the Board shall be confidential and privileged, including any statements received prior to the effective date of this amendatory Act of the 101st General Assembly, except if the statement was an oral statement made by the victim at a hearing open to the public.

(c) The inmate or his or her attorney shall be informed of the existence of a victim statement and its contents under provisions of Board rules. This shall not be construed to permit disclosure to an inmate of any information which might result in the risk of threats or physical harm to a victim or complaining witness.

(d) The inmate shall be given the opportunity to answer a victim statement, either orally or in writing.

(e) All victim statements, except if the statement was an oral statement made by the victim at a hearing open to the public, shall be part of the applicant's, releasee's, or parolee's parole file. ~~The victim may enter a statement either oral, written, on video tape, or other electronic means in the form and manner described by the Prisoner Review Board to be considered at the time of a parole consideration hearing.~~

(Source: P.A. 98-558, eff. 1-1-14; 99-628, eff. 1-1-17.)

(730 ILCS 105/25) (from Ch. 38, par. 1675)

Sec. 25. Notification of future parole hearings.

(a) The Board shall notify the State's Attorney of the committing county of the pending hearing and the victim of all forthcoming parole hearings at least 15 days in advance. Written notification shall contain:

(1) notification of the place of the hearing;

(2) the date and approximate time of the hearing;

(3) their right to enter a statement, to appear in person, and to submit other information by video tape, tape recording, or other electronic means in the form and manner described by the Board or ~~if a victim of a violent crime as defined in subsection (c) of Section 3 of the Rights of Crime Victims and Witnesses Act,~~ by calling the toll-free number established in subsection (f) of Section 4.5 of the Rights of Crime Victims and Witnesses Act ~~subsection (f) of that Section~~.

Notification to the victims shall be at the last known address of the victim. It shall be the responsibility of the victim to notify the board of any changes in address and name.

(b) However, at any time the victim may request by a written certified statement that the Prisoner Review Board stop sending notice under this Section.

(c) (Blank).

(d) No later than 7 days after a parole hearing the Board shall send notice of its decision to the State's Attorney and victim. If parole is denied, the Board shall within a reasonable period of time notify the victim of the month and year of the next scheduled hearing.

(Source: P.A. 93-235, eff. 7-22-03.)

(730 ILCS 105/35 rep.)

Section 20. The Open Parole Hearings Act is amended by repealing Section 35.

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

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Peters, **House Bill No. 3587** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 3604** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **House Bill No. 3606** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3606

AMENDMENT NO. 1. Amend House Bill 3606 by replacing everything after the enacting clause with the following:

"Section 5. The Student Online Personal Protection Act is amended by changing Sections 5, 10, 15, and 30 and by adding Sections 26, 27, 28, and 33 as follows:

(105 ILCS 85/5)

Sec. 5. Definitions. In this Act:

"Breach" means the unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of covered information maintained by an operator or school. "Breach" does not include the good faith acquisition of personal information by an employee or agent of an operator or school for a legitimate purpose of the operator or school if the covered information is not used for a purpose prohibited by this Act or subject to further unauthorized disclosure.

"Covered information" means personally identifiable information or material or information that is linked to personally identifiable information or material in any media or format that is not publicly available and is any of the following:

(1) Created by or provided to an operator by a student or the student's parent or legal guardian in the course of the student's, parent's, or legal guardian's use of the operator's site, service, or application for K through 12 school purposes.

(2) Created by or provided to an operator by an employee or agent of a school or school district for K through 12 school purposes.

(3) Gathered by an operator through the operation of its site, service, or application for K through 12 school purposes and personally identifies a student, including, but not limited to, information in the student's educational record or electronic mail, first and last name, home address, telephone number, electronic mail address, or other information that allows physical or online contact, discipline records, test results, special education data, juvenile dependency records, grades, evaluations, criminal records, medical records, health records, a social security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious information, text messages, documents, student identifiers, search activity, photos, voice recordings, or geolocation information.

"Interactive computer service" has the meaning ascribed to that term in Section 230 of the federal Communications Decency Act of 1996 (47 U.S.C. 230).

"K through 12 school purposes" means purposes that are directed by or that customarily take place at the direction of a school, teacher, or school district; aid in the administration of school activities, including, but not limited to, instruction in the classroom or at home, administrative activities, and collaboration between students, school personnel, or parents; or are otherwise for the use and benefit of the school.

"Longitudinal data system" has the meaning given to that term under the P-20 Longitudinal Education Data System Act.

"Operator" means, to the extent that an entity is operating in this capacity, the operator of an Internet website, online service, online application, or mobile application with actual knowledge that the site, service, or application is used primarily for K through 12 school purposes and was designed and marketed for K through 12 school purposes.

"Parent" has the meaning given to that term under the Illinois School Student Records Act.

"School" means (1) any preschool, public kindergarten, elementary or secondary educational institution, vocational school, special educational facility, or any other elementary or secondary educational agency or institution or (2) any person, agency, or institution that maintains school student records from more than one school. Except as otherwise provided in this Act, "school" ~~"School"~~ includes a private or nonpublic school.

"State Board" means the State Board of Education.

"Student" has the meaning given to that term under the Illinois School Student Records Act.

"Targeted advertising" means presenting advertisements to a student where the advertisement is selected based on information obtained or inferred ~~over time~~ from that student's online behavior, usage of applications, or covered information. The term does not include advertising to a student at an online location based upon that student's current visit to that location or in response to that student's request for information or feedback, without the retention of that student's online activities or requests over time for the purpose of targeting subsequent ads.

(Source: P.A. 100-315, eff. 8-24-17.)

(105 ILCS 85/10)

Sec. 10. Operator prohibitions. An operator shall not knowingly do any of the following:

(1) Engage in targeted advertising on the operator's site, service, or application or target advertising on any other site, service, or application if the targeting of the advertising is based on any information, including covered information and persistent unique identifiers, that the operator has acquired because of the use of that operator's site, service, or application for K through 12 school purposes.

(2) Use information, including persistent unique identifiers, created or gathered by the operator's site, service, or application to amass a profile about a student, except in furtherance of K through 12 school purposes. "Amass a profile" does not include the collection and retention of account information that remains under the control of the student, the student's parent or legal guardian, or the school.

(3) Sell or rent a student's information, including covered information. This

subdivision (3) does not apply to the purchase, merger, or other type of acquisition of an operator by another entity if the operator or successor entity complies with this Act regarding previously acquired student information.

(4) Except as otherwise provided in Section 20 of this Act, disclose covered information, unless the disclosure is made for the following purposes:

(A) In furtherance of the K through 12 school purposes of the site, service, or application if the recipient of the covered information disclosed under this clause (A) does not further disclose the information, unless done to allow or improve operability and functionality of the operator's site, service, or application.

(B) To ensure legal and regulatory compliance or take precautions against liability.

(C) To respond to the judicial process.

(D) To protect the safety or integrity of users of the site or others or the security of the site, service, or application.

(E) For a school, educational, or employment purpose requested by the student or the student's parent or legal guardian, provided that the information is not used or further disclosed for any other purpose.

(F) To a third party if the operator contractually prohibits the third party from using any covered information for any purpose other than providing the contracted service to or on behalf of the operator, prohibits the third party from disclosing any covered information provided by the operator with subsequent third parties, and requires the third party to implement and maintain ~~reasonable~~ security procedures and practices as required under Section 15.

Nothing in this Section prohibits the operator's use of information for maintaining, developing, supporting, improving, or diagnosing the operator's site, service, or application.

(Source: P.A. 100-315, eff. 8-24-17.)

(105 ILCS 85/15)

Sec. 15. Operator duties. An operator shall do the following:

(1) Implement and maintain reasonable security procedures and practices that otherwise meet or exceed industry standards ~~appropriate to the nature of the covered information and~~ designed to protect ~~that~~ covered information from unauthorized access, destruction, use, modification, or disclosure.

(2) Delete, within a reasonable time period, a student's covered information if the school or school district requests deletion of covered information under the control of the school or school district, unless a student or his or her parent or legal guardian consents to the maintenance of the covered information.

(3) Publicly disclose material information about its collection, use, and disclosure of covered information, including, but not limited to, publishing a terms of service agreement, privacy policy, or similar document.

(4) Except for a nonpublic school, for any operator who seeks to receive from a school, school district, or the State Board in any manner any covered information, enter into a written agreement with the school, school district, or State Board before the covered information may be transferred. The written agreement may be created in electronic form and signed with an electronic or digital signature or may be a click wrap agreement that is used with software licenses, downloaded or online applications and transactions for educational technologies, or other technologies in which a user must agree to terms and conditions before using the product or service. The written agreement must contain all of the following:

(A) A listing of the categories or types of covered information to be provided to the operator.

(B) A statement of the product or service being provided to the school by the operator.

(C) A statement that the operator is acting as a school official with a legitimate educational interest, is performing an institutional service or function for which the school would otherwise use employees, under the direct control of the school, with respect to the use and maintenance of covered information, and is using the covered information only for an authorized purpose and may not re-disclose it to third parties or affiliates, unless otherwise permitted under this Act, without permission from the school or pursuant to court order.

(D) A description of how, if a breach is attributed to the operator, any costs and expenses incurred by the school in investigating and remediating the breach will be allocated between the operator and the school. The costs and expenses may include, but are not limited to:

(i) providing notification to the parents of those students whose covered information was compromised and to regulatory agencies or other entities as required by law or contract;

(ii) providing credit monitoring to those students whose covered information was exposed in a manner during the breach that a reasonable person would believe that it could impact his or her credit or financial security;

(iii) legal fees, audit costs, fines, and any other fees or damages imposed against the school as a result of the security breach; and

(iv) providing any other notifications or fulfilling any other requirements adopted by the State Board or of any other State or federal laws.

(E) A statement that the operator must delete or transfer to the school all covered information if the information is no longer needed for the purposes of the written agreement and to specify the time period in which the information must be deleted or transferred once the operator is made aware that the information is no longer needed for the purposes of the written agreement.

(F) A statement that the school must publish the written agreement on the school's website. If mutually agreed upon by the school and the operator, provisions of the written agreement, other than those under subparagraphs (A), (B), and (C), may be redacted in the copy of the written agreement published on the school's website.

(5) In case of any breach, within the most expedient time possible and without unreasonable delay, but no later than 30 calendar days after the determination that a breach has occurred, notify the school of any breach of the students' covered information.

(6) Provide to the school a list of any third parties or affiliates to whom the operator is currently disclosing covered information or has disclosed covered information. This list must, at a minimum, be updated and provided to the school by the beginning of each school year and at the beginning of each calendar year.

(Source: P.A. 100-315, eff. 8-24-17.)

(105 ILCS 85/26 new)

Sec. 26. School prohibitions. A school may not do either of the following:

(1) Sell, rent, lease, or trade covered information.

(2) Share, transfer, disclose, or provide access to a student's covered information to an entity or individual, other than the student's parent or the State Board, without a written agreement, unless the disclosure or transfer is:

(A) to the extent permitted by federal law, to law enforcement officials to protect the safety of users or others or the security or integrity of the operator's service;

(B) required by court order or State or federal law; or

(C) to ensure legal or regulatory compliance.

This paragraph (2) does not apply to nonpublic schools.

(105 ILCS 85/27 new)

Sec. 27. School duties.

(a) Each school shall post and maintain on its website all of the following information:

(1) An explanation, that is clear and understandable by a layperson, of the data elements of covered information that the school collects, maintains, or discloses to any person, entity, third party, or governmental agency. The information must explain how the school uses, to whom or what entities it discloses, and for what purpose it discloses the covered information.

(2) A list of operators that the school has written agreements with, a copy of each written agreement, and a business address for each operator.

(3) For each operator, a list of any subcontractors to whom covered information may be disclosed, as provided by the operator to the school under paragraph (6) of Section 15.

(4) A written description of the procedures that a parent may use to carry out the rights enumerated under Section 33.

(5) A list of any breaches of covered information maintained by the school or breaches under Section 15 that includes, but is not limited to, all of the following information:

(A) The number of students whose covered information is involved in the breach.

(B) The date, estimated date, or estimated date range of the breach.

(C) For a breach under Section 15, the name of the operator.

The school may omit from the list required under this paragraph (5) (i) any breach in which, to the best of the school's knowledge at the time of updating the list, the number of students whose covered information is involved in the breach is less than 10% of the school's enrollment or (ii) any breach in which, at the time of posting the list, the school is not required to notify the parent of a student under subsection (d).

The school must, at a minimum, update the items under paragraphs (1), (3), (4), and (5) no later than 30 calendar days following the start of a school year and no later than 30 days following the beginning of a calendar year.

(b) Each school must adopt a policy designating which school employees are authorized to enter into written agreements with operators. This subsection may not be construed to limit individual school

employees outside of the scope of their employment from entering into agreements with operators on their own behalf and for non-K through 12 school purposes, provided that no covered information is provided to the operators. Any agreement or contract entered into in violation of this Act is void and unenforceable as against public policy.

(c) A school must post on its website each written agreement entered into under this Act, along with any information required under subsection (a), no later than 5 business days after entering into the agreement.

(d) After receipt of notice of a breach under Section 15 or determination of a breach of covered information maintained by the school, a school shall notify, no later than 30 calendar days after receipt of the notice or determination that a breach has occurred, the parent of any student whose covered information is involved in the breach. The notification must include, but is not limited to, all of the following:

(1) The date, estimated date, or estimated date range of the breach.

(2) A description of the covered information that was compromised or reasonably believed to have been compromised in the breach.

(3) Information that the parent may use to contact the operator and school to inquire about the breach.

(4) The toll-free numbers, addresses, and websites for consumer reporting agencies.

(5) The toll-free number, address, and website for the Federal Trade Commission.

(6) A statement that the parent may obtain information from the Federal Trade Commission and consumer reporting agencies about fraud alerts and security freezes.

(e) Each school must implement and maintain reasonable security procedures and practices that otherwise meet or exceed industry standards designed to protect covered information from unauthorized access, destruction, use, modification, or disclosure. Any written agreement under which the disclosure of covered information between the school and a third party takes place must include a provision requiring the entity to whom the covered information is disclosed to implement and maintain reasonable security procedures and practices that otherwise meet or exceed industry standards designed to protect covered information from unauthorized access, destruction, use, modification, or disclosure.

(f) Each school shall designate an appropriate staff person as a privacy officer, who may also be an official records custodian as designated under the Illinois School Student Records Act, to carry out the duties and responsibilities assigned to schools and to ensure compliance with the requirements of this Section and Section 26.

(g) A school shall make a request, pursuant to paragraph (2) of Section 15, to an operator to delete covered information on behalf of a student's parent if the parent requests from the school that the student's covered information held by the operator be deleted, so long as the deletion of the covered information is not in violation of the Illinois School Student Records Act.

(h) This Section does not apply to nonpublic schools.

(105 ILCS 85/28 new)

Sec. 28. State Board duties.

(a) The State Board may not sell, rent, lease, or trade covered information.

