



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

160TH LEGISLATIVE DAY

MONDAY, JANUARY 10, 2005

12:14 O'CLOCK P.M.

SENATE
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160th Legislative Day

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The Senate met pursuant to adjournment.
Honorable Emil Jones, Jr., President of the Senate, presiding.
Prayer by Reverend T. Ray McJunkins, Union Baptist Church, Springfield, Illinois.
Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Thursday, November 18, 2004, was being read when on motion of Senator Haine, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 751

Offered by Senator Haine and all Senators:
Mourns the death of LaVerne E. Trent of Alton.

SENATE RESOLUTION 752

Offered by Senator Brady and all Senators:
Mourns the death of Patrick Michael Righi Barnard of Crestwood.

SENATE RESOLUTION 753

Offered by Senator Risinger and all Senators:
Mourns the death of Joseph William Legner of Princeton.

SENATE RESOLUTION 754

Offered by Senator Shadid and all Senators:
Mourns the death of Santa DeMarini of Bartonville.

SENATE RESOLUTION 755

Offered by Senator Haine and all Senators:
Mourns the death of Robert Irl Blackford of Alton.

SENATE RESOLUTION 756

Offered by Senator Sandoval and all Senators:
Mourns the death of Dr. Jorge Caverro Sr.

SENATE RESOLUTION 757

Offered by Senator Shadid and all Senators:
Mourns the death of Paul E. Meister of Hanna City.

SENATE RESOLUTION 758

Offered by Senator Clayborne and all Senators:
Mourns the death of V. Bruce Morrison of O'Fallon.

SENATE RESOLUTION 759

Offered by Senator Silverstein and all Senators:
Mourns the death of Rabbi Irving P. Glickman.

SENATE RESOLUTION 760

Offered by Senator Dillard and all Senators:
Mourns the death of Robert J. Raymond of Naperville.

SENATE RESOLUTION 761

Offered by Senator E. Jones and all Senators:
Mourns the death of former Senate President William "Bill" C. Harris of Pontiac.

SENATE RESOLUTION 762

Offered by Senators E. Jones - Hunter and all Senators:
Mourns the death of Samuel A. Patch of Chicago.

SENATE RESOLUTION 763

Offered by Senator Clayborne and all Senators:
Mourns the death of Lillie Mae Greer of East St. Louis.

SENATE RESOLUTION 764

Offered by Senator Clayborne and all Senators:
Mourns the death of Evangelist Arminie Juanita (Johnson) Moore.

SENATE RESOLUTION 765

Offered by Senator W. Jones and all Senators:
Mourns the death of Marine Corporal Peter Giannopoulos of Inverness.

SENATE RESOLUTION 766

Offered by Senator W. Jones and all Senators:
Mourns the death of Robert Joseph Bryce Southwell of Springfield.

SENATE RESOLUTION 767

Offered by Senator Sandoval and all Senators:
Mourns the death of Boleslaw Krzak.

SENATE RESOLUTION 768

Offered by Senator Sandoval and all Senators:
Mourns the death of Marie A. Zipprich, nee Ulie, of Westchester.

By unanimous consent, the foregoing resolutions were referred to the resolutions Consent Calendar.

Senator Harmon offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 769

WHEREAS, Illinois has a competitive advantage over other states with our extensive network of railroads that are the envy of other states; and

WHEREAS, Our passenger train service is not up to par with other states and a faint echo of the passenger train service enjoyed by other Western nations; and

WHEREAS, The City of Chicago is a rail hub of the nation, with dozens of different lines converging in downtown Chicago, creating economic opportunities but also massive gridlock that affects freight and passenger train service all over the State of Illinois; and

WHEREAS, The CREATE (Chicago Region Environmental and Transportation Efficiency) Program is a proposed \$1.5-billion modernization of the freight and passenger rail infrastructure serving Chicago and northeast Illinois that will improve passenger rail service, reduce freight rail and highway congestion, eliminate numerous conflicts between rail and road traffic, reduce motorist delays, and enhance safety; and

WHEREAS, The plan calls for creation of five rail corridors through the city, including one primarily for passenger trains, improvements at 33 grade crossings in the Chicago region, and the opening of a key corridor in downtown Chicago for commercial development; and

WHEREAS, The private railroad companies are contributing a significant amount of funds to the project, along with the City of Chicago and the federal government; and

WHEREAS, The federal government's share of the program has not been appropriated or authorized; and

[January 10, 2005]

WHEREAS, The State's \$200 million investment in upgrading the track between Chicago and St. Louis relies on the CREATE Program to improve service from Joliet to Chicago; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That we call on the Congress and the President to work to secure full funding for the CREATE Program; and be it further

RESOLVED, That we call on the Congress and the President to work to secure federal funding to complete the necessary infrastructure work on the Chicago-Springfield-St. Louis corridor; and be it further

RESOLVED, That we call on Governor Blagojevich to include sufficient funding in the State's 2006 budget to increase service on the Chicago-Springfield-St. Louis corridor from three daily departures to five daily departures; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Illinois congressional delegation, and the Governor.

Senator Peterson offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 92

WHEREAS, The members of the Illinois General Assembly learned with sadness of the death of Richard C. Reed on November 23, 2004; he was a resident of Deerfield for 46 years, and the husband of Betty Lou Reed, who served as an Illinois State Legislator from 1974 to 1982; and

WHEREAS, He was born and raised in Flint, Michigan, and graduated from Wayne State University in Detroit; after graduation, he worked in Personnel Management at Wolverine Tube Corporation in Detroit, and was transferred to the Chicago area; he then worked as Vice President of Human Resources for Statistical Tabulating Corporation in Chicago; and

WHEREAS, He was a dedicated husband and father, beloved for his twinkling eyes and soft voice; and

WHEREAS, He was preceded in death by his son, Dick Reed, Jr.; and

WHEREAS, He is survived by his wife of 57 years, Betty Lou Reed, with whom he enjoyed the world of politics; he is also survived by two daughters, Nancy (Chris) Thomas and Sally (Mike) Glazier; and his six grandchildren, Andy, Ben and Cait Glazier, and Sarah, Wil and Sam Thomas; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we mourn the passing of Richard C. Reed and we extend to his family our thoughts and prayers during this difficult time; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our deepest sympathy.

Senator Sandoval offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 93

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the

[January 10, 2005]

Joint Task Force on Illinois Immigrants and Refugees established under House Joint Resolution 21 of the 93rd General Assembly is hereby continued until such time as the Joint Task Force delivers its report to the General Assembly summarizing its findings and recommendations, but no later than December 31, 2005.

COMMUNICATION

**RAY R. SODEN
STATE SENATOR 23RD DISTRICT**

December 7, 2004

Linda Hawker
Secretary of the Senate
401 State Capitol
Springfield, IL 62706

Dear Ms. Hawker,

This is to inform you that I will be resigning as State Senator of the 23rd Senatorial district of the State of Illinois effective midnight on January 3rd 2005.

It has been my honor and privilege to serve the people as Senator for my District and the State of Illinois.

Respectfully,

s/Ray Soden
Illinois State Senator
23rd District

cc: Jesse White, Secretary of State
Emil Jones, Senate President
Frank Watson, Senator Minority Leader
Kirk Dillard, Chairman DuPage County Republican Central Committee

MESSAGE FROM SECRETARY OF STATE

NOTIFICATION OF VACANCY

Legislative Committee of the)
Republican Party of the)
23rd Legislative District)
)
)
STATE OF ILLINOIS)
COUNTY OF DUPAGE)

WHEREAS, Senator Ray Soden, a member of the Republican Party, has resigned as Senator in the General Assembly for the Twenty-Third Legislative District; and

WHEREAS, Senator Soden was the duly appointed State Senator for the 23rd Legislative District; and

WHEREAS, Senator Soden's resignation is effective January 3, 2005 at midnight;

NOW, THEREFORE, the Legislative Committee of the Republican Party of the Twenty-Third Legislative District does hereby find and declare that the office of Senator in the General Assembly for the Twenty-Third Legislative District is vacant for the remainder of the term in which Senator Soden was appointed.

[January 10, 2005]

SIGNED: s/Kirk W. Dillard
Chairman

ATTEST: s/Patrick J. Durante
Secretary

Dated: 1/4/04

**CERTIFICATE OF APPOINTMENT TO FILL VACANCY
IN THE OFFICE OF SENATOR IN THE GENERAL ASSEMBLY
IN THE TWENTY-THIRD LEGISLATIVE DISTRICT**

Legislative Committee of the)
Republican Party of the)
23rd Legislative District)
)
)
STATE OF ILLINOIS)
COUNTY OF DUPAGE)

WHEREAS, a vacancy has occurred in the office of Senator in the General Assembly in the 23rd Legislative District of the State of Illinois by reason of the resignation of Ray Soden, a duly appointed officer of the Republican Party from the 23rd Legislative District of the State of Illinois; and

WHEREAS, the Legislative Committee of the Republican Party of the 23rd Legislative District has met and voted to fill the vacancy in said office, as required by 10 ILCS 5/25-6;

NOW, THEREFORE, BE IT RESOLVED that the Legislative Committee of the Republican Party of the 23rd Legislative District hereby appoints Carole Pankau of 215 Heritage Drive, Roselle, IL 60172, a member of the Republican Party, to the office of Senator in the General Assembly in the 23rd Legislative District.

s/Kirk W. Dillard
Chairman

s/Patrick J. Durante
Secretary

s/Hank Gianvecchio
Member

Dated: 1/4/04

ATTEST: s/Patrick J. Durante
Secretary

OATH OF OFFICE

STATE OF ILLINOIS

I, Carole Pankau, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of State Senator to the best of my abilities.

s/Carole Pankau

Subscribed and sworn to before me, this 5th day of January 2005

s/Thomas E. Callum

[January 10, 2005]

COMMUNICATIONS

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

January 7, 2005

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bill, from the 93rd General Assembly as vetoed by the Governor together with his objections.

SENATE BILL
1592

Respectfully,
s/Jesse White
Secretary of State

January 7, 2005

To the Honorable Members of the
Illinois Senate
93rd General Assembly

This legislation promotes an important purpose: financing a retrofit program to replace steam pipes for school districts on the State Board of Education's Financial Warning List. Yet, this legislation also poses a significant hurdle: increasing property taxes to pay for this purpose outside the limits of tax caps and the voter approval process required by them. The challenge, which we have faced throughout state government, is to fund important services and programs without asking the people of Illinois to pay more in taxes. I remain committed to this principle and cannot support legislation that asks for an increase in property taxes.

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto and return Senate Bill 1592, entitled "AN ACT concerning taxes."

Sincerely,
s/ROD R. BLAGOJEVICH
Governor

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

January 10, 2005

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bill, from the 93rd General Assembly as vetoed by the Governor together with his objections.

[January 10, 2005]

SENATE BILL
2257

Respectfully,
s/Jesse White
Secretary of State

January 7, 2004

To the Honorable Members of the
Illinois Senate
93rd General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto and return Senate Bill 2257, entitled "AN ACT in relation to public bodies."

Metropolitan Water Reclamation District (MWRD) commissioners and officers work hard and are compensated for their efforts. However, in a time when state tax revenues are static, all state and local employees must tighten their belts and help shoulder the fiscal burden. Therefore, providing a pay increase to these individuals at the expense of MWRD taxpayers is untimely and unnecessary.

For this reason, I hereby veto and return Senate Bill 2257.

Sincerely,
s/Rod R. Blagojevich
Governor

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

January 7, 2005

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bill that is being returned by the Governor with specific recommendations for change.

SENATE BILL
3188

Respectfully,
s/Jesse White
Secretary of State

January 6, 2005

To the Honorable Members of the
Illinois Senate
93rd General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 3188 entitled "AN ACT in relation to executive agencies," with the following specific recommendation for change:

On page 9, immediately below line 24, by inserting the following:

[January 10, 2005]

“Section 99. Effective Date. This Act takes effect upon becoming law.”

With this change, Senate Bill 3188 will have my approval. I respectfully request your concurrence.

Sincerely,
s/ROD R. BLAGOJEVICH
Governor

MOTIONS IN WRITING

Senator Sieben submitted the following Motion in Writing:

MOTION

I move that Senate Bill 1592 do pass, notwithstanding the veto of the Governor.

Date: January 9, 2005

s/Todd Sieben
Senator

Senator DeLeo submitted the following Motion in Writing:

MOTION

I move that Senate Bill 2257 do pass, notwithstanding the veto of the Governor.

Date: January 10, 2005

s/James A. DeLeo
Senator

Senator Righter submitted the following Motion in Writing:

MOTION

Pursuant to Senate Rule 7-9, I move that the Senate Rules Committee be discharged from further consideration of **Floor Amendment No. 8 to House Bill 3589** and that **Floor Amendment No. 8 to House Bill 3589** be approved for consideration.

Date: November 18, 2004

s/Dale A. Righter
Senator

The foregoing Motions in writing were filed with the Secretary and placed on the Senate Calendar.

Senator Forby submitted the following Motion in Writing:

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 3188 in manner and form as follows:

AMENDMENT TO SENATE BILL 3188

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 3188, on page 9, immediately below line 24, by inserting the following:

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

Date: January 10, 2004

s/Gary Forby
Senator

The foregoing Motion in Writing was filed with the Secretary and referred to the Committee on Rules.

[January 10, 2005]

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

Motion to accept the specific recommendation of the Governor to Senate Bill 3188.

The foregoing motion was placed on the Secretary's Desk.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **Senate Bill No. 1994** on December 19, 2004, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 1994** was returned to the order of concurrence.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **Senate Bill No. 3186** on December 19, 2004, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 3186** was returned to the order of conference committee report.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bill No. 949** on July 1, 2003, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 949** was returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bills Numbered 756, 805 and 7180** on August 24, 2004, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 756, 805 and 7180** were returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bills Numbered 626, 1068, 2751, 2753 and 4241** on December 19, 2004, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 626, 1068, 2751, 2753 and 4241** were returned to the order of third reading.

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 Rules:

Senate Floor Amendment No. 2 to House Bill 626

Senate Floor Amendment No. 2 to House Bill 756

Senate Floor Amendment No. 4 to House Bill 805

Senate Floor Amendment No. 1 to House Bill 949

At the hour of 12:58 o'clock p.m., Senator Halvorson presiding.