(b) The State Board may not share, transfer, disclose, or provide covered information to an entity or individual without a contract or written agreement, except for disclosures required by federal law to federal agencies.

(c) At least once annually, the State Board must publish and maintain on its website a list of all of the entities or individuals, including, but not limited to, operators, individual researchers, research organizations, institutions of higher education, or government agencies, that the State Board contracts with or has agreements with and that hold covered information and a copy of each contract or agreement. The list must include all of the following information:

(1) The name of the entity or individual. In naming an individual, the list must include the entity that sponsors the individual or with which the individual is affiliated, if any. If the individual is conducting research at an institution of higher education, the list may include the name of that institution and a contact person in the department that is associated with the research in lieu of the name of the researcher. If the entity is an operator, the list must include its business address.

(2) The purpose and scope of the contract or agreement.

(3) The duration of the contract or agreement.

(4) The types of covered information that the entity or individual holds under the contract or agreement.

(5) The use of the covered information under the contract or agreement.

(6) The length of time for which the entity or individual may hold the covered information.

(7) A list of any subcontractors to whom covered information may be disclosed under Section 15.

(d) The State Board shall create, publish, and make publicly available an inventory, along with a dictionary or index of data elements and their definitions, of covered information collected or maintained by the State Board, including, but not limited to, both of the following:

(1) Covered information that schools are required to report to the State Board by State or federal law.

(2) Covered information in the State longitudinal data system or any data warehouse used by the State Board to populate the longitudinal data system.

The inventory shall make clear for what purposes the State Board uses the covered information.

(e) The State Board shall develop, publish, and make publicly available, for the benefit of schools, model student data privacy policies and procedures that comply with relevant State and federal law, including, but not limited to, a model notice that schools must use to provide notice to parents and students about operators. The notice must state, in general terms, the types of student data that are collected by the schools and shared with operators under this Act and the purposes of collecting and using the student data. After creation of the notice under this subsection, a school shall, at the beginning of each school year, provide the notice to parents by the same means generally used to send notices to them. This subsection does not apply to nonpublic schools.

(105 ILCS 85/30)

Sec. 30. Applicability. This Act does not do any of the following:

(1) Limit the authority of a law enforcement agency to obtain any content or information from an operator as authorized by law or under a court order.

(2) Limit the ability of an operator to use student data, including covered information, for adaptive learning or customized student learning purposes.

(3) Apply to general audience Internet websites, general audience online services, general audience online applications, or general audience mobile applications, even if login credentials created for an operator's site, service, or application may be used to access those general audience sites, services, or applications.

(4) Limit service providers from providing Internet connectivity to schools or students and their families.

(5) Prohibit an operator of an Internet website, online service, online application, or mobile application from marketing educational products directly to parents if the marketing did not result from the use of covered information obtained by the operator through the provision of services covered under this Act.

(6) Impose a duty upon a provider of an electronic store, gateway, marketplace, or other means of purchasing or downloading software or applications to review or enforce compliance with this Act on those applications or software.

(7) Impose a duty upon a provider of an interactive computer service to review or enforce compliance with this Act by third-party content providers.

(8) Prohibit students from downloading, exporting, transferring, saving, or maintaining their own student data or documents.

(9) Supersede the federal Family Educational Rights and Privacy Act of 1974 or rules adopted pursuant to that Act or the Illinois School Student Records Act.

(10) Prohibit an operator or school from producing and distributing, free or for consideration, student class photos and yearbooks to the school, students, parents, or individuals authorized by parents and to no others, in accordance with the terms of a written agreement between the operator and the school.

(Source: P.A. 100-315, eff. 8-24-17.)

(105 ILCS 85/33 new)

Sec. 33. Parent and student rights.

(a) A student's covered information is the sole property of the student's parent.

(b) A student's covered information shall be collected only for K through 12 school purposes and not further processed in a manner that is incompatible with those purposes.

(c) A student's covered information shall only be adequate, relevant, and limited to what is necessary in relation to the K through 12 school purposes for which it is processed.

(d) Except for a parent of a student enrolled in a nonpublic school, the parent of a student enrolled in a school has the right to all of the following:

(1) Inspect and review the student's covered information, regardless of whether it is maintained by the school, the State Board, or an operator.

(2) Request from a school a paper or electronic copy of the student's covered information, including covered information maintained by an operator or the State Board. If a parent requests an electronic copy of the student's covered information under this paragraph, the school must provide an electronic copy of that information, unless the school does not maintain the information in an electronic format and

reproducing the information in an electronic format would be unduly burdensome to the school. If a parent requests a paper copy of the student's covered information, the school may charge the parent the reasonable cost for copying the information in an amount not to exceed the amount fixed in a schedule adopted by the State Board, except that no parent may be denied a copy of the information due to the parent's inability to bear the cost of the copying. The State Board must adopt rules on the methodology and frequency of requests under this paragraph.

(3) Request corrections of factual inaccuracies contained in the student's covered information. After receiving a request for corrections that documents a factual inaccuracy, a school must do either of the following:

(A) Confirm the correction with the parent within 90 calendar days after receiving the parent's request if the school or State Board maintains the covered information that contains the factual inaccuracy.

(B) Notify the operator who must confirm the correction with the parent within 90 calendar days after receiving the parent's request if the covered information that contains the factual inaccuracy is maintained by an operator.

(e) Nothing in this Section shall be construed to limit the rights granted to parents and students under the Illinois School Student Records Act.

Section 99. Effective date. This Act takes effect July 1, 2021.".

Floor Amendment No. 2 was referred to the Committee on Judiciary earlier today.

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Anderson, **House Bill No. 3610** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones III, **House Bill No. 3659** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 3667** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 3668** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 3704** was taken up, read by title a second time and ordered to a third reading.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Crowe moved that **Senate Joint Resolution No. 35**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Crowe moved that Senate Joint Resolution No. 35 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martinez	Sims
Barickman	Gillespie	McClure	Stadelman
Belt	Glowiak	McConchie	Steans
Bennett	Harmon	McGuire	Stewart
Bertino-Tarrant	Harris	Morrison	Syverson
Brady	Hastings	Mulroe	Tracy
Bush	Holmes	Muñoz	Van Pelt
Castro	Hunter	Murphy	Villivalam
Collins	Hutchinson	Oberweis	Weaver

Crowe	Jones, E.	Peters	Wilcox
Cullerton, T.	Koehler	Plummer	Mr. President
Cunningham	Landek	Rezin	
DeWitte	Lightford	Righter	
Ellman	Link	Sandoval	
Fine	Manar	Schimpf	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator McGuire moved that **Senate Joint Resolution No. 41**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

The following amendment was offered in the Committee on Higher Education, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 41

AMENDMENT NO. 1. Amend Senate Joint Resolution 41 by replacing everything after the heading with the following:

"WHEREAS, The State has a vested interest in maximizing the number of students who complete credit-bearing certificate programs and two-year or four-year degree programs and enter into high-skill, high-wage occupations; and

WHEREAS, 46% of Illinois high school graduates who enroll in community college are placed into developmental coursework in at least one subject; and

WHEREAS, Inconsistent and inadequate approaches to placement have resulted in too many students being placed into developmental education who could succeed in college-level coursework; and

WHEREAS, The traditional developmental education model costs students time, money, and financial aid; and

WHEREAS, Developmental education does not count as college credit and can be a barrier to retention, persistence, transfer, and certificate or degree completion, particularly for Black, Latino, first generation, and low-income students; and

WHEREAS, There are instructional models of developmental education that have demonstrated improvement in college-level course completion compared to traditional models, including but not limited to corequisite remediation, accelerated coursework, emporium models, and Preparatory Mathematics for General Education (PMGE); and

WHEREAS, Colleges and universities have invested significant time, resources, and money into these different developmental education models; and

WHEREAS, The legislature has made significant investments to improve college preparedness; and

WHEREAS, The Illinois Council of Community College Presidents, the Illinois Chief Academic Officers, the Illinois Chief Student Services Officers, and the Illinois Math Association of Community Colleges have already agreed upon a common, multiple measures framework for placement that is currently being implemented; and

WHEREAS, To ensure all models of developmental education are maximizing students' likelihood of success, the State must inventory and evaluate all developmental education instructional models offered in the State; and

WHEREAS, The Illinois Community College Board and Illinois Board of Higher Education are well positioned to improve placement practices and fully scale developmental education reforms across all State public institutions; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois Community College Board (ICCB) and the Illinois Board of Higher Education (IBHE) shall establish a joint advisory council to provide a benchmarking report to the General Assembly on or before April 1, 2020, that shall include:

(1) An inventory of all instructional models and developmental course sequences employed by Illinois' public colleges and universities for students placed into developmental education or otherwise determined to need additional skills development in math or English;

(2) An analysis of all instructional models employed by Illinois' public colleges and universities for students placed into developmental education or otherwise determined to need additional skills development in math or English, including, at a minimum, the number and percentage of students completing gateway courses within their first two semesters under each model; and

(3) An inventory and analysis of developmental education placement practices and policies (including cut off scores) employed at all public colleges and universities in the State; and be it further

RESOLVED, That on or before July 1, 2020, the advisory council must deliver to ICCB, IBHE, and the General Assembly, a detailed plan for scaling developmental education reforms, such that institutions improve developmental education placement measures and such that, within a timeframe to be set by the advisory council, all students who are placed in developmental education are enrolled in a developmental education model that is proven to maximize their likelihood of completing a college-level course within their first two academic semesters; and be it further

RESOLVED, That for the purposes of this resolution, "improved placement measures" is defined as measures that give greater opportunities to enroll directly into college-level classes, reducing the overall percent of students placed into developmental education, preferably through decreased reliance on high-stakes tests and increased use of high school GPA as a determining measure; and be it further

RESOLVED, The implementation plan should include specific benchmarks and an estimate of funding required to meet established benchmarks that institutions must meet to stay on track to full-scale implementation on the timeframe set by the advisory council; and be it further

RESOLVED, That the advisory council should include similar representation from two-year and four-year institutions and, at a minimum, include the following:

(1) One member representing ICCB to act as chair of the council;

(2) One member representing IBHE to act as co-chair of the council;

(3) One member from the Illinois Senate to act as co-chair of the council;

(4) One member from the Illinois House of Representatives;

(5) Two public university employees recommended by the IBHE Academic Leadership group;

(6) One public university employee recommended by a statewide organization representing public university employees;

(7) A community college employee recommended by a statewide organization representing the City Colleges of Chicago;

(8) A community college employee recommended by a statewide organization representing a suburban Chicago community college;

(9) A community college employee recommended by a statewide organization representing a downstate community college;

(10) One member representing a higher education advocacy organization focused on closing equity gaps in college completion from low-income and first generation college students, and students of color;

(11) One member representing a statewide advocacy organization focused on improving educational and employment opportunities for women and adults;

(12) One member representing each of the following entities:

(a)Illinois Council of Community College Presidents (ICCCP) appointed by ICCCP;

(b)Illinois public university presidents appointed by IBHE;

(c)Illinois Community College Chief Academic Officers (ICCCAO) appointed by ICCCAO;
(d)Illinois Community College Student Services Officers (ICCCSSO) appointed by ICCCSSO;
(e)Illinois public university student service administrators appointed by IBHE;
(f)Illinois public university provosts appointed by IBHE;
(g)Illinois Community College Trustee Association (ICCTA) appointed by ICCTA;
(h)Illinois public university trustees, appointed by IBHE; and
(13) One member to be appointed by the Governor; and be it further

RESOLVED, That, of the appointed community college and university employees, at least one must be an English faculty member participating in the Illinois Articulation Initiative and one must be a member of the Illinois Mathematics Association of Community Colleges (IMACC); and be it further

RESOLVED, That the chairs of the advisory council shall be responsible for scheduling meetings, setting meeting agendas, ensuring the development and delivery of the final report and implementation plan, and other administrative tasks, in consultation with advisory council members; and be it further

RESOLVED, The Council shall produce a final report by January 1, 2021 and upon the filing of this report is dissolved; the report should include, at a minimum, an update on the implementation of co-requisite remediation and alternative evidence-based developmental education models at every college and university, and include data on enrollment and throughput, defined as the percent of students initially enrolled who have progressed through gateway-level courses, by institution and disaggregated by race, ethnicity, gender, and Pell-status; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the ICCB and IBHE."

The motion prevailed.
And the amendment was adopted and ordered printed.
Senator McGuire moved that Senate Joint Resolution No. 41, as amended, be adopted.
And on that motion a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Link	Sandoval
Aquino	Fowler	Manar	Schimpf
Belt	Gillespie	Martinez	Sims
Bennett	Glowiak	McClure	Stadelman
Bertino-Tarrant	Harmon	McConchie	Steans
Brady	Harris	McGuire	Stewart
Bush	Hastings	Morrison	Syverson
Castro	Holmes	Mulroe	Tracy
Collins	Hunter	Muñoz	Van Pelt
Crowe	Hutchinson	Murphy	Villivalam
Cullerton, T.	Jones, E.	Oberweis	Weaver
Cunningham	Koehler	Peters	Wilcox
DeWitte	Landek	Plummer	Mr. President
Ellman	Lightford	Righter	

The motion prevailed.
And the resolution, as amended, was adopted.
Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Fowler, **House Bill No. 210** was taken up, read by title a second time.
Floor Amendment No. 1 was held in the Committee on State Government.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Peters, **House Bill No. 254** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 465** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 900** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 1438** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 2078** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones III, **House Bill No. 2123** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 2134** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 2165** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2165

AMENDMENT NO. 1. Amend House Bill 2165 as follows:

on page 2, by replacing lines 1 through 8 with the following:

"Algebra I, one of which must include geometry content, and one of which may be an Advanced Placement computer science course ~~if the pupil successfully completes Algebra II or an integrated mathematics course with Algebra II content~~. A mathematics course that includes geometry content may be offered as an integrated, applied, interdisciplinary, or career and technical education course that prepares a student for a career readiness path.".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator E. Jones III, **House Bill No. 2263** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 2264** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hastings, **House Bill No. 2618** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **House Bill No. 3041** was taken up, read by title a second time and ordered to a third reading.

At the hour of 12:22 o'clock p.m., Senator Koehler, presiding.

On motion of Senator Martinez, **House Bill No. 124** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 124

AMENDMENT NO. 1. Amend House Bill 124 on page 2, by replacing lines 1 and 2 with the following:

"training, education, and experience as the Board may from time to time prescribe so long as persons who have an associate's degree or 60 credit hours at an accredited college or university are not disqualified, and shall be required to pass successfully"; and

on page 3, line 8, by inserting after the period the following:

"Nothing in this subsection (a) limits the Board's ability to prescribe education prerequisites or requirements to certify Department of State Police officers for promotion as provided in Section 10 of this Act.".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2625** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2628** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2639** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2675** having been printed, was taken up and read by title a second time.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2675

AMENDMENT NO. 1. Amend House Bill 2675 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Sections 1-3.40, 3-12, 5-1, 5-3, and 6-4 as follows:

(235 ILCS 5/1-3.40)

Sec. 1-3.40. Manufacturer class license holder. "Manufacturer class license holder" means any holder of a Manufacturer's license as provided in Section 5-1 of this Act. The Manufacturer's licenses are: a Class 1. Distiller, a Class 2. Rectifier, a Class 3. Brewer, a Class 4. First Class Wine Manufacturer, a Class 5. Second Class Wine Manufacturer, a Class 6. First Class Winemaker, a Class 7. Second Class Winemaker, a Class 8. Limited Wine Manufacturer, a Class 9. Class 1 Craft Distiller, a Class 10. Class 2 Craft Distiller, ~~and~~ a Class 11. Class 1 Brewer, and a Class 12. Class 2 Brewer, ~~10. Craft Brewer~~ and any future Manufacturer's licenses established by law.

(Source: P.A. 99-282, eff. 8-5-15; 99-642, eff. 7-28-16.)

(235 ILCS 5/3-12)

Sec. 3-12. Powers and duties of State Commission.

(a) The State Commission shall have the following powers, functions, and duties:

(1) To receive applications and to issue licenses to manufacturers, foreign importers, importing distributors, distributors, non-resident dealers, on premise consumption retailers, off premise sale retailers, special event retailer licensees, special use permit licenses, auction liquor licenses, brew pubs, caterer retailers, non-beverage users, railroads, including owners and lessees of sleeping, dining and cafe cars, airplanes, boats, brokers, and wine maker's premises licensees in accordance with the provisions of this Act, and to suspend or revoke such licenses upon the State Commission's determination, upon notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. Except in the case of an action taken pursuant to a violation of Section 6-3, 6-5, or 6-9, any action by the State Commission to suspend or revoke a licensee's license may be limited to the license for the specific

premises where the violation occurred. An action for a violation of this Act shall be commenced by the State Commission within 2 years after the date the State Commission becomes aware of the violation.

In lieu of suspending or revoking a license, the commission may impose a fine, upon the State Commission's determination and notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation.

For the purpose of this paragraph (1), when determining multiple violations for the sale of alcohol to a person under the age of 21, a second or subsequent violation for the sale of alcohol to a person under the age of 21 shall only be considered if it was committed within 5 years after the date when a prior violation for the sale of alcohol to a person under the age of 21 was committed.

The fine imposed under this paragraph may not exceed $500 for each violation. Each day that the activity, which gave rise to the original fine, continues is a separate violation. The maximum fine that may be levied against any licensee, for the period of the license, shall not exceed $20,000. The maximum penalty that may be imposed on a licensee for selling a bottle of alcoholic liquor with a foreign object in it or serving from a bottle of alcoholic liquor with a foreign object in it shall be the destruction of that bottle of alcoholic liquor for the first 10 bottles so sold or served from by the licensee. For the eleventh bottle of alcoholic liquor and for each third bottle thereafter sold or served from by the licensee with a foreign object in it, the maximum penalty that may be imposed on the licensee is the destruction of the bottle of alcoholic liquor and a fine of up to $50.

Any notice issued by the State Commission to a licensee for a violation of this Act or any notice with respect to settlement or offer in compromise shall include the field report, photographs, and any other supporting documentation necessary to reasonably inform the licensee of the nature and extent of the violation or the conduct alleged to have occurred. The failure to include such required documentation shall result in the dismissal of the action.

(2) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary to carry on its functions and duties to the end that the health, safety and welfare of the People of the State of Illinois shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted and to distribute copies of such rules and regulations to all licensees affected thereby.

(3) To call upon other administrative departments of the State, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it deems necessary in the performance of its duties.

(4) To recommend to local commissioners rules and regulations, not inconsistent with the law, for the distribution and sale of alcoholic liquors throughout the State.

(5) To inspect, or cause to be inspected, any premises in this State where alcoholic liquors are manufactured, distributed, warehoused, or sold. Nothing in this Act authorizes an agent of the Commission to inspect private areas within the premises without reasonable suspicion or a warrant during an inspection. "Private areas" include, but are not limited to, safes, personal property, and closed desks.

(5.1) Upon receipt of a complaint or upon having knowledge that any person is engaged in business as a manufacturer, importing distributor, distributor, or retailer without a license or valid license, to notify the local liquor authority, file a complaint with the State's Attorney's Office of the county where the incident occurred, or initiate an investigation with the appropriate law enforcement officials.

(5.2) To issue a cease and desist notice to persons shipping alcoholic liquor into this State from a point outside of this State if the shipment is in violation of this Act.

(5.3) To receive complaints from licensees, local officials, law enforcement agencies, organizations, and persons stating that any licensee has been or is violating any provision of this Act or the rules and regulations issued pursuant to this Act. Such complaints shall be in writing, signed and sworn to by the person making the complaint, and shall state with specificity the facts in relation to the alleged violation. If the Commission has reasonable grounds to believe that the complaint substantially alleges a violation of this Act or rules and regulations adopted pursuant to this Act, it shall conduct an investigation. If, after conducting an investigation, the Commission is satisfied that the alleged violation did occur, it shall proceed with disciplinary action against the licensee as provided in this Act.

(6) To hear and determine appeals from orders of a local commission in accordance with the provisions of this Act, as hereinafter set forth. Hearings under this subsection shall be held in Springfield or Chicago, at whichever location is the more convenient for the majority of persons who are parties to the hearing.

(7) The commission shall establish uniform systems of accounts to be kept by all retail

licensees having more than 4 employees, and for this purpose the commission may classify all retail licensees having more than 4 employees and establish a uniform system of accounts for each class and prescribe the manner in which such accounts shall be kept. The commission may also prescribe the forms of accounts to be kept by all retail licensees having more than 4 employees, including but not limited to accounts of earnings and expenses and any distribution, payment, or other distribution of earnings or assets, and any other forms, records and memoranda which in the judgment of the commission may be necessary or appropriate to carry out any of the provisions of this Act, including but not limited to such forms, records and memoranda as will readily and accurately disclose at all times the beneficial ownership of such retail licensed business. The accounts, forms, records and memoranda shall be available at all reasonable times for inspection by authorized representatives of the State Commission or by any local liquor control commissioner or his or her authorized representative. The commission, may, from time to time, alter, amend or repeal, in whole or in part, any uniform system of accounts, or the form and manner of keeping accounts.

(8) In the conduct of any hearing authorized to be held by the commission, to appoint, at the commission's discretion, hearing officers to conduct hearings involving complex issues or issues that will require a protracted period of time to resolve, to examine, or cause to be examined, under oath, any licensee, and to examine or cause to be examined the books and records of such licensee; to hear testimony and take proof material for its information in the discharge of its duties hereunder; to administer or cause to be administered oaths; for any such purpose to issue subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of this State, and to adopt rules to implement its powers under this paragraph (8).

Any circuit court may by order duly entered, require the attendance of witnesses and the production of relevant books subpoenaed by the State Commission and the court may compel obedience to its order by proceedings for contempt.

(9) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him or her to the legislature of this State, such amendments to this Act, if any, as it may think desirable and as will serve to further the general broad purposes contained in Section 1-2 hereof.

(10) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary for the control, sale or disposition of alcoholic liquor damaged as a result of an accident, wreck, flood, fire or other similar occurrence.

(11) To develop industry educational programs related to responsible serving and selling, particularly in the areas of overserving consumers and illegal underage purchasing and consumption of alcoholic beverages.

(11.1) To license persons providing education and training to alcohol beverage sellers and servers for mandatory and non-mandatory training under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) programs and to develop and administer a public awareness program in Illinois to reduce or eliminate the illegal purchase and consumption of alcoholic beverage products by persons under the age of 21. Application for a license shall be made on forms provided by the State Commission.

(12) To develop and maintain a repository of license and regulatory information.

(13) (Blank).

(14) On or before April 30, 2008 and every 2 years thereafter, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of Public Act 95-634 on the business of soliciting, selling, and shipping wine from inside and outside of this State directly to residents of this State. As part of its report, the Commission shall provide all of the following information:

(A) The amount of State excise and sales tax revenues generated.

(B) The amount of licensing fees received.

(C) The number of cases of wine shipped from inside and outside of this State directly to residents of this State.

(D) The number of alcohol compliance operations conducted.

(E) The number of winery shipper's licenses issued.

(F) The number of each of the following: reported violations; cease and desist notices issued by the Commission; notices of violations issued by the Commission and to the Department of Revenue; and notices and complaints of violations to law enforcement officials, including, without limitation, the Illinois Attorney General and the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(15) As a means to reduce the underage consumption of alcoholic liquors, the

Commission shall conduct alcohol compliance operations to investigate whether businesses that are soliciting, selling, and shipping wine from inside or outside of this State directly to residents of this State are licensed by this State or are selling or attempting to sell wine to persons under 21 years of age in violation of this Act.

(16) The Commission shall, in addition to notifying any appropriate law enforcement agency, submit notices of complaints or violations of Sections 6-29 and 6-29.1 by persons who do not hold a winery shipper's license under this Act to the Illinois Attorney General and to the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(17)(A) A person licensed to make wine under the laws of another state who has a winery shipper's license under this Act and annually produces less than 25,000 gallons of wine or a person who has a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license under this Act and annually produces less than 25,000 gallons of wine may make application to the Commission for a self-distribution exemption to allow the sale of not more than 5,000 gallons of the exemption holder's wine to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, such person shall state (1) the date it was established; (2) its volume of production and sales for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its wine; and (5) that it will comply with the liquor and revenue laws of the United States, this State, and any other state where it is licensed.

(C) The Commission shall approve the application for a self-distribution exemption if such person: (1) is in compliance with State revenue and liquor laws; (2) is not a member of any affiliated group that produces more than 25,000 gallons of wine per annum or produces any other alcoholic liquor; (3) will not annually produce for sale more than 25,000 gallons of wine; and (4) will not annually sell more than 5,000 gallons of its wine to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its production of wine in the previous 12 months and its anticipated production and sales for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or liquor law of Illinois, exceeded production of 25,000 gallons of wine in any calendar year, or become part of an affiliated group producing more than 25,000 gallons of wine or any other alcoholic liquor.

(E) Except in hearings for violations of this Act or Public Act 95-634 or a bona fide investigation by duly sworn law enforcement officials, the Commission, or its agents, the Commission shall maintain the production and sales information of a self-distribution exemption holder as confidential and shall not release such information to any person.

(F) The Commission shall issue regulations governing self-distribution exemptions consistent with this Section and this Act.

(G) Nothing in this paragraph ~~subsection~~ (17) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois distributor.

(H) It is the intent of this paragraph ~~subsection~~ (17) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system it is necessary to create an exception for smaller makers of wine as their wines are frequently adjusted in varietals, mixes, vintages, and taste to find and create market niches sometimes too small for distributor or importing distributor business strategies. Limited self-distribution rights will afford and allow smaller makers of wine access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(18)(A) A class 1 brewer licensee, who must also be either a licensed brewer or licensed non-resident dealer and annually manufacture less than 930,000 gallons of beer, may make application to the State Commission for a self-distribution exemption to allow the sale of not more than 232,500 gallons of the exemption holder's beer per year to retail licensees and to brewers, class 1 brewers, and class 2 brewers that, pursuant to subsection (e) of Section 6-4 of this Act, sell beer, cider, or both beer and cider to non-licensees at their breweries.

(B) In the application, which shall be sworn under penalty of perjury, the class 1 brewer licensee shall state (1) the date it was established; (2) its volume of beer manufactured and sold for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its beer; and (5) that it will comply with the alcoholic beverage and revenue laws of the United States, this State, and any other state where it is licensed.

(C) Any application submitted shall be posted on the State Commission's website at least 45 days prior to action by the State Commission. The State Commission shall approve the application for a self-distribution exemption if the class 1 brewer licensee: (1) is in compliance with the State, revenue, and alcoholic beverage laws; (2) is not a member of any affiliated group that manufactures more than 930,000 gallons of beer per annum or produces any other alcoholic beverages; (3) shall not annually manufacture for sale more than 930,000 gallons of beer; (4) shall not annually sell more than 232,500 gallons of its beer to retail licensees or to brewers, class 1 brewers, and class 2 brewers that, pursuant to subsection (e) of Section 6-4 of this Act, sell beer, cider, or both beer and cider to non-licensees at their breweries; and (5) has relinquished any brew pub license held by the licensee, including any ownership interest it held in the licensed brew pub.

(D) A self-distribution exemption holder shall annually certify to the State Commission its manufacture of beer during the previous 12 months and its anticipated manufacture and sales of beer for the next 12 months. The State Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or alcoholic beverage law of Illinois, exceeded the manufacture of 930,000 gallons of beer in any calendar year or became part of an affiliated group manufacturing more than 930,000 gallons of beer or any other alcoholic beverage.

(E) The State Commission shall issue rules and regulations governing self-distribution exemptions consistent with this Act.

(F) Nothing in this paragraph (18) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois importing distributor or a distributor. If a self-distribution exemption holder enters into a distribution agreement and has assigned distribution rights to an importing distributor or distributor, then the self-distribution exemption holder's distribution rights in the assigned territories shall cease in a reasonable time not to exceed 60 days.

(G) It is the intent of this paragraph (18) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system, it is necessary to create an exception for smaller manufacturers in order to afford and allow such smaller manufacturers of beer access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(19)(A) A class 1 craft distiller licensee or a non-resident dealer who manufactures less than 50,000 gallons of distilled spirits per year may make application to the State Commission for a self-distribution exemption to allow the sale of not more than 5,000 gallons of the exemption holder's spirits to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, the class 1 craft distiller licensee or non-resident dealer shall state (1) the date it was established; (2) its volume of spirits manufactured and sold for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its spirits; and (5) that it will comply with the alcoholic beverage and revenue laws of the United States, this State, and any other state where it is licensed.

(C) Any application submitted shall be posted on the State Commission's website at least 45 days prior to action by the State Commission. The State Commission shall approve the application for a self-distribution exemption if the applicant: (1) is in compliance with State revenue and alcoholic beverage laws; (2) is not a member of any affiliated group that produces more than 50,000 gallons of spirits per annum or produces any other alcoholic liquor; (3) does not annually manufacture for sale more than 50,000 gallons of spirits; and (4) does not annually sell more than 5,000 gallons of its spirits to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the State Commission its manufacture of spirits during the previous 12 months and its anticipated manufacture and sales of spirits for the next 12 months. The State Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or alcoholic beverage law of Illinois, exceeded the manufacture of 50,000 gallons of spirits in any calendar year, or has become part of an affiliated group manufacturing more than 50,000 gallons of spirits or any other alcoholic beverage.

(E) The State Commission shall adopt rules governing self-distribution exemptions consistent with this Act.

(F) Nothing in this paragraph (19) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois importing distributor or a distributor.

(G) It is the intent of this paragraph (19) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system, it is necessary to create an exception for smaller manufacturers in order to afford and allow such smaller manufacturers of spirits access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(b) On or before April 30, 1999, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of Public Act 90-739 on the business of soliciting, selling, and shipping alcoholic liquor from outside of this State directly to residents of this State.