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its January 10, 2005 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Senate Floor Amendment No. 2 to House Bill 756.**
 Executive: **Senate Floor Amendment No. 2 to House Bill 626; Senate Floor Amendment No. 4 to House Bill 805; Senate Floor Amendment No. 1 to House Bill 949.**

Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

Motion to concur with House Amendment No. 1 to Senate Bill 1994

The foregoing concurrence was placed on the Secretary's Desk.

Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

First Conference Committee Report to Senate Bill 3186

The foregoing conference committee report was placed on the Senate Calendar.

COMMITTEE MEETING ANNOUNCEMENTS

Senator Silverstein, Chairperson of the Committee on Executive, announced that the Executive Committee will meet today in Room 212 Capitol Building, at 2:45 o'clock p.m.

Senator del Valle, Chairperson of the Committee on Education, announced that the Education Committee will meet today in Room 212 Capitol Building, at 2:15 o'clock p.m.

CONSIDERATION OF GOVERNOR'S VETO MESSAGE

Pursuant to the Motion in Writing filed on Monday, January 10, 2005 and journalized Monday, January 10, 2005, Senator Forby moved to accept the Governor's specific recommendations for change to **Senate Bill No. 3188.**

And on that motion, a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

Althoff	Haine	Meeks	Schoenberg
Bomke	Halvorson	Munoz	Shadid
Burzynski	Harmon	Pankau	Sieben
Clayborne	Hendon	Peterson	Silverstein
Collins	Hunter	Petka	Sullivan, J.
Crotty	Jacobs	Radogno	Syverson
Cullerton	Jones, J.	Raoul	Trotter
del Valle	Jones, W.	Rauschenberger	Walsh
DeLeo	Laufen	Righter	Watson
Demuzio	Lightford	Risinger	Welch
Dillard	Link	Ronen	Winkel
Forby	Luechtefeld	Roskam	Wojcik
Garrett	Maloney	Rutherford	Mr. President
Geo-Karis	Martinez	Sandoval	

[January 10, 2005]

The motion prevailed.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

At the hour of 1:12 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 5:02 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 770

Offered by Senator Haine and all Senators:
Mourns the death of Reverend Dr. Jesse Lee Wiggins of Bethalto.

SENATE RESOLUTION 771

Offered by Senator Haine and all Senators:
Mourns the death of Minister Cleveland Gray of Alton.

SENATE RESOLUTION 772

Offered by Senator Haine and all Senators:
Mourns the death of Martha "Helen" Barton, formerly of Collinsville.

SENATE RESOLUTION 773

Offered by Senator Haine and all Senators:
Mourns the death of Kenneth L. Kasten of Alton.

SENATE RESOLUTION 774

Offered by Senator Haine and all Senators:
Mourns the death of Harry E. Lewis of Wood River.

SENATE RESOLUTION 775

Offered by Senator Haine and all Senators:
Mourns the death of Dudley T. Luebbert of Hartford.

SENATE RESOLUTION 776

Offered by Senator Haine and all Senators:
Mourns the death of John G. Keller of Collinsville.

By unanimous consent, the foregoing resolutions were referred to the resolutions Consent Calendar.

REPORTS FROM STANDING COMMITTEES

Senator del Valle, Chairperson of the Committee on Education, to which was referred the following Senate floor amendment reported that the Committee recommends that it be approved for consideration:

Senate Amendment No. 2 to House Bill 756

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

Senator Silverstein, Chairperson of the Committee on Executive to which was referred the following Senate floor amendments reported that the Committee recommends that they be adopted:

Senate Amendment No. 2 to House Bill 626

[January 10, 2005]

Senate Amendment No. 1 to House Bill 949

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 552

A bill for AN ACT in relation to minors.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 552

Concurred in by the House, January 10, 2005, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 612

A bill for AN ACT in relation to pensions.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 612

Concurred in by the House, January 10, 2005, with a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 665

A bill for AN ACT concerning grain.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 665

Concurred in by the House, January 10, 2005, with a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 699

A bill for AN ACT in relation to public aid.

Which amendments are as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 699

Senate Amendment No. 3 to HOUSE BILL NO. 699

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

[January 10, 2005]

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 734

A bill for AN ACT in relation to transportation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 734

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 867

A bill for AN ACT in relation to taxes.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 867

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1007

A bill for AN ACT in relation to executive agencies.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 1007

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1021

A bill for AN ACT concerning family law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1021

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3641

A bill for AN ACT concerning boards and commissions.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3641

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

[January 10, 2005]

A message from the House by
Mr. Mahoney, 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. 90
Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

COMMUNICATION

ILLINOIS STATE SENATE
FRANK C. WATSON
STATE SENATOR
51ST SENATE DISTRICT

January 10, 2005

Ms. Linda Hawker
Secretary of the Senate
401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 3-1 (d), I hereby appoint Senator Carole Pankau to replace Senator Ray Soden as a member of the Senate Revenue Committee.

This appointment is effective immediately. If you have any questions please contact Brian McFadden at 217-782-8184.

Sincerely,
s/Frank Watson
Senate Republican Leader

cc: Senate President Emil Jones
Senator Pankau
Senator Lauzen

Senator Burzynski asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 5:20 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 5:50 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

HOUSE BILL RECALLED

On motion of Senator Martinez, **House Bill No. 626** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was tabled pursuant to Rule 5-4(a).

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 626 by replacing everything after the enacting clause

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with the following:

"Section 1. Short title. This Act may be cited as the Rental Housing Support Program Act.

Section 5. Legislative findings and purpose. The General Assembly finds that in many parts of this State, large numbers of citizens are faced with the inability to secure affordable rental housing. Due to either insufficient wages or a shortage of affordable rental housing stock, or both, many families have difficulty securing decent housing, are subjected to overcrowding, pay too large a portion of their total monthly income for housing and consequently suffer the lack of other basic needs, live in substandard or unhealthy housing, or experience chronic housing instability. Instability and inadequacy in housing limits the employability and productivity of many citizens, adversely affects family health and stress levels, impedes children's ability to learn, and produces corresponding drains on public resources. It is the purpose of this Act to create a State program to help localities address the need for decent, affordable, permanent rental housing.

Section 7. Definitions. In this Act:

"Authority" means the Illinois Housing Development Authority.

"Developer" means any entity that receives a grant under Section 20.

"Program" means the Rental Housing Support Program.

"Real estate-related document" means any recorded document that affects an interest in real property excluding documents which solely affect or relate to an easement for water, sewer, electricity, gas, telephone or other public service.

"Unit" means a rental apartment unit receiving a subsidy by means of a grant under this Act. "Unit" does not include housing units intended as transitional or temporary housing.

Section 10. Creation of Program and distribution of funds.

(a) The Rental Housing Support Program is created within the Illinois Housing Development Authority. The Authority shall administer the program and adopt rules for its implementation.

(b) The Authority shall distribute amounts appropriated for the Program from the Rental Housing Support Program Fund and any other appropriations provided for the Program as follows:

(1) A proportionate share of the annual appropriation, as determined under subsection

(d) of Section 15 of this Act shall be distributed to municipalities with a population greater than 2,000,000. Those municipalities shall use at least 10% of those funds in accordance with Section 20 of this Act, and all provisions governing the Authority's actions under Section 20 shall govern the actions of the corporate authorities of a municipality under this Section. As to the balance of the annual distribution, the municipality shall designate a non-profit organization that meets the specific criteria set forth in Section 25 of this Act to serve as the "local administering agency" under Section 15 of this Act.

(2) Of the remaining appropriation after the distribution in paragraph (1) of this subsection, the Authority shall designate at least 10% for the purposes of Section 20 of this Act in areas of the State not covered under paragraph (1) of this subsection.

(3) The remaining appropriation after the distributions in paragraphs (1) and (2) of

this subsection shall be distributed according to Section 15 of this Act in areas of the State not covered under paragraph (1) of this subsection.

Section 15. Grants to local administering agencies.

(a) Under the program, the Authority shall make grants to local administering agencies to provide subsidies to landlords to enable the landlords to charge rent affordable for low-income tenants. Grants shall also include an amount for the operating expenses of local administering agencies. Operating expenses for local administering agencies shall not exceed 10% for grants under \$500,000 and shall not exceed 7% for grants over \$500,000.

(b) The Authority shall develop a request-for-proposals process for soliciting proposals from local administering agencies and for awarding grants. The request-for-proposals process and the funded projects must be consistent with the criteria set forth in Section 25 and with additional criteria set forth by the Authority in rules implementing this Act.

(c) Local administering agencies may be local governmental bodies, local housing authorities, or not-for-profit organizations. The Authority shall set forth in rules the financial and capacity requirements necessary for an organization to qualify as a local administering agency and the parameters for

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administration of the grants by local administering agencies.

(d) The Authority shall distribute grants to local administering agencies according to a formula based on U.S. Census data. The formula shall determine percentages of the funds to be distributed to the following geographic areas: (i) Chicago; (ii) suburban areas: Cook County (excluding Chicago), DuPage County, Lake County, Kane County, Will County, and McHenry County; (iii) small metropolitan areas: Springfield, Rockford, Peoria, Decatur, Champaign-Urbana, Bloomington-Normal, Rock Island, DeKalb, Madison County, Moline, Pekin, Rantoul, and St. Clair County; and (iv) rural areas, defined as all areas of the State not specifically named in items (i), (ii), and (iii) of this subsection. A geographic area's percentage share shall be determined by the total number of households that have an annual income of less than 50% of State median income for a household of 4 and that are paying more than 30% of their income for rent. The geographic distribution shall be re-determined by the Authority each time new U.S. Census data becomes available. The Authority shall phase in any changes to the geographic formula to prevent a large withdrawal of resources from one area that could negatively impact households receiving rental housing support.

(e) In order to ensure applications from all geographic areas of the State, the Authority shall create a plan to ensure that potential local administering agencies have ample time and support to consider making an application and to prepare an application. Such a plan must include, but is not limited to: an outreach and education plan regarding the program and the requirements for a local administering agency; ample time between the initial notice of funding ability and the deadline to submit an application, which shall not be less than 9 months; and access to assistance from the Authority or another agency in considering and preparing the application.

(f) In order to maintain consistency for households receiving rental housing support, the Authority shall, to the extent possible given funding resources available in the Rental Housing Support Program, continue to fund local administering agencies at the same level on an annual basis, unless the Authority determines that a local administering agency is not meeting the criteria set forth in Section 25 or is not adhering to other standards set forth by rule by the Authority.

Section 20. Grants for affordable housing developments.

(a) The Authority may award grants under the program directly for the development of affordable rental housing for long-term operating support to enable the rent on such units to be affordable. Developers of such new housing shall apply directly to the Authority for this type of grant under the program.

(b) The Authority shall prescribe by rule the application requirements and the qualifications necessary for a developer and a development to qualify for a grant under the program. In any event, however, to qualify for a grant, the development must satisfy the criteria set forth in Section 25, unless waived by the Authority based on special circumstances and in furtherance of the purpose of the program to increase the supply of affordable rental housing.

(c) The Authority must use at least 10% of the funds generated for the Program in any given year for grants under this Section. In any given year, the Authority is not required to spend the 10% of its funds that accrues in that year but may add all or part of that 10% to the 10% allocation for subsequent years for the purpose of funding grants under this Section.

Section 25. Criteria for awarding grants. The Authority shall adopt rules to govern the awarding of grants and the continuing eligibility for grants under Sections 15 and 20. Requests for proposals under Section 20 must specify that proposals must satisfy these rules. The rules must contain and be consistent with, but need not be limited to, the following criteria:

(1) Eligibility for tenancy in the units supported by grants to local administering agencies must be limited to households with gross income at or below 30% of the median family income for the area in which the grant will be made. Fifty percent of the units that are supported by any grant must be set aside for households whose income is at or below 15% of the area median family income for the area in which the grant will be made, provided that local administering agencies may negotiate flexibility in this set-aside with the Authority if they demonstrate that they have been unable to locate sufficient tenants in this lower income range. Income eligibility for units supported by grants to local administering agencies must be verified annually by landlords and submitted to local administering agencies. Tenants must have sufficient income to be able to afford the tenant's share of the rent. For grants awarded under Section 20, eligibility for tenancy in units supported by grants must be limited to households with a gross income at or below 30% of area median family income for the area in which the grant will be made. Fifty percent of the units that are supported by any grant must be set aside for households whose income is at or below 15% of the median family income for the area in

which the grant will be made, provided that developers may negotiate flexibility in this set-aside with the Authority or municipality as defined in subsection (b) of Section 10 if it demonstrates that it has been unable to locate sufficient tenants in this lower income range. The Authority shall determine what sources qualify as a tenant's income.

(2) Local administering agencies must include 2-bedroom, 3-bedroom, and 4-bedroom units among those intended to be supported by grants under the program. In grants under Section 15, the precise number of these units among all the units intended to be supported by a grant must be based on need in the community for larger units and other factors that the Authority specifies in rules. The local administering agency must specify the basis for the numbers of these units that are proposed for support under a grant. Local administering agencies must make a good faith effort to comply with this allocation of unit sizes. In grants awarded under Section 20, developers and the Authority or municipality, as defined in subsection (b) of Section 10, shall negotiate the numbers and sizes of units to be built in a project and supported by the grant.

(3) Under grants awarded under Section 15, local administering agencies must enter into a payment contract with the landlord that defines the method of payment and must pay subsidies to landlords on a quarterly basis and in advance of the quarter paid for.

(4) Local administering agencies and developers must specify how vacancies in units supported by a grant must be advertised and they must include provisions for outreach to local homeless shelters, organizations that work with people with disabilities, and others interested in affordable housing.

(5) The local administering agency or developer must establish a schedule for the tenant's rental obligation for units supported by a grant. The tenant's share of the rent must be a flat amount, calculated annually, based on the size of the unit and the household's income category. In establishing the schedule for the tenant's rental obligation, the local administering agency or developer must use 30% of gross income within an income range as a guide, and it may charge an additional or lesser amount.