As part of its report, the Commission shall provide the following information:

(i) the amount of State excise and sales tax revenues generated as a result of Public Act 90-739;

(ii) the amount of licensing fees received as a result of Public Act 90-739;

(iii) the number of reported violations, the number of cease and desist notices issued by the Commission, the number of notices of violations issued to the Department of Revenue, and the number of notices and complaints of violations to law enforcement officials.

(Source: P.A. 99-78, eff. 7-20-15; 99-448, eff. 8-24-15; 100-134, eff. 8-18-17; 100-201, eff. 8-18-17; 100-816, eff. 8-13-18; 100-1012, eff. 8-21-18; 100-1050, eff. 8-23-18; revised 10-24-18.)

(235 ILCS 5/5-1) (from Ch. 43, par. 115)

Sec. 5-1. Licenses issued by the Illinois Liquor Control Commission shall be of the following classes:

(a) Manufacturer's license - Class 1. Distiller, Class 2. Rectifier, Class 3. Brewer, Class 4. First Class Wine Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6. First Class Winemaker, Class 7. Second Class Winemaker, Class 8. Limited Wine Manufacturer, Class 9. Class 1 Craft Distiller, Class 10. Class 2 Craft Distiller, Class 11. Class 1 Brewer, Class 12 ~~11~~. Class 2 Brewer,

(b) Distributor's license,

(c) Importing Distributor's license,

(d) Retailer's license,

(e) Special Event Retailer's license (not-for-profit),

(f) Railroad license,

(g) Boat license,

(h) Non-Beverage User's license,

(i) Wine-maker's premises license,

(j) Airplane license,

(k) Foreign importer's license,

(l) Broker's license,

(m) Non-resident dealer's license,

(n) Brew Pub license,

(o) Auction liquor license,

(p) Caterer retailer license,

(q) Special use permit license,

(r) Winery shipper's license,

(s) Craft distiller tasting permit,

(t) Brewer warehouse permit, ~~.~~

(u) Distilling pub license,

(v) Craft distiller warehouse permit.

No person, firm, partnership, corporation, or other legal business entity that is engaged in the manufacturing of wine may concurrently obtain and hold a wine-maker's license and a wine manufacturer's license.

(a) A manufacturer's license shall allow the manufacture, importation in bulk, storage, distribution and sale of alcoholic liquor to persons without the State, as may be permitted by law and to licensees in this State as follows:

Class 1. A Distiller may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.

Class 2. A Rectifier, who is not a distiller, as defined herein, may make sales and deliveries of alcoholic liquor to rectifiers, importing distributors, distributors, retailers and non-beverage users and to no other licensees.

Class 3. A Brewer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under subsection (e) of Section 6-4 of this Act.

Class 4. A first class wine-manufacturer may make sales and deliveries of up to 50,000 gallons of wine to manufacturers, importing distributors and distributors, and to no other licensees.

Class 5. A second class Wine manufacturer may make sales and deliveries of more than 50,000 gallons of wine to manufacturers, importing distributors and distributors and to no other licensees.

Class 6. A first-class wine-maker's license shall allow the manufacture of up to 50,000 gallons of wine per year, and the storage and sale of such wine to distributors in the State and to persons without the State, as may be permitted by law. A person who, prior to June 1, 2008 (the effective date of Public Act 95-634), is a holder of a first-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with Public Act 95-634.

Class 7. A second-class wine-maker's license shall allow the manufacture of between 50,000 and 150,000 gallons of wine per year, and the storage and sale of such wine to distributors in this State and to persons without the State, as may be permitted by law. A person who, prior to June 1, 2008 (the effective date of Public Act 95-634), is a holder of a second-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with Public Act 95-634.

Class 8. A limited wine-manufacturer may make sales and deliveries not to exceed 40,000 gallons of wine per year to distributors, and to non-licensees in accordance with the provisions of this Act.

Class 9. A class 1 craft distiller license, which may only be issued to a licensed distiller or licensed non-resident dealer, shall allow the manufacture of up to 50,000 gallons of spirits per year provided that the class 1 craft distiller licensee does not manufacture more than a combined 50,000 gallons of spirits per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 50,000 gallons of spirits per year or any other alcoholic liquor. A class 1 craft distiller licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (19) of subsection (a) of Section 3-12 of this Act. However, the aggregate amount of spirits sold to non-licensees and sold or delivered to retail licensees may not exceed 5,000 gallons per year.

A class 1 craft distiller licensee may sell up to 5,000 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the State Commission pursuant to Section 6-4 of this Act. A class 1 craft distiller license holder may store such spirits at a non-contiguous licensed location, but at no time shall a class 1 craft distiller license holder directly or indirectly produce in the aggregate more than 50,000 gallons of spirits per year.

A class 1 craft distiller licensee may hold more than one class 1 craft distiller's license. However, a class 1 craft distiller that holds more than one class 1 craft distiller license shall not manufacture, in the aggregate, more than 50,000 gallons of spirits by distillation per year and shall not sell, in the aggregate, more than 5,000 gallons of such spirits to non-licensees in accordance with an exemption approved by the State Commission pursuant to Section 6-4 of this Act.

Class 10. A class 2 craft distiller license, which may only be issued to a licensed distiller or licensed non-resident dealer, shall allow the manufacture of up to 100,000 gallons of spirits per year provided that the class 2 craft distiller licensee does not manufacture more than a combined 100,000 gallons of spirits per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 100,000 gallons of spirits per year or any other alcoholic liquor. A class 2 craft distiller licensee may make sales and deliveries to importing distributors and distributors, but shall not make sales or deliveries to any other licensee. If the State Commission provides prior approval, a class 2 craft distiller licensee may annually transfer up to 100,000 gallons of spirits manufactured by that class 2 craft distiller licensee to the premises of a licensed class 2 craft distiller wholly owned and operated by the same licensee. A class 2 craft distiller may transfer spirits to a distilling pub wholly owned and operated by the class 2 craft distiller subject to the following limitations and restrictions: (i) the transfer shall not annually exceed more than 5,000 gallons; (ii) the annual amount transferred shall reduce the distilling pub's annual permitted production limit; (iii) all spirits transferred shall be subject to Article VIII of this Act; (iv) a written record shall be maintained by the distiller and distilling pub specifying the amount, date of delivery, and receipt of the product by the distilling pub; and (v) the distilling pub shall be located no farther than 80 miles from the class 2 craft distiller's licensed location.

A class 2 craft distiller shall, prior to transferring spirits to a distilling pub wholly owned by the class 2 craft distiller, furnish a written notice to the State Commission of intent to transfer spirits setting forth the name and address of the distilling pub and shall annually submit to the State Commission a verified report identifying the total gallons of spirits transferred to the distilling pub wholly owned by the class 2 craft distiller.

A class 2 craft distiller license holder may store such spirits at a non-contiguous licensed location, but at no time shall a class 2 craft distiller license holder directly or indirectly produce in the aggregate more than 100,000 gallons of spirits per year.

~~A craft distiller license shall allow the manufacture of up to 100,000 gallons of spirits by distillation per year and the storage of such spirits. If a craft distiller licensee, including a craft distiller licensee who holds more than one craft distiller license, is not affiliated with any other manufacturer of spirits, then the craft distiller licensee may sell such spirits to distributors in this State and up to 2,500 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the Commission pursuant to Section 6-4 of this Act. A craft distiller license holder may store such spirits at a non-contiguous licensed location, but at no time shall a craft distiller license holder directly or indirectly produce in the aggregate more than 100,000 gallons of spirits per year.~~

~~A craft distiller licensee may hold more than one craft distiller's license. However, a craft distiller that holds more than one craft distiller license shall not manufacture, in the aggregate, more than 100,000 gallons of spirits by distillation per year and shall not sell, in the aggregate, more than 2,500 gallons of such spirits to non-licensees in accordance with an exemption approved by the State Commission pursuant to Section 6-4 of this Act.~~

~~Any craft distiller licensed under this Act who on July 28, 2010 (the effective date of Public Act 96-1367) was licensed as a distiller and manufactured no more spirits than permitted by this Section shall not be required to pay the initial licensing fee.~~

Class 11 ~~10~~. A class 1 brewer license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 930,000 gallons of beer per year provided that the class 1 brewer licensee does not manufacture more than a combined 930,000 gallons of beer per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 930,000 gallons of beer per year or any other alcoholic liquor. A class 1 brewer licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (18) of subsection (a) of Section 3-12 of this Act. If the State Commission provides prior approval, a class 1 brewer may annually transfer up to 930,000 gallons of beer manufactured by that class 1 brewer to the premises of a licensed class 1 brewer wholly owned and operated by the same licensee.

Class 12 ~~11~~. A class 2 brewer license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 3,720,000 gallons of beer per year provided that the class 2 brewer licensee does not manufacture more than a combined 3,720,000 gallons of beer per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or any other alcoholic liquor. A class 2 brewer licensee may make sales and deliveries to importing distributors and distributors, but shall not make sales or deliveries to any other licensee. If the State Commission provides prior approval, a class 2 brewer licensee may annually transfer up to 3,720,000 gallons of beer manufactured by that class 2 brewer licensee to the premises of a licensed class 2 brewer wholly owned and operated by the same licensee.

A class 2 brewer may transfer beer to a brew pub wholly owned and operated by the class 2 brewer subject to the following limitations and restrictions: (i) the transfer shall not annually exceed more than 31,000 gallons; (ii) the annual amount transferred shall reduce the brew pub's annual permitted production limit; (iii) all beer transferred shall be subject to Article VIII of this Act; (iv) a written record shall be maintained by the brewer and brew pub specifying the amount, date of delivery, and receipt of the product by the brew pub; and (v) the brew pub shall be located no farther than 80 miles from the class 2 brewer's licensed location.

A class 2 brewer shall, prior to transferring beer to a brew pub wholly owned by the class 2 brewer, furnish a written notice to the State Commission of intent to transfer beer setting forth the name and address of the brew pub and shall annually submit to the State Commission a verified report identifying the total gallons of beer transferred to the brew pub wholly owned by the class 2 brewer.

(a-1) A manufacturer which is licensed in this State to make sales or deliveries of alcoholic liquor to licensed distributors or importing distributors and which enlists agents, representatives, or individuals acting on its behalf who contact licensed retailers on a regular and continual basis in this State must register those agents, representatives, or persons acting on its behalf with the State Commission.

Registration of agents, representatives, or persons acting on behalf of a manufacturer is fulfilled by submitting a form to the Commission. The form shall be developed by the Commission and shall include the name and address of the applicant, the name and address of the manufacturer he or she represents, the territory or areas assigned to sell to or discuss pricing terms of alcoholic liquor, and any other questions deemed appropriate and necessary. All statements in the forms required to be made by law or by rule shall be deemed material, and any person who knowingly misstates any material fact under oath in an application is guilty of a Class B misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions, or suppression of material facts in the securing of a registration are grounds for

suspension or revocation of the registration. The State Commission shall post a list of registered agents on the Commission's website.

(b) A distributor's license shall allow (i) the wholesale purchase and storage of alcoholic liquors and sale of alcoholic liquors to licensees in this State and to persons without the State, as may be permitted by law; (ii) ~~, and~~ the sale of beer, cider, or both beer and cider to brewers, class 1 brewers, and class 2 brewers that, pursuant to subsection (e) of Section 6-4 of this Act, sell beer, cider, or both beer and cider to non-licensees at their breweries ; and (iii) the sale of vermouth to class 1 craft distillers and class 2 craft distillers that, pursuant to subsection (e) of Section 6-4 of this Act, sell spirits, vermouth, or both spirits and vermouth to non-licensees at their distilleries. No person licensed as a distributor shall be granted a non-resident dealer's license.

(c) An importing distributor's license may be issued to and held by those only who are duly licensed distributors, upon the filing of an application by a duly licensed distributor, with the Commission and the Commission shall, without the payment of any fee, immediately issue such importing distributor's license to the applicant, which shall allow the importation of alcoholic liquor by the licensee into this State from any point in the United States outside this State, and the purchase of alcoholic liquor in barrels, casks or other bulk containers and the bottling of such alcoholic liquors before resale thereof, but all bottles or containers so filled shall be sealed, labeled, stamped and otherwise made to comply with all provisions, rules and regulations governing manufacturers in the preparation and bottling of alcoholic liquors. The importing distributor's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers and foreign importers only. No person licensed as an importing distributor shall be granted a non-resident dealer's license.

(d) A retailer's license shall allow the licensee to sell and offer for sale at retail, only in the premises specified in the license, alcoholic liquor for use or consumption, but not for resale in any form. Nothing in Public Act 95-634 shall deny, limit, remove, or restrict the ability of a holder of a retailer's license to transfer, deliver, or ship alcoholic liquor to the purchaser for use or consumption subject to any applicable local law or ordinance. Any retail license issued to a manufacturer shall only permit the manufacturer to sell beer at retail on the premises actually occupied by the manufacturer. For the purpose of further describing the type of business conducted at a retail licensed premises, a retailer's licensee may be designated by the State Commission as (i) an on premise consumption retailer, (ii) an off premise sale retailer, or (iii) a combined on premise consumption and off premise sale retailer.

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).

(e) A special event retailer's license (not-for-profit) shall permit the licensee to purchase alcoholic liquors from an Illinois licensed distributor (unless the licensee purchases less than $500 of alcoholic liquors for the special event, in which case the licensee may purchase the alcoholic liquors from a licensed retailer) and shall allow the licensee to sell and offer for sale, at retail, alcoholic liquors for use or consumption, but not for resale in any form and only at the location and on the specific dates designated for the special event in the license. An applicant for a special event retailer license must (i) furnish with the application: (A) a resale number issued under Section 2c of the Retailers' Occupation Tax Act or evidence that the applicant is registered under Section 2a of the Retailers' Occupation Tax Act, (B) a current, valid exemption identification number issued under Section 1g of the Retailers' Occupation Tax Act, and a certification to the Commission that the purchase of alcoholic liquors will be a tax-exempt purchase, or (C) a statement that the applicant is not registered under Section 2a of the Retailers' Occupation Tax Act, does not hold a resale number under Section 2c of the Retailers' Occupation Tax Act, and does not hold an exemption number under Section 1g of the Retailers' Occupation Tax Act, in which event the Commission shall set forth on the special event retailer's license a statement to that effect; (ii) submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance in the maximum limits; and (iii) show proof satisfactory to the State Commission that the applicant has obtained local authority approval.

Nothing in this Act prohibits an Illinois licensed distributor from offering credit or a refund for unused, salable alcoholic liquors to a holder of a special event retailer's license or ~~from~~ the special event retailer's licensee from accepting the credit or refund of alcoholic liquors at the conclusion of the event specified in the license.

(f) A railroad license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on a club, buffet, lounge or dining car operated on an electric, gas

or steam railway in this State; and provided further, that railroad licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. A railroad license shall also permit the licensee to sell or dispense alcoholic liquors on any club, buffet, lounge or dining car operated on an electric, gas or steam railway regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A license shall be obtained for each car in which such sales are made.