(6) The amount of the subsidy provided under a grant for a unit must be the difference between the amount of the tenant's obligation and the total amount of rent for the unit. The total amount of rent for the unit must be negotiated between the local administering authority and the landlord under Section 15, or between the Authority or municipality, as defined in subsection (b) of Section 10, and the developer under Section 20, using comparable rents for units of comparable size and condition in the surrounding community as a guideline.

(7) Local administering agencies and developers, pursuant to criteria the Authority develops in rules, must ensure that there are procedures in place to maintain the safety and habitability of units supported under grants. Local administering agencies must inspect units before supporting them under a grant awarded under Section 15.

(8) Local administering agencies must provide or ensure that tenants are provided with a "bill of rights" with their lease setting forth local landlord-tenant laws and procedures and contact information for the local administering agency.

(9) A local administering agency must create a plan detailing a process for helping to provide information, when necessary, on how to access education, training, and other supportive services to tenants living in units supported under the grant. The plan must be submitted as a part of the administering agency's proposal to the Authority required under Section 15.

(10) Local administering agencies and developers may not use funding under the grant to develop or support housing that requires that a tenant has a particular diagnosis or type or presence of disability as a condition of eligibility for occupancy unless the requirement is mandated by another funding source for the housing.

(11) In order to plan for periodic fluctuations in program revenue, the Authority shall establish by rule a mechanism for establishing a reserve fund and the level of funding that shall be held in reserve either by the Authority or by local administering agencies.

Section 85. The State Finance Act is amended by adding Section 5.640 as follows:
(30 ILCS 105/5.640 new)

Sec. 5.640. The Rental Housing Support Program Fund.

Section 90. The Counties Code is amended by changing Sections 3-5018 and 4-12002 as follows:
(55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

Sec. 3-5018. Fees. The recorder elected as provided for in this Division shall receive such fees as are

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or may be provided for him by law, in case of provision therefor: otherwise he shall receive the same fees as are or may be provided in this Section, except when increased by county ordinance pursuant to the provisions of this Section, to be paid to the county clerk for his services in the office of recorder for like services.

For recording deeds or other instruments \$12 for the first 4 pages thereof, plus \$1 for each additional page thereof, plus \$1 for each additional document number therein noted. The aggregate minimum fee for recording any one instrument shall not be less than \$12.

For recording deeds or other instruments wherein the premises affected thereby are referred to by document number and not by legal description a fee of \$1 in addition to that hereinabove referred to for each document number therein noted.

For recording assignments of mortgages, leases or liens \$12 for the first 4 pages thereof, plus \$1 for each additional page thereof. However, except for leases and liens pertaining to oil, gas and other minerals, whenever a mortgage, lease or lien assignment assigns more than one mortgage, lease or lien document, a \$7 fee shall be charged for the recording of each such mortgage, lease or lien document after the first one.

For recording maps or plats of additions or subdivisions approved by the county or municipality (including the spreading of the same of record in map case or other proper books) or plats of condominiums \$50 for the first page, plus \$1 for each additional page thereof except that in the case of recording a single page, legal size 8 1/2 x 14, plat of survey in which there are no more than two lots or parcels of land, the fee shall be \$12. In each county where such maps or plats are to be recorded, the recorder may require the same to be accompanied by such number of exact, true and legible copies thereof as the recorder deems necessary for the efficient conduct and operation of his office.

For certified copies of records the same fees as for recording, but in no case shall the fee for a certified copy of a map or plat of an addition, subdivision or otherwise exceed \$10.

Each certificate of such recorder of the recording of the deed or other writing and of the date of recording the same signed by such recorder, shall be sufficient evidence of the recording thereof, and such certificate including the indexing of record, shall be furnished upon the payment of the fee for recording the instrument, and no additional fee shall be allowed for the certificate or indexing.

The recorder shall charge an additional fee, in an amount equal to the fee otherwise provided by law, for recording a document (other than a document filed under the Plat Act or the Uniform Commercial Code) that does not conform to the following standards:

- (1) The document shall consist of one or more individual sheets measuring 8.5 inches by 11 inches, not permanently bound and not a continuous form. Graphic displays accompanying a document to be recorded that measure up to 11 inches by 17 inches shall be recorded without charging an additional fee.
- (2) The document shall be legibly printed in black ink, by hand, type, or computer. Signatures and dates may be in contrasting colors if they will reproduce clearly.
- (3) The document shall be on white paper of not less than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side. Margins may be used for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.
- (4) The first page of the document shall contain a blank space, measuring at least 3 inches by 5 inches, from the upper right corner.
- (5) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded except upon payment of the additional fee required under this paragraph. This paragraph, as amended by this amendatory Act of 1995, applies only to documents dated after the effective date of this amendatory Act of 1995.

The county board of any county may provide for an additional charge of \$3 for filing every instrument, paper, or notice for record, (1) in order to defray the cost of converting the county recorder's document storage system to computers or micrographics and (2) in order to defray the cost of providing access to records through the global information system known as the Internet.

A special fund shall be set up by the treasurer of the county and such funds collected pursuant to Public Act 83-1321 shall be used (1) for a document storage system to provide the equipment, materials and necessary expenses incurred to help defray the costs of implementing and maintaining such a document records system and (2) for a system to provide electronic access to those records.

The county board of any county that provides and maintains a countywide map through a Geographic Information System (GIS) may provide for an additional charge of \$3 for filing every instrument, paper, or notice for record (1) in order to defray the cost of implementing or maintaining the county's Geographic Information System and (2) in order to defray the cost of providing electronic access to the

county's Geographic Information System records. Of that amount, \$2 must be deposited into a special fund set up by the treasurer of the county, and any moneys collected pursuant to this amendatory Act of the 91st General Assembly and deposited into that fund must be used solely for the equipment, materials, and necessary expenses incurred in implementing and maintaining a Geographic Information System and in order to defray the cost of providing electronic access to the county's Geographic Information System records. The remaining \$1 must be deposited into the recorder's special funds created under Section 3-5005.4. The recorder may, in his or her discretion, use moneys in the funds created under Section 3-5005.4 to defray the cost of implementing or maintaining the county's Geographic Information System and to defray the cost of providing electronic access to the county's Geographic Information System records.

The recorder shall collect a \$10 Rental Housing Support Program State surcharge for the recordation of any real estate-related document. Payment of the Rental Housing Support Program State surcharge shall be evidenced by a receipt that shall be marked upon or otherwise affixed to the real estate-related document by the recorder. The form of this receipt shall be prescribed by the Department of Revenue and the receipts shall be issued by the Department of Revenue to each county recorder.

One dollar of each surcharge shall be retained by the county in which it was collected. This dollar shall be deposited in the county's general revenue fund. This dollar shall be used as needed to defray the administrative costs incurred by the county recorder in collecting the Rental Housing Support Program State surcharge.

On the 15th day of each month, each county recorder shall report to the Department of Revenue, on a form prescribed by the Department, the number of real estate-related documents recorded for which the Rental Housing Support Program State surcharge was collected. Each recorder shall submit \$9 of each surcharge collected in the preceding month to the Department of Revenue and the Department shall deposit these amounts in the Rental Housing Support Program Fund. Subject to appropriation, amounts in the Fund may be expended only for the purpose of funding and administering the Rental Housing Support Program.

For purposes of this Section, "real estate-related document" means that term as it is defined in Section 7 of the Rental Housing Support Program Act.