(g) A boat license shall allow the sale of alcoholic liquor in individual drinks, on any passenger boat regularly operated as a common carrier on navigable waters in this State or on any riverboat operated under the Riverboat Gambling Act, which boat or riverboat maintains a public dining room or restaurant thereon.

(h) A non-beverage user's license shall allow the licensee to purchase alcoholic liquor from a licensed manufacturer or importing distributor, without the imposition of any tax upon the business of such licensed manufacturer or importing distributor as to such alcoholic liquor to be used by such licensee solely for the non-beverage purposes set forth in subsection (a) of Section 8-1 of this Act, and such licenses shall be divided and classified and shall permit the purchase, possession and use of limited and stated quantities of alcoholic liquor as follows:

Class 1, not to exceed ..... 500 gallons
Class 2, not to exceed ..... 1,000 gallons
Class 3, not to exceed ..... 5,000 gallons
Class 4, not to exceed ..... 10,000 gallons
Class 5, not to exceed ..... 50,000 gallons

(i) A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license not more than 50,000 gallons of the first-class wine-maker's wine that is made at the first-class wine-maker's licensed premises per year for use or consumption, but not for resale in any form. A wine-maker's premises license shall allow a licensee who concurrently holds a second-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license up to 100,000 gallons of the second-class wine-maker's wine that is made at the second-class wine-maker's licensed premises per year for use or consumption but not for resale in any form. A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license or a second-class wine-maker's license to sell and offer for sale at retail at the premises specified in the wine-maker's premises license, for use or consumption but not for resale in any form, any beer, wine, and spirits purchased from a licensed distributor. Upon approval from the State Commission, a wine-maker's premises license shall allow the licensee to sell and offer for sale at (i) the wine-maker's licensed premises and (ii) at up to 2 additional locations for use and consumption and not for resale. Each location shall require additional licensing per location as specified in Section 5-3 of this Act. A wine-maker's premises licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(j) An airplane license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on an airplane; and provided further, that airplane licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. An airplane licensee shall also permit the sale or dispensing of alcoholic liquors on any passenger airplane regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A single airplane license shall be required of an airline company if liquor service is provided on board aircraft in this State. The annual fee for such license shall be as determined in Section 5-3.

(k) A foreign importer's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers only, and to import alcoholic liquor other than in bulk from any point outside the United States and to sell such alcoholic liquor to Illinois licensed importing distributors and to no one else in Illinois; provided that (i) the foreign importer registers with the State Commission every brand of alcoholic liquor that it proposes to sell to Illinois licensees during the license period, (ii) the foreign importer complies with all of the provisions of Section 6-9 of this Act with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the foreign importer complies with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(l) (i) A broker's license shall be required of all persons who solicit orders for, offer to sell or offer to supply alcoholic liquor to retailers in the State of Illinois, or who offer to retailers to ship or cause to be shipped or to make contact with distillers, rectifiers, brewers or manufacturers or any other party within or without the State of Illinois in order that alcoholic liquors be shipped to a distributor, importing distributor or foreign importer, whether such solicitation or offer is consummated within or without the State of Illinois.

No holder of a retailer's license issued by the Illinois Liquor Control Commission shall purchase or receive any alcoholic liquor, the order for which was solicited or offered for sale to such retailer by a broker unless the broker is the holder of a valid broker's license.

The broker shall, upon the acceptance by a retailer of the broker's solicitation of an order or offer to sell or supply or deliver or have delivered alcoholic liquors, promptly forward to the Illinois Liquor Control Commission a notification of said transaction in such form as the Commission may by regulations prescribe.

(ii) A broker's license shall be required of a person within this State, other than a retail licensee, who, for a fee or commission, promotes, solicits, or accepts orders for alcoholic liquor, for use or consumption and not for resale, to be shipped from this State and delivered to residents outside of this State by an express company, common carrier, or contract carrier. This Section does not apply to any person who promotes, solicits, or accepts orders for wine as specifically authorized in Section 6-29 of this Act.

A broker's license under this subsection (l) shall not entitle the holder to buy or sell any alcoholic liquors for his own account or to take or deliver title to such alcoholic liquors.

This subsection (l) shall not apply to distributors, employees of distributors, or employees of a manufacturer who has registered the trademark, brand or name of the alcoholic liquor pursuant to Section 6-9 of this Act, and who regularly sells such alcoholic liquor in the State of Illinois only to its registrants thereunder.

Any agent, representative, or person subject to registration pursuant to subsection (a-1) of this Section shall not be eligible to receive a broker's license.

(m) A non-resident dealer's license shall permit such licensee to ship into and warehouse alcoholic liquor into this State from any point outside of this State, and to sell such alcoholic liquor to Illinois licensed foreign importers and importing distributors and to no one else in this State; provided that (i) said non-resident dealer shall register with the Illinois Liquor Control Commission each and every brand of alcoholic liquor which it proposes to sell to Illinois licensees during the license period, (ii) it shall comply with all of the provisions of Section 6-9 hereof with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale by duly filing such registration statement, thereby authorizing the non-resident dealer to proceed to sell such brands at wholesale, and (iii) the non-resident dealer shall comply with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers. No person licensed as a non-resident dealer shall be granted a distributor's or importing distributor's license.

(n) A brew pub license shall allow the licensee to only (i) manufacture up to 155,000 gallons of beer per year only on the premises specified in the license, (ii) make sales of the beer manufactured on the premises or, with the approval of the Commission, beer manufactured on another brew pub licensed premises that is wholly owned and operated by the same licensee to importing distributors, distributors, and to non-licensees for use and consumption, (iii) store the beer upon the premises, (iv) sell and offer for sale at retail from the licensed premises for off-premises consumption no more than 155,000 gallons per year so long as such sales are only made in-person, (v) sell and offer for sale at retail for use and consumption on the premises specified in the license any form of alcoholic liquor purchased from a licensed distributor or importing distributor, and (vi) with the prior approval of the Commission, annually transfer no more than 155,000 gallons of beer manufactured on the premises to a licensed brew pub wholly owned and operated by the same licensee.

A brew pub licensee shall not under any circumstance sell or offer for sale beer manufactured by the brew pub licensee to retail licensees.

A person who holds a class 2 brewer license may simultaneously hold a brew pub license if the class 2 brewer (i) does not, under any circumstance, sell or offer for sale beer manufactured by the class 2 brewer to retail licensees; (ii) does not hold more than 3 brew pub licenses in this State; (iii) does not manufacture more than a combined 3,720,000 gallons of beer per year, including the beer manufactured at the brew pub; and (iv) is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or any other alcoholic liquor.

Notwithstanding any other provision of this Act, a licensed brewer, class 2 brewer, or non-resident dealer who before July 1, 2015 manufactured less than 3,720,000 gallons of beer per year and held a brew pub license on or before July 1, 2015 may (i) continue to qualify for and hold that brew pub license for the

licensed premises and (ii) manufacture more than 3,720,000 gallons of beer per year and continue to qualify for and hold that brew pub license if that brewer, class 2 brewer, or non-resident dealer does not simultaneously hold a class 1 brewer license and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or that produces any other alcoholic liquor.

(o) A caterer retailer license shall allow the holder to serve alcoholic liquors as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal, either on or off-site whether licensed or unlicensed.

(p) An auction liquor license shall allow the licensee to sell and offer for sale at auction wine and spirits for use or consumption, or for resale by an Illinois liquor licensee in accordance with provisions of this Act. An auction liquor license will be issued to a person and it will permit the auction liquor licensee to hold the auction anywhere in the State. An auction liquor license must be obtained for each auction at least 14 days in advance of the auction date.

(q) A special use permit license shall allow an Illinois licensed retailer to transfer a portion of its alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created, and to sell or offer for sale at retail, only in the premises specified in the license hereby created, the transferred alcoholic liquor for use or consumption, but not for resale in any form. A special use permit license may be granted for the following time periods: one day or less; 2 or more days to a maximum of 15 days per location in any 12-month period. An applicant for the special use permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(r) A winery shipper's license shall allow a person with a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license or who is licensed to make wine under the laws of another state to ship wine made by that licensee directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Prior to receiving a winery shipper's license, an applicant for the license must provide the Commission with a true copy of its current license in any state in which it is licensed as a manufacturer of wine. An applicant for a winery shipper's license must also complete an application form that provides any other information the Commission deems necessary. The application form shall include all addresses from which the applicant for a winery shipper's license intends to ship wine, including the name and address of any third party, except for a common carrier, authorized to ship wine on behalf of the manufacturer. The application form shall include an acknowledgement consenting to the jurisdiction of the Commission, the Illinois Department of Revenue, and the courts of this State concerning the enforcement of this Act and any related laws, rules, and regulations, including authorizing the Department of Revenue and the Commission to conduct audits for the purpose of ensuring compliance with Public Act 95-634, and an acknowledgement that the wine manufacturer is in compliance with Section 6-2 of this Act. Any third party, except for a common carrier, authorized to ship wine on behalf of a first-class or second-class wine manufacturer's licensee, a first-class or second-class wine-maker's licensee, a limited wine manufacturer's licensee, or a person who is licensed to make wine under the laws of another state shall also be disclosed by the winery shipper's licensee, and a copy of the written appointment of the third-party wine provider, except for a common carrier, to the wine manufacturer shall be filed with the State Commission as a supplement to the winery shipper's license application or any renewal thereof. The winery shipper's license holder shall affirm under penalty of perjury, as part of the winery shipper's license application or renewal, that he or she only ships wine, either directly or indirectly through a third-party provider, from the licensee's own production.

Except for a common carrier, a third-party provider shipping wine on behalf of a winery shipper's license holder is the agent of the winery shipper's license holder and, as such, a winery shipper's license holder is responsible for the acts and omissions of the third-party provider acting on behalf of the license holder. A third-party provider, except for a common carrier, that engages in shipping wine into Illinois on behalf of a winery shipper's license holder shall consent to the jurisdiction of the State Commission and the State. Any third-party, except for a common carrier, holding such an appointment shall, by February 1 of each calendar year and upon request by the State Commission or the Department of Revenue, file with the State Commission a statement detailing each shipment made to an Illinois resident. The statement shall include the name and address of the third-party provider filing the statement, the time period covered by the statement, and the following information:

(1) the name, address, and license number of the winery shipper on whose behalf the shipment was made;

(2) the quantity of the products delivered; and

(3) the date and address of the shipment.

If the Department of Revenue or the State Commission requests a statement under this paragraph, the third-party provider must provide that statement no later than 30 days after the request is made. Any books, records, supporting papers, and documents containing information and data relating to a statement under this paragraph shall be kept and preserved for a period of 3 years, unless their destruction sooner is authorized, in writing, by the Director of Revenue, and shall be open and available to inspection by the Director of Revenue or the State Commission or any duly authorized officer, agent, or employee of the State Commission or the Department of Revenue, at all times during business hours of the day. Any person who violates any provision of this paragraph or any rule of the State Commission for the administration and enforcement of the provisions of this paragraph is guilty of a Class C misdemeanor. In case of a continuing violation, each day's continuance thereof shall be a separate and distinct offense.

The State Commission shall adopt rules as soon as practicable to implement the requirements of Public Act 99-904 and shall adopt rules prohibiting any such third-party appointment of a third-party provider, except for a common carrier, that has been deemed by the State Commission to have violated the provisions of this Act with regard to any winery shipper licensee.

A winery shipper licensee must pay to the Department of Revenue the State liquor gallonage tax under Section 8-1 for all wine that is sold by the licensee and shipped to a person in this State. For the purposes of Section 8-1, a winery shipper licensee shall be taxed in the same manner as a manufacturer of wine. A licensee who is not otherwise required to register under the Retailers' Occupation Tax Act must register under the Use Tax Act to collect and remit use tax to the Department of Revenue for all gallons of wine that are sold by the licensee and shipped to persons in this State. If a licensee fails to remit the tax imposed under this Act in accordance with the provisions of Article VIII of this Act, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act. If a licensee fails to properly register and remit tax under the Use Tax Act or the Retailers' Occupation Tax Act for all wine that is sold by the winery shipper and shipped to persons in this State, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act.

A winery shipper licensee must collect, maintain, and submit to the Commission on a semi-annual basis the total number of cases per resident of wine shipped to residents of this State. A winery shipper licensed under this subsection (r) must comply with the requirements of Section 6-29 of this Act.

Pursuant to paragraph (5.1) or (5.3) of subsection (a) of Section 3-12, the State Commission may receive, respond to, and investigate any complaint and impose any of the remedies specified in paragraph (1) of subsection (a) of Section 3-12.

As used in this subsection, "third-party provider" means any entity that provides fulfillment house services, including warehousing, packaging, distribution, order processing, or shipment of wine, but not the sale of wine, on behalf of a licensed winery shipper.

(s) A craft distiller tasting permit license shall allow an Illinois licensed class 1 craft distiller or class 2 craft distiller to transfer a portion of its alcoholic liquor inventory from its class 1 craft distiller or class 2 craft distiller licensed premises to the premises specified in the license hereby created and to conduct a sampling, only in the premises specified in the license hereby created, of the transferred alcoholic liquor in accordance with subsection (c) of Section 6-31 of this Act. The transferred alcoholic liquor may not be sold or resold in any form. An applicant for the craft distiller tasting permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(t) A brewer warehouse permit may be issued to the holder of a class 1 brewer license or a class 2 brewer license. If the holder of the permit is a class 1 brewer licensee, the brewer warehouse permit shall allow the holder to store or warehouse up to 930,000 gallons of tax-determined beer manufactured by the holder of the permit at the premises specified on the permit. If the holder of the permit is a class 2 brewer licensee, the brewer warehouse permit shall allow the holder to store or warehouse up to 3,720,000 gallons of tax-determined beer manufactured by the holder of the permit at the premises specified on the permit. Sales to non-licensees are prohibited at the premises specified in the brewer warehouse permit.

(u) A distilling pub license shall allow the licensee to only (i) manufacture up to 5,000 gallons of spirits per year only on the premises specified in the license, (ii) make sales of the spirits manufactured on the premises or, with the approval of the State Commission, spirits manufactured on another distilling pub licensed premises that is wholly owned and operated by the same licensee to importing distributors and distributors and to non-licensees for use and consumption, (iii) store the spirits upon the premises, (iv) sell and offer for sale at retail from the licensed premises for off-premises consumption no more than 5,000 gallons per year so long as such sales are only made in-person, (v) sell and offer for sale at retail for use and consumption on the premises specified in the license any form of alcoholic liquor purchased from a licensed distributor or importing distributor, and (vi) with the prior approval of the State Commission,

annually transfer no more than 5,000 gallons of spirits manufactured on the premises to a licensed distilling pub wholly owned and operated by the same licensee.

A distilling pub licensee shall not under any circumstance sell or offer for sale spirits manufactured by the distilling pub licensee to retail licensees.

A person who holds a class 2 craft distiller license may simultaneously hold a distilling pub license if the class 2 craft distiller (i) does not, under any circumstance, sell or offer for sale spirits manufactured by the class 2 craft distiller to retail licensees; (ii) does not hold more than 3 distilling pub licenses in this State; (iii) does not manufacture more than a combined 100,000 gallons of spirits per year, including the spirits manufactured at the distilling pub; and (iv) is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 100,000 gallons of spirits per year or any other alcoholic liquor.

(v) A craft distiller warehouse permit may be issued to the holder of a class 1 craft distiller or class 2 craft distiller license. The craft distiller warehouse permit shall allow the holder to store or warehouse up to 500,000 gallons of spirits manufactured by the holder of the permit at the premises specified on the permit. Sales to non-licensees are prohibited at the premises specified in the craft distiller warehouse permit.

(Source: P.A. 99-448, eff. 8-24-15; 99-642, eff. 7-28-16; 99-800, eff. 8-12-16; 99-902, eff. 8-26-16; 99-904, eff. 1-1-17; 100-17, eff. 6-30-17; 100-201, eff. 8-18-17; 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff. 8-23-18; revised 10-2-18.)

(235 ILCS 5/5-3) (from Ch. 43, par. 118)

Sec. 5-3. License fees. Except as otherwise provided herein, at the time application is made to the State Commission for a license of any class, the applicant shall pay to the State Commission the fee hereinafter provided for the kind of license applied for.

The fee for licenses issued by the State Commission shall be as follows:

	Online renewal	Initial license or non-online renewal
For a manufacturer's license:		
Class 1. Distiller	$4,000	$5,000
Class 2. Rectifier	4,000	5,000
Class 3. Brewer	1,200	1,500
Class 4. First-class Wine Manufacturer	750	900
Class 5. Second-class Wine Manufacturer	1,500	1,750
Class 6. First-class wine-maker	750	900
Class 7. Second-class wine-maker	1,500	1,750
Class 8. Limited Wine Manufacturer	250	350
Class 9. Class 1 Craft Distiller	50	75
Class 10. Class 2 Craft Distiller	75	100
Class 11 ~~10~~. Class 1 Brewer	50	75
Class 12 ~~11~~. Class 2 Brewer	75	100
For a Brew Pub License	1,200	1,500
For a Distilling Pub License	1,200	1,500
For a caterer retailer's license	350	500
For a foreign importer's license	25	25
For an importing distributor's license	25	25
For a distributor's license (11,250,000 gallons or over)	1,450	2,200
For a distributor's license (over 4,500,000 gallons, but under 11,250,000 gallons)	950	1,450
For a distributor's license (4,500,000 gallons or under)	300	450

For a non-resident dealer's license (500,000 gallons or over)	1,200	1,500
For a non-resident dealer's license (under 500,000 gallons)	250	350
For a wine-maker's premises license	250	500
For a winery shipper's license (under 250,000 gallons)	200	350
For a winery shipper's license (250,000 or over, but under 500,000 gallons)	750	1,000
For a winery shipper's license (500,000 gallons or over)	1,200	1,500
For a wine-maker's premises license, second location	500	1,000
For a wine-maker's premises license, third location	500	1,000
For a retailer's license	600	750
For a special event retailer's license, (not-for-profit)	25	25
For a special use permit license, one day only	100	150
2 days or more	150	250
For a railroad license	100	150
For a boat license	500	1,000
For an airplane license, times the licensee's maximum number of aircraft in flight, serving liquor over the State at any given time, which either originate, terminate, or make an intermediate stop in the State	100	150
For a non-beverage user's license:		
Class 1	24	24
Class 2	60	60
Class 3	120	120
Class 4	240	240
Class 5	600	600
For a broker's license	750	1,000
For an auction liquor license	100	150
For a homebrewer special event permit	25	25
For a craft distiller tasting permit	25	25
For a BASSET trainer license	300	350
For a tasting representative license	200	300
For a brewer warehouse permit	25	25
For a craft distiller warehouse permit	25	25

Fees collected under this Section shall be paid into the Dram Shop Fund. On and after July 1, 2003 and until June 30, 2016, of the funds received for a retailer's license, in addition to the first $175, an additional $75 shall be paid into the Dram Shop Fund, and $250 shall be paid into the General Revenue Fund. On and after June 30, 2016, one-half of the funds received for a retailer's license shall be paid into the Dram Shop Fund and one-half of the funds received for a retailer's license shall be paid into the General Revenue Fund. Beginning June 30, 1990 and on June 30 of each subsequent year through June 29, 2003, any balance over $5,000,000 remaining in the Dram Shop Fund shall be credited to State liquor licensees and applied against their fees for State liquor licenses for the following year. The amount credited to each licensee

shall be a proportion of the balance in the Dram Fund that is the same as the proportion of the license fee paid by the licensee under this Section for the period in which the balance was accumulated to the aggregate fees paid by all licensees during that period.

No fee shall be paid for licenses issued by the State Commission to the following non-beverage users:

(a) Hospitals, sanitariums, or clinics when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(b) Universities, colleges of learning or schools when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(c) Laboratories when their use is exclusively for the purpose of scientific research.

(Source: P.A. 99-448, eff. 8-24-15; 99-902, eff. 8-26-16; 99-904, eff. 8-26-16; 100-201, eff. 8-18-17; 100-816, eff. 8-13-18.)

(235 ILCS 5/6-4) (from Ch. 43, par. 121)

Sec. 6-4. (a) No person licensed by any licensing authority as a distiller, or a wine manufacturer, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of such person shall be issued an importing distributor's or distributor's license, nor shall any person licensed by any licensing authority as an importing distributor, distributor or retailer, or any subsidiary or affiliate thereof, or any officer or associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of such person be issued a distiller's license, a craft distiller's license, or a wine manufacturer's license; and no person or persons licensed as a distiller, ~~or~~ class 1 craft distiller, or class 2 craft distiller by any licensing authority shall have any interest, directly or indirectly, with such distributor or importing distributor.

However, an importing distributor or distributor, which on January 1, 1985 is owned by a brewer, or any subsidiary or affiliate thereof or any officer, associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of the importing distributor or distributor referred to in this paragraph, may own or acquire an ownership interest of more than 5% of the outstanding shares of a wine manufacturer and be issued a wine manufacturer's license by any licensing authority.

(b) The foregoing provisions shall not apply to any person licensed by any licensing authority as a distiller or wine manufacturer, or to any subsidiary or affiliate of any distiller or wine manufacturer who shall have been heretofore licensed by the State Commission as either an importing distributor or distributor during the annual licensing period expiring June 30, 1947, and shall actually have made sales regularly to retailers.

(c) Provided, however, that in such instances where a distributor's or importing distributor's license has been issued to any distiller or wine manufacturer or to any subsidiary or affiliate of any distiller or wine manufacturer who has, during the licensing period ending June 30, 1947, sold or distributed as such licensed distributor or importing distributor alcoholic liquors and wines to retailers, such distiller or wine manufacturer or any subsidiary or affiliate of any distiller or wine manufacturer holding such distributor's or importing distributor's license may continue to sell or distribute to retailers such alcoholic liquors and wines which are manufactured, distilled, processed or marketed by distillers and wine manufacturers whose products it sold or distributed to retailers during the whole or any part of its licensing periods; and such additional brands and additional products may be added to the line of such distributor or importing distributor, provided, that such brands and such products were not sold or distributed by any distributor or importing distributor licensed by the State Commission during the licensing period ending June 30, 1947, but can not sell or distribute to retailers any other alcoholic liquors or wines.

(d) It shall be unlawful for any distiller licensed anywhere to have any stock ownership or interest in any distributor's or importing distributor's license wherein any other person has an interest therein who is not a distiller and does not own more than 5% of any stock in any distillery. Nothing herein contained shall apply to such distillers or their subsidiaries or affiliates, who had a distributor's or importing distributor's license during the licensing period ending June 30, 1947, which license was owned in whole by such distiller, or subsidiaries or affiliates of such distiller.

(e) Any person licensed as a brewer, class 1 brewer, or class 2 brewer shall be permitted to sell on the licensed premises to non-licensees for on or off-premises consumption for the premises in which he or she actually conducts such business: (i) beer manufactured by the brewer, class 1 brewer, or class 2 brewer; (ii) beer manufactured by any other brewer, class 1 brewer, or class 2 brewer; and (iii) cider. Such sales shall be limited to on-premises, in-person sales only, for lawful consumption on or off premises. Such authorization shall be considered a privilege granted by the brewer license and, other than a manufacturer of beer as stated above, no manufacturer or distributor or importing distributor, excluding airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act, or any subsidiary or

affiliate thereof, or any officer, associate, member, partner, representative, employee or agent, or shareholder shall be issued a retailer's license, nor shall any person having a retailer's license, excluding airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative or agent, or shareholder be issued a manufacturer's license or importing distributor's license.

A manufacturer of beer that imports or transfers beer into this State must comply with Sections 6-8 and 8-1 of this Act.

A person who holds a class 1 or class 2 brewer license and is authorized by this Section to sell beer to non-licensees shall not sell beer to non-licensees from more than 3 total brewer or commonly owned brew pub licensed locations in this State. The class 1 or class 2 brewer shall designate to the State Commission the brewer or brew pub locations from which it will sell beer to non-licensees.

A person licensed as a class 1 craft distiller or a class 2 craft distiller, including a person who holds more than one class 1 craft distiller or class 2 craft distiller license, not affiliated with any other person manufacturing spirits may be authorized by the State Commission to sell (1) up to 5,000 ~~2,500~~ gallons of spirits produced by the person to non-licensees for on or off-premises consumption for the premises in which he or she actually conducts business permitting only the retail sale of spirits manufactured at such premises and (2) vermouth purchased through a licensed distributor for on-premises consumption. Such sales shall be limited to on-premises, in-person sales only, for lawful consumption on or off premises, and such authorization shall be considered a privilege granted by the class 1 craft distiller or class 2 craft distiller license. A class 1 craft distiller or class 2 craft distiller licensed for retail sale shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

A class 1 craft distiller or class 2 craft distiller license holder shall not deliver any alcoholic liquor to any non-licensee off the licensed premises. A class 1 craft distiller or class 2 craft distiller shall affirm in its annual ~~craft distiller's~~ license application that it does not produce more than 50,000 or 100,000 gallons of distilled spirits annually, whichever is applicable, and that the craft distiller does not sell more than 5,000 ~~2,500~~ gallons of spirits to non-licensees for on or off-premises consumption. In the application, which shall be sworn under penalty of perjury, the class 1 craft distiller or class 2 craft distiller shall state the volume of production and sales for each year since the class 1 craft distiller's or class 2 craft distiller's establishment.

A person who holds a class 1 craft distiller or class 2 craft distiller license and is authorized by this Section to sell spirits to non-licensees shall not sell spirits to non-licensees from more than 3 total distillery or commonly owned distilling pub licensed locations in this State. The class 1 craft distiller or class 2 craft distiller shall designate to the State Commission the distillery or distilling pub locations from which it will sell spirits to non-licensees.

(f) (Blank).

(g) Notwithstanding any of the foregoing prohibitions, a limited wine manufacturer may sell at retail at its manufacturing site for on or off premises consumption and may sell to distributors. A limited wine manufacturer licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(h) The changes made to this Section by Public Act 99-47 shall not diminish or impair the rights of any person, whether a distiller, wine manufacturer, agent, or affiliate thereof, who requested in writing and submitted documentation to the State Commission on or before February 18, 2015 to be approved for a retail license pursuant to what has heretofore been subsection (f); provided that, on or before that date, the State Commission considered the intent of that person to apply for the retail license under that subsection and, by recorded vote, the State Commission approved a resolution indicating that such a license application could be lawfully approved upon that person duly filing a formal application for a retail license and if that person, within 90 days of the State Commission appearance and recorded vote, first filed an application with the appropriate local commission, which application was subsequently approved by the appropriate local commission prior to consideration by the State Commission of that person's application for a retail license. It is further provided that the State Commission may approve the person's application for a retail license or renewals of such license if such person continues to diligently adhere to all representations made in writing to the State Commission on or before February 18, 2015, or thereafter, or in the affidavit filed by that person with the State Commission to support the issuance of a retail license and to abide by all applicable laws and duly adopted rules.

(Source: P.A. 99-47, eff. 7-15-15; 99-448, eff. 8-24-15; 99-642, eff. 7-28-16; 99-902, eff. 8-26-16; 100-201, eff. 8-18-17; 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; revised 10-24-18.)

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

The motion prevailed.
And the amendment was adopted and ordered printed.
There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2304** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2557** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 2894** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 3196** having been printed, was taken up and read by title a second time.
Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3196

AMENDMENT NO. _1__. Amend House Bill 3196 as follows:

on page 3, by deleting lines 24 and 25; and

on page 3, line 26, by replacing "(7)" with "(6)"; and

on page 4, line 3, by replacing "(8)" with "(7)"; and

on page 4, line 5, by replacing "(9)" with "(8)".

The motion prevailed.
And the amendment was adopted and ordered printed.
There being no further amendments, the bill, as amended, was ordered to a third reading.

At the hour of 12:29 o'clock p.m., Senator Martinez, presiding.

On motion of Senator Sims, **House Bill No. 2205** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2244** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2315** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 2499** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 3550** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 3661** was taken up, read by title a second time and ordered to a third reading.

Senator Hunter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Righter asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 12:34 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 2:17 o'clock p.m., the Senate resumed consideration of business.
Senator Munóz, presiding.

MESSAGE FROM THE HOUSE

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

SENATE JOINT RESOLUTION NO. 14

Together with the attached amendment thereto, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:
House Amendment No. 1 to SENATE JOINT RESOLUTION NO. 14
Passed by the House, May 16, 2019.

JOHN W. HOLLMAN, Clerk of the House

SENATE JOINT RESOLUTION NO. 14
HOUSE AMENDMENT NO. 1

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 14

AMENDMENT NO. _1_. Amend Senate Joint Resolution 14 on page 7, line 12, by replacing "October 8, 2019" with "January 1, 2020".