The foregoing fees allowed by this Section are the maximum fees that may be collected from any officer, agency, department or other instrumentality of the State. The county board may, however, by ordinance, increase the fees allowed by this Section and collect such increased fees from all persons and entities other than officers, agencies, departments and other instrumentalities of the State if the increase is justified by an acceptable cost study showing that the fees allowed by this Section are not sufficient to cover the cost of providing the service. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for filing or indexing a lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is \$5. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for indexing each additional name in excess of one for any lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is \$1.

A statement of the costs of providing each service, program and activity shall be prepared by the county board. All supporting documents shall be public record and subject to public examination and audit. All direct and indirect costs, as defined in the United States Office of Management and Budget Circular A-87, may be included in the determination of the costs of each service, program and activity. (Source: P.A. 92-16, eff. 6-28-01; 92-492, eff. 1-1-02; 93-256, eff. 7-22-03.)

(55 ILCS 5/4-12002) (from Ch. 34, par. 4-12002)

Sec. 4-12002. Fees of recorder in third class counties. The fees of the recorder in counties of the third class for recording deeds or other instruments in writing and maps of plats of additions, subdivisions or otherwise, and for certifying copies of records, shall be paid in advance and shall be as follows:

For recording deeds or other instruments \$20 for the first 2 pages thereof, plus \$2 for each additional page thereof. The aggregate minimum fee for recording any one instrument shall not be less than \$20.

For recording deeds or other instruments wherein the premises affected thereby are referred to by document number and not by legal description the recorder shall charge a fee of \$4 in addition to that hereinabove referred to for each document number therein noted.

For recording deeds or other instruments wherein more than one tract, parcel or lot is described and such additional tract, or tracts, parcel or parcels, lot or lots is or are described therein as falling in a separate or different addition or subdivision the recorder shall charge as an additional fee, to that herein provided, the sum of \$2 for each additional addition or subdivision referred to in such deed or instrument.

For recording maps or plats of additions, subdivisions or otherwise (including the spreading of the same of record in well bound books) \$100 plus \$2 for each tract, parcel or lot contained therein.

For certified copies of records the same fees as for recording, but in no case shall the fee for a certified copy of a map or plat of an addition, subdivision or otherwise exceed \$200.

For non-certified copies of records, an amount not to exceed one half of the amount provided herein for certified copies, according to a standard scale of fees, established by county ordinance and made public.

For filing of each release of any chattel mortgage or trust deed which has been filed but not recorded and for indexing the same in the book to be kept for that purpose \$10.

For processing the sworn or affirmed statement required for filing a deed or assignment of a beneficial interest in a land trust in accordance with Section 3-5020 of this Code, \$2.

The recorder shall charge an additional fee, in an amount equal to the fee otherwise provided by law, for recording a document (other than a document filed under the Plat Act or the Uniform Commercial Code) that does not conform to the following standards:

(1) The document shall consist of one or more individual sheets measuring 8.5 inches by 11 inches, not permanently bound and not a continuous form. Graphic displays accompanying a document to be recorded that measure up to 11 inches by 17 inches shall be recorded without charging an additional fee.

(2) The document shall be legibly printed in black ink, by hand, type, or computer. Signatures and dates may be in contrasting colors if they will reproduce clearly.

(3) The document shall be on white paper of not less than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side. Margins may be used only for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.

(4) The first page of the document shall contain a blank space, measuring at least 3 inches by 5 inches, from the upper right corner.

(5) The document shall not have any attachment stapled or otherwise affixed to any page.

A document that does not conform to these standards shall not be recorded except upon payment of the additional fee required under this paragraph. This paragraph, as amended by this amendatory Act of 1995, applies only to documents dated after the effective date of this amendatory Act of 1995.

The recorder shall collect a \$10 Rental Housing Support Program State surcharge for the recordation of any real estate-related document. Payment of the Rental Housing Support Program State surcharge shall be evidenced by a receipt that shall be marked upon or otherwise affixed to the real estate-related document by the recorder. The form of this receipt shall be prescribed by the Department of Revenue and the receipts shall be issued by the Department of Revenue to each county recorder.

One dollar of each surcharge shall be retained by the county in which it was collected. This dollar shall be deposited in the county's general revenue fund. This dollar shall be used as needed to defray the administrative costs incurred by the county recorder in collecting the Rental Housing Support Program State surcharge.

On the 15th day of each month, each county recorder shall report to the Department of Revenue, on a form prescribed by the Department, the number of real estate-related documents recorded for which the Rental Housing Support Program State surcharge was collected. Each recorder shall submit \$9 of each surcharge collected in the preceding month to the Department of Revenue and the Department shall deposit these amounts in the Rental Housing Support Program Fund. Subject to appropriation, amounts in the Fund may be expended only for the purpose of funding and administering the Rental Housing Support Program.

For purposes of this Section, "real estate-related document" means that term as it is defined in Section 7 of the Rental Housing Support Program Act.

The fee requirements of this Section apply to units of local government and school districts.

Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for filing or indexing a lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is \$5. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for indexing each additional name in excess of one for any lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is \$1.

(Source: P.A. 92-492, eff. 1-1-02; 93-671, eff. 6-1-04.)

Section 99. Effective date. This Act takes effect July 1, 2005."

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 BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Martinez, **House Bill No. 626**, 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 33; Nays 22; Present 1.

The following voted in the affirmative:

Collins	Hendon	Pankau	Trotter
Crotty	Hunter	Radogno	Viverito
Cullerton	Jacobs	Raoul	Walsh
del Valle	Lightford	Rauschenberger	Welch
DeLeo	Link	Ronen	Winkel
Demuzio	Maloney	Sandoval	Mr. President
Garrett	Martinez	Schoenberg	
Halvorson	Meeks	Shadid	
Harmon	Munoz	Silverstein	

The following voted in the negative:

Althoff	Geo-Karis	Peterson	Sullivan, J.
Bomke	Haine	Petka	Syverson
Brady	Jones, J.	Righter	Watson
Burzynski	Jones, W.	Roskam	Wojcik
Cronin	Lauzen	Rutherford	
Forby	Luechtefeld	Sieben	

The following voted present:

Dillard

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.

HOUSE BILL RECALLED

On motion of Senator Link, **House Bill No. 949** 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. 1

AMENDMENT NO. 1. Amend House Bill 949 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Judicial Circuits Apportionment Act of 2005.