Under the rules, the foregoing **Senate Joint Resolution No. 14**, with House Amendment No. 1, was referred to the Secretary's Desk.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Castro, **House Bill No. 252** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 36; NAYS 18.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Sims
Belt	Glowiak	Link	Stadelman
Bennett	Harmon	Martinez	Steans
Bertino-Tarrant	Hastings	McGuire	Van Pelt
Bush	Holmes	Morrison	Villivalam
Castro	Hunter	Mulroe	Mr. President
Collins	Hutchinson	Muñoz	
Crowe	Jones, E.	Murphy	
Cullerton, T.	Koehler	Peters	

Cunningham	Landek	Sandoval	

The following voted in the negative:

Anderson	Fowler	Rezin	Tracy
Barickman	McClure	Righter	Weaver
Brady	McConchie	Schimpf	Wilcox
Curran	Oberweis	Stewart	
DeWitte	Plummer	Syverson	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Holmes, **House Bill No. 269** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Schimpf
Aquino	Fowler	Martinez	Sims
Barickman	Gillespie	McClure	Stadelman
Belt	Glowiak	McConchie	Steans
Bennett	Harmon	McGuire	Stewart
Bertino-Tarrant	Harris	Morrison	Syverson
Brady	Hastings	Mulroe	Tracy
Bush	Holmes	Muñoz	Van Pelt
Castro	Hunter	Murphy	Villivalam
Collins	Hutchinson	Oberweis	Weaver
Crowe	Jones, E.	Peters	Wilcox
Cullerton, T.	Koehler	Plummer	Mr. President
Cunningham	Landek	Rezin	
Curran	Lightford	Righter	
DeWitte	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martinez, **House Bill No. 3663** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Glowiak	McConchie	Stadelman
Belt	Harmon	McGuire	Steans

Bennett	Harris	Morrison	Stewart
Bertino-Tarrant	Hastings	Mulroe	Syverson
Brady	Holmes	Muñoz	Van Pelt
Bush	Hunter	Murphy	Villivalam
Castro	Hutchinson	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Anderson, **House Bill No. 271** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Hutchinson	Oberweis	Villivalam
Crowe	Jones, E.	Peters	Weaver
Cullerton, T.	Koehler	Plummer	Wilcox
Cunningham	Landek	Rezin	Mr. President
Curran	Lightford	Righter	
DeWitte	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Collins, **House Bill No. 331** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims

Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Van Pelt
Castro	Hunter	Murphy	Villivalam
Collins	Hutchinson	Oberweis	Weaver
Crowe	Jones, E.	Peters	Wilcox
Cullerton, T.	Koehler	Plummer	Mr. President
Cunningham	Landek	Rezin	
Curran	Lightford	Righter	
DeWitte	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Crowe, **House Bill No. 347** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martinez	Schimpf
Aquino	Gillespie	McClure	Sims
Barickman	Glowiak	McConchie	Stadelman
Belt	Harmon	McGuire	Steans
Bennett	Harris	Morrison	Stewart
Bertino-Tarrant	Hastings	Mulroe	Syverson
Brady	Holmes	Muñoz	Tracy
Bush	Hunter	Murphy	Van Pelt
Castro	Hutchinson	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
DeWitte	Link	Rose	
Ellman	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McConchie, **House Bill No. 355** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Schimpf
Aquino	Fowler	Martinez	Sims

Barickman	Gillespie	McClure	Stadelman
Belt	Glowiak	McConchie	Steans
Bennett	Harmon	McGuire	Stewart
Bertino-Tarrant	Harris	Morrison	Syverson
Brady	Hastings	Mulroe	Tracy
Bush	Holmes	Muñoz	Van Pelt
Castro	Hunter	Murphy	Villivalam
Collins	Hutchinson	Oberweis	Weaver
Crowe	Jones, E.	Peters	Wilcox
Cullerton, T.	Koehler	Plummer	Mr. President
Cunningham	Landek	Rezin	
Curran	Lightford	Righter	
DeWitte	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Murphy, **House Bill No. 359** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Gillespie	McClure	Sims
Aquino	Glowiak	McConchie	Stadelman
Barickman	Harmon	McGuire	Steans
Belt	Harris	Morrison	Stewart
Bennett	Hastings	Mulroe	Syverson
Bertino-Tarrant	Holmes	Muñoz	Tracy
Brady	Hunter	Murphy	Van Pelt
Bush	Hutchinson	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
DeWitte	Link	Rose	
Ellman	Manar	Sandoval	
Fowler	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bertino-Tarrant, **House Bill No. 423** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose

Aquino	Fowler	Manar	Sandoval
Barickman	Gillespie	Martinez	Schimpf
Belt	Glowiak	McClure	Sims
Bennett	Harmon	McConchie	Stadelman
Bertino-Tarrant	Harris	McGuire	Steans
Brady	Hastings	Morrison	Syverson
Bush	Holmes	Mulroe	Tracy
Castro	Hunter	Muñoz	Van Pelt
Collins	Hutchinson	Murphy	Villivalam
Crowe	Jones, E.	Oberweis	Weaver
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **House Bill No. 808** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Manar	Sandoval
Aquino	Gillespie	Martinez	Schimpf
Barickman	Glowiak	McClure	Sims
Belt	Harmon	McConchie	Stadelman
Bennett	Harris	McGuire	Steans
Bertino-Tarrant	Hastings	Morrison	Syverson
Brady	Holmes	Mulroe	Tracy
Bush	Hunter	Muñoz	Van Pelt
Collins	Hutchinson	Murphy	Villivalam
Crowe	Jones, E.	Oberweis	Weaver
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	
Ellman	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Holmes, **House Bill No. 831** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf

Barickman	Gillespie	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Hutchinson	Oberweis	Villivalam
Crowe	Jones, E.	Peters	Weaver
Cullerton, T.	Koehler	Plummer	Wilcox
Cunningham	Landek	Rezin	Mr. President
Curran	Lightford	Righter	
DeWitte	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **House Bill No. 836** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Schimpf
Aquino	Fowler	Martinez	Sims
Barickman	Gillespie	McClure	Stadelman
Belt	Glowiak	McConchie	Steans
Bennett	Harmon	McGuire	Syverson
Bertino-Tarrant	Harris	Morrison	Tracy
Brady	Hastings	Mulroe	Van Pelt
Bush	Holmes	Muñoz	Villivalam
Castro	Hunter	Murphy	Weaver
Collins	Hutchinson	Oberweis	Wilcox
Crowe	Jones, E.	Peters	Mr. President
Cullerton, T.	Koehler	Rezin	
Cunningham	Landek	Righter	
Curran	Lightford	Rose	
DeWitte	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bush, **House Bill No. 840** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Lightford	Rose

Aquino	Ellman	Link	Sandoval
Barickman	Fowler	Manar	Schimpf
Belt	Gillespie	Martinez	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Hutchinson	Oberweis	Weaver
Cullerton, T.	Jones, E.	Peters	Wilcox
Cunningham	Koehler	Rezin	Mr. President
Curran	Landek	Righter	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Murphy, **House Bill No. 907** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Link	Righter
Aquino	Ellman	Manar	Rose
Barickman	Fowler	Martinez	Sandoval
Belt	Gillespie	McClure	Schimpf
Bennett	Glowiak	McConchie	Sims
Bertino-Tarrant	Harmon	McGuire	Stadelman
Brady	Harris	Morrison	Steans
Bush	Hastings	Mulroe	Stewart
Castro	Holmes	Muñoz	Syverson
Collins	Hunter	Murphy	Van Pelt
Crowe	Jones, E.	Oberweis	Villivalam
Cullerton, T.	Koehler	Peters	Weaver
Cunningham	Landek	Plummer	Mr. President
Curran	Lightford	Rezin	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bush, **House Bill No. 921** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims

Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Syverson
Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McGuire, **House Bill No. 938** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Mulroe, **House Bill No. 1471** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf

Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bertino-Tarrant, **House Bill No. 1472** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 1475** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Rose, **House Bill No. 1494** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **House Bill No. 348** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 44; NAYS 3.

The following voted in the affirmative:

Anderson	Fowler	Manar	Schimpf
Aquino	Gillespie	Martinez	Sims
Belt	Glowiak	McConchie	Steans
Bennett	Harmon	McGuire	Stewart
Bertino-Tarrant	Harris	Morrison	Van Pelt
Brady	Hastings	Mulroe	Villivalam
Collins	Holmes	Muñoz	Wilcox
Crowe	Hunter	Murphy	Mr. President
Cullerton, T.	Jones, E.	Oberweis	
Cunningham	Koehler	Peters	
Curran	Lightford	Rezin	
Ellman	Link	Sandoval	

The following voted in the negative:

Barickman
DeWitte
Plummer

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

Senator Bush asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 348**.

On motion of Senator Morrison, **House Bill No. 1551** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martinez	Schimpf
Aquino	Gillespie	McClure	Sims
Barickman	Glowiak	McConchie	Stadelman
Belt	Harmon	McGuire	Steans
Bennett	Harris	Mulroe	Stewart
Bertino-Tarrant	Hastings	Muñoz	Syverson
Brady	Holmes	Murphy	Tracy
Bush	Hunter	Oberweis	Van Pelt
Castro	Jones, E.	Peters	Villivalam
Collins	Koehler	Plummer	Weaver
Crowe	Landek	Rezin	Wilcox
Cullerton, T.	Lightford	Righter	Mr. President
DeWitte	Link	Rose	
Ellman	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Link, **House Bill No. 1552** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martinez	Sandoval
Aquino	Gillespie	McClure	Schimpf
Barickman	Glowiak	McConchie	Sims
Belt	Harmon	McGuire	Stadelman
Bennett	Harris	Morrison	Steans
Bertino-Tarrant	Hastings	Mulroe	Stewart
Brady	Holmes	Muñoz	Syverson
Bush	Hunter	Murphy	Tracy
Castro	Jones, E.	Oberweis	Van Pelt
Crowe	Koehler	Peters	Villivalam
Cunningham	Landek	Plummer	Weaver
Curran	Lightford	Rezin	Wilcox
DeWitte	Link	Righter	Mr. President
Ellman	Manar	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martinez, **House Bill No. 1557** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 49; NAYS None.

The following voted in the affirmative:

Aquino	Fowler	Manar	Sims
Belt	Gillespie	Martinez	Stadelman
Bennett	Glowiak	McConchie	Steans
Brady	Harmon	McGuire	Stewart
Bush	Harris	Morrison	Syverson
Castro	Hastings	Mulroe	Tracy
Collins	Holmes	Muñoz	Van Pelt
Crowe	Hunter	Murphy	Villivalam
Cullerton, T.	Jones, E.	Oberweis	Wilcox
Cunningham	Koehler	Peters	Mr. President
Curran	Landek	Rezin	
DeWitte	Lightford	Sandoval	
Ellman	Link	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **House Bill No. 1579** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	McClure	Sims
Aquino	Fowler	McConchie	Stadelman
Barickman	Gillespie	McGuire	Steans
Belt	Glowiak	Morrison	Stewart
Bennett	Harmon	Mulroe	Syverson
Bertino-Tarrant	Harris	Muñoz	Tracy
Brady	Hastings	Murphy	Van Pelt
Bush	Holmes	Oberweis	Villivalam
Castro	Hunter	Peters	Weaver
Collins	Jones, E.	Plummer	Wilcox
Crowe	Koehler	Rezin	Mr. President
Cullerton, T.	Lightford	Righter	
Cunningham	Link	Rose	
Curran	Manar	Sandoval	
DeWitte	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Aquino, **House Bill No. 1580** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	McClure	Sims
Aquino	Fowler	McConchie	Stadelman
Barickman	Gillespie	McGuire	Steans
Belt	Glowiak	Morrison	Stewart
Bennett	Harmon	Mulroe	Syverson
Bertino-Tarrant	Harris	Muñoz	Tracy
Brady	Hastings	Murphy	Van Pelt
Bush	Holmes	Oberweis	Villivalam
Castro	Hunter	Peters	Weaver
Collins	Jones, E.	Plummer	Wilcox
Crowe	Koehler	Rezin	Mr. President
Cullerton, T.	Lightford	Righter	
Cunningham	Link	Rose	
Curran	Manar	Sandoval	
DeWitte	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Stadelman, **House Bill No. 1581** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 52; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Manar	Schimpf
Aquino	Ellman	Martinez	Sims
Barickman	Fowler	McConchie	Stadelman
Belt	Gillespie	McGuire	Steans
Bennett	Glowiak	Morrison	Syverson
Bertino-Tarrant	Harmon	Mulroe	Tracy
Brady	Harris	Muñoz	Van Pelt
Bush	Hastings	Murphy	Villivalam
Castro	Holmes	Oberweis	Weaver
Collins	Hunter	Peters	Mr. President
Crowe	Jones, E.	Rezin	
Cullerton, T.	Koehler	Righter	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Curran, **House Bill No. 1583** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	McClure	Sims
Aquino	Fowler	McConchie	Stadelman
Barickman	Gillespie	McGuire	Steans
Belt	Glowiak	Morrison	Stewart
Bennett	Harmon	Mulroe	Syverson
Bertino-Tarrant	Harris	Muñoz	Tracy
Brady	Hastings	Murphy	Van Pelt
Bush	Holmes	Oberweis	Villivalam
Castro	Hunter	Peters	Weaver
Collins	Jones, E.	Plummer	Wilcox
Crowe	Koehler	Rezin	Mr. President
Cullerton, T.	Lightford	Righter	
Cunningham	Link	Rose	
Curran	Manar	Sandoval	
DeWitte	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator McConchie, **House Bill No. 1873** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 53; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Martinez	Schimpf
Aquino	Ellman	McClure	Sims
Barickman	Fowler	McConchie	Stadelman
Belt	Gillespie	McGuire	Steans
Bennett	Glowiak	Morrison	Stewart
Bertino-Tarrant	Harmon	Mulroe	Syverson
Brady	Harris	Muñoz	Tracy
Bush	Hastings	Murphy	Van Pelt
Castro	Holmes	Oberweis	Weaver
Collins	Hunter	Plummer	Wilcox
Crowe	Jones, E.	Rezin	Mr. President
Cullerton, T.	Koehler	Righter	
Cunningham	Link	Rose	
Curran	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Plummer, **House Bill No. 1876** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAY 1.

The following voted in the affirmative:

Anderson	DeWitte	Martinez	Schimpf
Aquino	Ellman	McClure	Sims
Barickman	Fowler	McConchie	Stadelman
Belt	Gillespie	McGuire	Steans
Bennett	Glowiak	Morrison	Stewart
Bertino-Tarrant	Harmon	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Lightford	Rezin	Mr. President
Cunningham	Link	Righter	
Curran	Manar	Sandoval	

The following voted in the negative:

Rose

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

Senator Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 1876**.

On motion of Senator Koehler, **House Bill No. 1915** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	McClure	Sims
Aquino	Fowler	McConchie	Stadelman
Barickman	Gillespie	McGuire	Steans
Belt	Glowiak	Morrison	Stewart
Bennett	Harmon	Mulroe	Syverson
Bertino-Tarrant	Harris	Muñoz	Tracy
Brady	Hastings	Murphy	Van Pelt
Bush	Holmes	Oberweis	Villivalam
Castro	Hunter	Peters	Weaver
Collins	Jones, E.	Plummer	Wilcox
Crowe	Koehler	Rezin	Mr. President
Cullerton, T.	Lightford	Righter	
Cunningham	Link	Rose	
Curran	Manar	Sandoval	
DeWitte	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 2028** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Martinez	Sandoval
Aquino	Ellman	McClure	Schimpf
Barickman	Fowler	McConchie	Sims
Belt	Gillespie	McGuire	Stadelman
Bennett	Glowiak	Morrison	Steans
Bertino-Tarrant	Harmon	Mulroe	Stewart
Brady	Harris	Muñoz	Syverson
Bush	Holmes	Murphy	Tracy
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Lightford	Rezin	Mr. President
Cunningham	Link	Righter	

Curran	Manar	Rose

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

Senator Hastings asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 2028**.

At the hour of 3:21 o'clock p.m., Senator Koehler, presiding.

On motion of Senator Aquino, **House Bill No. 2029** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	McClure	Sims
Aquino	Fowler	McConchie	Stadelman
Barickman	Gillespie	McGuire	Steans
Belt	Glowiak	Morrison	Stewart
Bennett	Harmon	Mulroe	Syverson
Bertino-Tarrant	Harris	Muñoz	Tracy
Brady	Hastings	Murphy	Van Pelt
Bush	Holmes	Oberweis	Villivalam
Castro	Hunter	Peters	Weaver
Collins	Jones, E.	Plummer	Wilcox
Crowe	Koehler	Rezin	Mr. President
Cullerton, T.	Lightford	Righter	
Cunningham	Link	Rose	
Curran	Manar	Sandoval	
DeWitte	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

At the hour of 3:23 o'clock p.m., Senator Muñoz, presiding.

On motion of Senator Peters, **House Bill No. 2040** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 34; NAYS 14.

The following voted in the affirmative:

Aquino	Ellman	Koehler	Peters
Belt	Gillespie	Lightford	Sandoval

Bennett	Glowiak	Link	Sims
Bertino-Tarrant	Harmon	Martinez	Steans
Bush	Harris	McGuire	Van Pelt
Castro	Hastings	Morrison	Villivalam
Collins	Holmes	Mulroe	Mr. President
Cullerton, T.	Hunter	Muñoz	
Cunningham	Jones, E.	Murphy	

The following voted in the negative:

Barickman	McConchie	Rose	Weaver
Brady	Oberweis	Schimpf	Wilcox
DeWitte	Plummer	Stewart	
Fowler	Righter	Tracy	

This roll call verified.

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Tracy, **House Bill No. 2081** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 52; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Sims
Aquino	Gillespie	McConchie	Stadelman
Barickman	Glowiak	McGuire	Steans
Belt	Harmon	Morrison	Syverson
Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Cullerton, T.	Koehler	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	
Ellman	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Stewart, **House Bill No. 2133** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sandoval
Aquino	Fowler	McClure	Schimpf
Barickman	Gillespie	McConchie	Sims
Belt	Glowiak	McGuire	Stadelman
Bertino-Tarrant	Harmon	Morrison	Steans
Brady	Harris	Mulroe	Stewart
Bush	Hastings	Muñoz	Tracy
Castro	Holmes	Murphy	Van Pelt
Collins	Hunter	Oberweis	Villivalam
Crowe	Jones, E.	Peters	Weaver
Cullerton, T.	Koehler	Plummer	Wilcox
Cunningham	Lightford	Rezin	Mr. President
Curran	Link	Righter	
DeWitte	Manar	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 2142** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sandoval
Aquino	Fowler	McClure	Schimpf
Barickman	Gillespie	McConchie	Sims
Belt	Glowiak	McGuire	Stadelman
Bertino-Tarrant	Harmon	Morrison	Steans
Brady	Harris	Mulroe	Stewart
Bush	Hastings	Muñoz	Syverson
Castro	Holmes	Murphy	Tracy
Collins	Hunter	Oberweis	Van Pelt
Crowe	Jones, E.	Peters	Villivalam
Cullerton, T.	Koehler	Plummer	Weaver
Cunningham	Lightford	Rezin	Wilcox
Curran	Link	Righter	Mr. President
DeWitte	Manar	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Crowe, **House Bill No. 2239** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Sandoval

Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Tracy
Bush	Holmes	Muñoz	Van Pelt
Castro	Hunter	Murphy	Villivalam
Collins	Jones, E.	Oberweis	Weaver
Crowe	Koehler	Peters	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 2247** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 50; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fowler	Manar	Sandoval
Barickman	Gillespie	Martinez	Schimpf
Belt	Glowiak	McClure	Sims
Bennett	Harmon	McConchie	Stadelman
Bertino-Tarrant	Harris	McGuire	Steans
Bush	Hastings	Morrison	Tracy
Castro	Holmes	Mulroe	Van Pelt
Collins	Hunter	Muñoz	Villivalam
Crowe	Jones, E.	Murphy	Weaver
Cullerton, T.	Koehler	Oberweis	Mr. President
Cunningham	Landek	Peters	
DeWitte	Lightford	Rezin	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McConchie, **House Bill No. 2256** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman

Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 2259** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **House Bill No. 2266** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims

Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Aquino, **House Bill No. 2272** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 52; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Schimpf
Aquino	Fowler	Martinez	Sims
Barickman	Gillespie	McClure	Stadelman
Belt	Glowiak	McConchie	Steans
Bennett	Harmon	McGuire	Syverson
Bertino-Tarrant	Harris	Morrison	Tracy
Brady	Hastings	Mulroe	Van Pelt
Bush	Holmes	Muñoz	Villivalam
Castro	Hunter	Murphy	Weaver
Collins	Jones, E.	Oberweis	Mr. President
Crowe	Koehler	Peters	
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
DeWitte	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Schimpf, **House Bill No. 2293** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims

Barickman	Gillespie	McConchie	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Righter	
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Tracy, **House Bill No. 2386** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 41; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Stadelman
Barickman	Fowler	McClure	Steans
Bennett	Gillespie	McGuire	Stewart
Bertino-Tarrant	Glowiak	Muñoz	Syverson
Brady	Harmon	Murphy	Tracy
Bush	Hastings	Oberweis	Weaver
Crowe	Holmes	Plummer	Wilcox
Cullerton, T.	Hunter	Rezin	Mr. President
Cunningham	Jones, E.	Rose	
Curran	Koehler	Sandoval	
DeWitte	Landek	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Belt, **House Bill No. 2433** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Sims
Aquino	Gillespie	McConchie	Stadelman
Barickman	Glowiak	McGuire	Steans
Belt	Harmon	Morrison	Stewart
Bennett	Harris	Mulroe	Syverson

Bertino-Tarrant	Hastings	Muñoz	Tracy
Brady	Holmes	Murphy	Van Pelt
Bush	Hunter	Oberweis	Villivalam
Castro	Jones, E.	Peters	Weaver
Collins	Koehler	Plummer	Wilcox
Crowe	Landek	Rezin	Mr. President
Cullerton, T.	Lightford	Righter	
Cunningham	Link	Rose	
DeWitte	Manar	Sandoval	
Ellman	Martinez	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Murphy, **House Bill No. 2487** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Schimpf
Aquino	Fowler	Martinez	Sims
Barickman	Gillespie	McClure	Stadelman
Belt	Glowiak	McGuire	Steans
Bennett	Harmon	Morrison	Stewart
Bertino-Tarrant	Harris	Mulroe	Syverson
Brady	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Van Pelt
Castro	Hunter	Oberweis	Villivalam
Collins	Jones, E.	Peters	Weaver
Crowe	Koehler	Plummer	Wilcox
Cullerton, T.	Landek	Rezin	Mr. President
Cunningham	Lightford	Rose	
DeWitte	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McGuire, **House Bill No. 2491** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sims
Aquino	Fowler	McClure	Stadelman
Barickman	Gillespie	McConchie	Steans
Belt	Glowiak	McGuire	Stewart
Bennett	Harmon	Morrison	Syverson

Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	
DeWitte	Manar	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Belt, **House Bill No. 2492** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Link	Sandoval
Aquino	Ellman	Manar	Schimpf
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Steans
Bertino-Tarrant	Harmon	McGuire	Stewart
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Jones, E.	Oberweis	Weaver
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Rezin	Mr. President
Curran	Lightford	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Curran, **House Bill No. 2512** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sims
Aquino	Fowler	McClure	Stadelman
Barickman	Gillespie	McConchie	Steans
Belt	Glowiak	McGuire	Stewart
Bennett	Harmon	Morrison	Syverson

Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	
DeWitte	Manar	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bertino-Tarrant, **House Bill No. 2605** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sims
Aquino	Fowler	McClure	Stadelman
Barickman	Gillespie	McConchie	Steans
Belt	Glowiak	McGuire	Stewart
Bennett	Harmon	Morrison	Syverson
Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	
DeWitte	Manar	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Curran, **House Bill No. 2613** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Link	Rose
Aquino	Ellman	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims

Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Jones, E.	Oberweis	Villivalam
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Plummer	Mr. President
Curran	Lightford	Rezin	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bush, **House Bill No. 2643** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 51; NAYS None; Present 2.

The following voted in the affirmative:

Anderson	DeWitte	Lightford	Rose
Aquino	Ellman	Link	Sandoval
Barickman	Fowler	Manar	Schimpf
Belt	Gillespie	Martinez	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Bush	Harris	Morrison	Stewart
Castro	Hastings	Mulroe	Syverson
Collins	Holmes	Muñoz	Van Pelt
Crowe	Hunter	Murphy	Villivalam
Cullerton, T.	Jones, E.	Oberweis	Weaver
Cunningham	Koehler	Peters	Mr. President
Curran	Landek	Rezin	

The following voted present:

Brady
Plummer

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Belt, **House Bill No. 2652** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Aquino	Ellman	Manar	Sandoval
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Steans
Bertino-Tarrant	Harmon	McGuire	Stewart
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Jones, E.	Oberweis	Weaver
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Plummer	Mr. President
Curran	Lightford	Rezin	
DeWitte	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Mulroe, **House Bill No. 2659** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Aquino	Ellman	Manar	Schimpf
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Steans
Bertino-Tarrant	Harmon	McGuire	Stewart
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Jones, E.	Oberweis	Weaver
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Rezin	Mr. President
Curran	Lightford	Rose	
DeWitte	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Aquino, **House Bill No. 2662** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Aquino	Ellman	Martinez	Schimpf

Barickman	Fowler	McClure	Sims
Belt	Gillespie	McConchie	Stadelman
Bennett	Glowiak	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Jones, E.	Oberweis	Villivalam
Crowe	Koehler	Peters	Weaver
Cullerton, T.	Landek	Plummer	Wilcox
Cunningham	Lightford	Rezin	Mr. President
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bertino-Tarrant, **House Bill No. 2676** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Jones, E.	Oberweis	Villivalam
Cullerton, T.	Koehler	Peters	Weaver
Cunningham	Landek	Plummer	Wilcox
Curran	Lightford	Rezin	Mr. President
DeWitte	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Murphy, **House Bill No. 2699** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Link	Rose
Aquino	Ellman	Manar	Sandoval

Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Jones, E.	Oberweis	Weaver
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Plummer	Mr. President
Curran	Lightford	Rezin	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

Senator Villivalam asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 2699**.

On motion of Senator Mulroe, **House Bill No. 2722** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 53; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Manar	Schimpf
Aquino	Ellman	Martinez	Sims
Barickman	Fowler	McConchie	Stadelman
Belt	Gillespie	McGuire	Stewart
Bennett	Glowiak	Morrison	Syverson
Bertino-Tarrant	Harmon	Mulroe	Tracy
Brady	Harris	Muñoz	Van Pelt
Bush	Hastings	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

ANNOUNCEMENT

The Chair announced that the deadline for filing Floor amendments to House bills is Friday, May 17, 2019, at 3:00 o'clock p.m.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Cunningham, **House Bill No. 2767** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Manar	Sandoval
Aquino	Ellman	Martinez	Schimpf
Barickman	Fowler	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Jones, E.	Oberweis	Villivalam
Crowe	Koehler	Peters	Weaver
Cullerton, T.	Landek	Plummer	Wilcox
Cunningham	Lightford	Rezin	Mr. President
Curran	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Stewart, **House Bill No. 2777** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sims
Aquino	Fowler	McClure	Stadelman
Barickman	Gillespie	McConchie	Steans
Belt	Glowiak	McGuire	Stewart
Bennett	Harmon	Morrison	Syverson
Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	
DeWitte	Manar	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Castro, **House Bill No. 2802** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sims
Aquino	Fowler	McClure	Stadelman
Barickman	Gillespie	McConchie	Steans
Belt	Glowiak	McGuire	Stewart
Bennett	Harmon	Morrison	Syverson
Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	
DeWitte	Manar	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Glowiak, **House Bill No. 2818** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Sims
Aquino	Fowler	McClure	Stadelman
Barickman	Gillespie	McConchie	Steans
Belt	Glowiak	McGuire	Stewart
Bennett	Harmon	Morrison	Syverson
Bertino-Tarrant	Harris	Mulroe	Tracy
Brady	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villivalam
Castro	Hunter	Oberweis	Weaver
Collins	Jones, E.	Peters	Wilcox
Crowe	Koehler	Plummer	Mr. President
Cullerton, T.	Landek	Rezin	
Cunningham	Lightford	Rose	
Curran	Link	Sandoval	
DeWitte	Manar	Schimpf	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Stadelman, **House Bill No. 2822** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Link	Rose
Aquino	Ellman	Manar	Sandoval
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Steans
Bertino-Tarrant	Harmon	McGuire	Stewart
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Jones, E.	Oberweis	Weaver
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Plummer	Mr. President
Curran	Lightford	Rezin	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Mulroe, **House Bill No. 2824** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Manar	Sandoval
Aquino	Ellman	Martinez	Schimpf
Barickman	Fowler	McClure	Sims
Belt	Gillespie	McConchie	Stadelman
Bennett	Glowiak	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Jones, E.	Oberweis	Villivalam
Crowe	Koehler	Peters	Weaver
Cullerton, T.	Landek	Plummer	Wilcox
Cunningham	Lightford	Rezin	Mr. President
Curran	Link	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 2847** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Link	Rose
Aquino	Ellman	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Jones, E.	Oberweis	Villivalam
Cullerton, T.	Koehler	Peters	Wilcox
Cunningham	Landek	Plummer	Mr. President
Curran	Lightford	Rezin	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Link, **House Bill No. 2862** was recalled from the order of third reading to the order of second reading.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 2862

AMENDMENT NO. _2_. Amend House Bill 2862, AS AMENDED, in Section 5, in the introductory clause, by replacing "4, 7.6, 11, and 16" with "4, 7.6, and 11"; and

in Section 5, by deleting Sec. 16.

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Collins, **House Bill No. 2897** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Martinez	Schimpf
Aquino	Fowler	McClure	Sims
Barickman	Gillespie	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Jones, E.	Oberweis	Villivalam
Crowe	Koehler	Peters	Weaver
Cullerton, T.	Landek	Plummer	Wilcox
Cunningham	Lightford	Rezin	Mr. President
Curran	Link	Rose	
DeWitte	Manar	Sandoval	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to House Bill 5
Amendment No. 1 to House Bill 2557
Amendment No. 3 to House Bill 2708
Amendment No. 2 to House Bill 2931
Amendment No. 2 to House Bill 2975

The following Floor amendment to the Senate Resolution listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 3 to Senate Joint Resolution 36

At the hour of 4:18 o'clock p.m., the Chair announced that the Senate stands adjourned until Friday, May 17, 2019, at 9:30 o'clock a.m.