Section 5. The 12th Judicial Circuit is divided into 5 subcircuits, with the numerical order 1, 2, 3, 4, and 5, as follows:

[January 10, 2005]

JUDICIAL SUBCIRCUIT 1

Tract 8803.01

Tract 8803.02

Tract 8804.04

Tract 8804.05

Tract 8804.07

Will (Part)

VTD DU30

VTD DU31

VTD DU32

VTD DU34

VTD DU36

VTD DU40

VTD DU44

VTD LO27

VTD PL04

VTD PL05

VTD PL07

VTD PL09

VTD PL20

VTD PL21

VTD WH10 (Part)

Tract 8801.03 / Block 1994

Tract 8805.01 / Block 1026

Tract 8805.01 / Block 1042

Tract 8805.01 / Block 1043

JUDICIAL SUBCIRCUIT 2

Tract 8812.00

Tract 8813.00

Tract 8814.00

Tract 8815.00

Tract 8816.00

Tract 8817.00

Tract 8818.00

Tract 8819.00

Tract 8826.00

Tract 8827.00

Tract 8828.00

Tract 8829.00

Tract 8832.03

Tract 8832.04

Tract 8832.05

Tract 8832.06

Tract 8832.07

Will (Part)

VTD JO46

VTD JO69

VTD PL12

Will (Part)

BG 1

BG 3

BG 2

BG 3

BG 3

VTD JO48 (Part)

Tract 8820.00 / Block 2003

Tract 8820.00 / Block 2004

Tract 8820.00 / Block 2005

Tract 8820.00 / Block 2007

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Tract 8820.00 / Block 2008
Tract 8820.00 / Block 2009
Tract 8820.00 / Block 2010
Tract 8820.00 / Block 2012
Tract 8820.00 / Block 2013
Tract 8820.00 / Block 2014
Tract 8820.00 / Block 2015
Tract 8820.00 / Block 3000
Tract 8820.00 / Block 3001
Tract 8820.00 / Block 3002
Tract 8820.00 / Block 3003
Tract 8820.00 / Block 3004
Tract 8820.00 / Block 3005
Tract 8820.00 / Block 3006
Tract 8820.00 / Block 3007
Tract 8820.00 / Block 3008
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Tract 8820.00 / Block 3018
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Tract 8820.00 / Block 3060
Tract 8820.00 / Block 3061
Tract 8820.00 / Block 3062
Tract 8820.00 / Block 3063
Tract 8820.00 / Block 3066
Tract 8820.00 / Block 3067
Tract 8820.00 / Block 3075
Tract 8820.00 / Block 3076
Tract 8820.00 / Block 3077
Tract 8820.00 / Block 3995
Tract 8820.00 / Block 3996
Tract 8820.00 / Block 3997
Tract 8820.00 / Block 3998
Tract 8820.00 / Block 3999
Tract 8821.00 / Block 1003
Tract 8821.00 / Block 1004
Tract 8821.00 / Block 1005
Tract 8821.00 / Block 1006
Tract 8821.00 / Block 1007
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Tract 8821.00 / Block 1009
Tract 8821.00 / Block 1010
Tract 8821.00 / Block 1011
Tract 8821.00 / Block 1012
Tract 8821.00 / Block 1013
Tract 8821.00 / Block 2000
Tract 8821.00 / Block 2001
Tract 8821.00 / Block 2002
Tract 8821.00 / Block 2003
Tract 8821.00 / Block 2004
Tract 8821.00 / Block 2005
Tract 8821.00 / Block 2006
Tract 8821.00 / Block 2007
Tract 8822.00 / Block 1000
Tract 8822.00 / Block 1001
Tract 8822.00 / Block 1002
Tract 8822.00 / Block 1003
Tract 8822.00 / Block 1004
Tract 8822.00 / Block 1016
Tract 8822.00 / Block 1017
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Tract 8822.00 / Block 1020
Tract 8822.00 / Block 1021
Tract 8822.00 / Block 1022
Tract 8822.00 / Block 1023
Tract 8822.00 / Block 1024
Tract 8822.00 / Block 4005
Tract 8822.00 / Block 4006
Tract 8822.00 / Block 4007
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Tract 8822.00 / Block 4014
Tract 8822.00 / Block 4015
Tract 8822.00 / Block 4016
Tract 8822.00 / Block 4017
Tract 8822.00 / Block 4047
Tract 8822.00 / Block 4048
Tract 8822.00 / Block 4071
Tract 8822.00 / Block 4078
Tract 8822.00 / Block 5024
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Tract 8822.00 / Block 5026
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Tract 8822.00 / Block 5036
Tract 8823.00 / Block 1000
Tract 8823.00 / Block 1001
Tract 8825.00 / Block 1003
Tract 8825.00 / Block 1004
Tract 8825.00 / Block 4005
Tract 8825.00 / Block 4006
Tract 8825.00 / Block 4007
Tract 8825.00 / Block 4008
Tract 8825.00 / Block 4009
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Tract 8825.00 / Block 4016
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Tract 8825.00 / Block 4019
Tract 8825.00 / Block 4020
Tract 8825.00 / Block 4021
Tract 8825.00 / Block 4022
Tract 8825.00 / Block 4023
Tract 8825.00 / Block 4998
Tract 8831.00 / Block 3019
Tract 8831.00 / Block 3020
Tract 8831.00 / Block 3021
Tract 8831.00 / Block 3022
Tract 8831.00 / Block 3023
Tract 8831.00 / Block 3024
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 Tract 8831.00 / Block 3101
 Tract 8831.00 / Block 3102
 Tract 8831.00 / Block 3103
 Tract 8831.00 / Block 3104
 Tract 8831.00 / Block 3105
 Tract 8831.00 / Block 3106
 Tract 8831.00 / Block 3107
 Tract 8831.00 / Block 3108
 Tract 8831.00 / Block 3109
 Tract 8831.00 / Block 3110
 Tract 8831.00 / Block 3111
 Tract 8831.00 / Block 3112
 Tract 8831.00 / Block 3113
 Tract 8831.00 / Block 3114
 Tract 8831.00 / Block 3991
 Tract 8831.00 / Block 3992
 Tract 8831.00 / Block 3993
 Tract 8831.00 / Block 3994
 Tract 8831.00 / Block 3995
 Tract 8831.00 / Block 3996
 Tract 8831.00 / Block 3997
 Tract 8831.00 / Block 3998
 Tract 8831.00 / Block 3999

JUDICIAL SUBCIRCUIT 3

Tract 8824.00
 Tract 8830.00
 Tract 8833.01
 Tract 8833.02
 Tract 8834.00
 Tract 8835.06
 Tract 8836.02
 Tract 8836.03
 Tract 8836.04
 Tract 8837.00
 Tract 8838.03
 Tract 8838.04
 Tract 8838.05
 Tract 8838.06
 Tract 8838.07
 Tract 8839.01
 Tract 8839.02
 Tract 8840.01
 Tract 8840.02
 Will (Part)
 VTD JO39
 VTD JO54
 VTD JO56
 VTD JO68
 Will (Part)
 BG 2

VTD JO60 (Part)

Tract 8820.00 / Block 2000
Tract 8820.00 / Block 2001
Tract 8820.00 / Block 2002
Tract 8820.00 / Block 2006
Tract 8820.00 / Block 2011
Tract 8821.00 / Block 2008
Tract 8821.00 / Block 2009
Tract 8821.00 / Block 2010
Tract 8821.00 / Block 2011
Tract 8821.00 / Block 2012
Tract 8821.00 / Block 2013
Tract 8821.00 / Block 2014
Tract 8821.00 / Block 2015
Tract 8821.00 / Block 2016
Tract 8821.00 / Block 2017
Tract 8821.00 / Block 2018
Tract 8821.00 / Block 2019
Tract 8822.00 / Block 4000
Tract 8822.00 / Block 4001
Tract 8822.00 / Block 4002
Tract 8822.00 / Block 4003
Tract 8822.00 / Block 4004
Tract 8822.00 / Block 4066
Tract 8822.00 / Block 4079
Tract 8822.00 / Block 4080
Tract 8822.00 / Block 4081
Tract 8822.00 / Block 4082
Tract 8822.00 / Block 4083
Tract 8822.00 / Block 4084
Tract 8822.00 / Block 4085
Tract 8822.00 / Block 4086
Tract 8822.00 / Block 4089
Tract 8822.00 / Block 4090
Tract 8822.00 / Block 4091
Tract 8822.00 / Block 4092
Tract 8822.00 / Block 5023
Tract 8822.00 / Block 5037
Tract 8822.00 / Block 5038
Tract 8822.00 / Block 5039
Tract 8822.00 / Block 5040
Tract 8822.00 / Block 5041
Tract 8822.00 / Block 5042
Tract 8822.00 / Block 5043
Tract 8822.00 / Block 5044
Tract 8822.00 / Block 5045
Tract 8823.00 / Block 1002
Tract 8823.00 / Block 1003
Tract 8823.00 / Block 1004
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Tract 8823.00 / Block 1013
Tract 8823.00 / Block 1014
Tract 8823.00 / Block 1015

[January 10, 2005]

Tract 8823.00 / Block 1016
Tract 8823.00 / Block 1017
Tract 8823.00 / Block 1018
Tract 8823.00 / Block 1019
Tract 8823.00 / Block 1020
Tract 8823.00 / Block 1023
Tract 8823.00 / Block 1024
Tract 8823.00 / Block 1025
Tract 8823.00 / Block 1026
Tract 8823.00 / Block 1027
Tract 8823.00 / Block 1028
Tract 8823.00 / Block 1038
Tract 8823.00 / Block 1039
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Tract 8823.00 / Block 1051
Tract 8823.00 / Block 1052
Tract 8823.00 / Block 2008
Tract 8823.00 / Block 2009
Tract 8823.00 / Block 2017
Tract 8823.00 / Block 2020
Tract 8823.00 / Block 2021
Tract 8823.00 / Block 2022
Tract 8823.00 / Block 2023
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Tract 8823.00 / Block 2026
Tract 8823.00 / Block 3005
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Tract 8823.00 / Block 3010
Tract 8823.00 / Block 3029
Tract 8823.00 / Block 3030
Tract 8823.00 / Block 3031
Tract 8823.00 / Block 3032
Tract 8823.00 / Block 3033
Tract 8823.00 / Block 3034
Tract 8825.00 / Block 1000
Tract 8825.00 / Block 1001
Tract 8825.00 / Block 1002
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Tract 8825.00 / Block 1009
Tract 8825.00 / Block 2000
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Tract 8825.00 / Block 2004
Tract 8825.00 / Block 2005
Tract 8825.00 / Block 2006
Tract 8825.00 / Block 2008
Tract 8825.00 / Block 2009
Tract 8825.00 / Block 2010
Tract 8825.00 / Block 2011
Tract 8825.00 / Block 2012
Tract 8825.00 / Block 2013
Tract 8831.00 / Block 1000
Tract 8831.00 / Block 1001
Tract 8831.00 / Block 1002
Tract 8831.00 / Block 1003
Tract 8831.00 / Block 1004
Tract 8831.00 / Block 1005
Tract 8831.00 / Block 1006
Tract 8831.00 / Block 1007
Tract 8831.00 / Block 1008
Tract 8831.00 / Block 1010
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Tract 8831.00 / Block 1036
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Tract 8831.00 / Block 1038
Tract 8831.00 / Block 1039
Tract 8831.00 / Block 3000
Tract 8831.00 / Block 3001
Tract 8831.00 / Block 3002
Tract 8831.00 / Block 3003
Tract 8831.00 / Block 3004
Tract 8831.00 / Block 3005
Tract 8831.00 / Block 3006
Tract 8831.00 / Block 3007
Tract 8831.00 / Block 3008
Tract 8831.00 / Block 3009
Tract 8831.00 / Block 3010
Tract 8831.00 / Block 3011
Tract 8831.00 / Block 3012
Tract 8831.00 / Block 3013
Tract 8831.00 / Block 3014
Tract 8831.00 / Block 3015
Tract 8831.00 / Block 3016
Tract 8831.00 / Block 3017
Tract 8831.00 / Block 3018

JUDICIAL SUBCIRCUIT 4

Tract 8801.05
Tract 8801.06
Tract 8801.07
Tract 8801.08
Tract 8801.09
Tract 8801.10
Tract 8801.11
Tract 8801.12
Tract 8801.13
Tract 8805.02
Tract 8806.00
Tract 8807.00

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Tract 8808.00

Tract 8809.00

Will (Part)

VTD DU01

VTD DU02

VTD DU03

VTD DU04

VTD DU05

VTD DU21

VTD DU22

VTD DU27

VTD DU33

VTD DU42

VTD DU43

VTD DU45

VTD DU46

VTD LO23

VTD LO24

Will (Part)

BG 5

VTD DU14 (Part)

Tract 8801.03 / Block 2047

Tract 8801.03 / Block 2049

Tract 8801.03 / Block 2991

Tract 8801.03 / Block 2992

Tract 8801.04 / Block 1000

Tract 8801.04 / Block 1001

Tract 8801.04 / Block 1032

Tract 8801.04 / Block 1033

Tract 8801.04 / Block 1034

Tract 8801.04 / Block 1035

Tract 8801.04 / Block 1036

Tract 8801.04 / Block 1037

Tract 8801.04 / Block 1038

Tract 8801.04 / Block 1039

Tract 8801.04 / Block 1040

Tract 8801.04 / Block 1041

Tract 8801.04 / Block 1042

Tract 8801.04 / Block 1082

Tract 8801.04 / Block 1083

Tract 8801.04 / Block 1084

Tract 8801.04 / Block 1085

Tract 8801.04 / Block 1086

Tract 8801.04 / Block 1087

Tract 8801.04 / Block 1088

Tract 8801.04 / Block 1089

Tract 8801.04 / Block 1090

Tract 8801.04 / Block 1091

Tract 8801.04 / Block 1092

Tract 8801.04 / Block 1093

Tract 8801.04 / Block 1094

Tract 8801.04 / Block 1095

Tract 8801.04 / Block 1096

Tract 8801.04 / Block 1097

Tract 8801.04 / Block 1098

Tract 8801.04 / Block 1099

Tract 8801.04 / Block 1100

Tract 8801.04 / Block 1101

Tract 8801.04 / Block 1102

Tract 8801.04 / Block 1103
Tract 8801.04 / Block 1104
Tract 8801.04 / Block 1105
Tract 8801.04 / Block 1106
Tract 8801.04 / Block 1107
Tract 8801.04 / Block 1108
Tract 8801.04 / Block 1109
Tract 8801.04 / Block 1110
Tract 8801.04 / Block 1111
Tract 8801.04 / Block 1112
Tract 8801.04 / Block 1113
Tract 8801.04 / Block 1114
Tract 8801.04 / Block 1115
Tract 8801.04 / Block 1116
Tract 8801.04 / Block 1117
Tract 8801.04 / Block 1118
Tract 8801.04 / Block 1119
Tract 8801.04 / Block 1163
Tract 8801.04 / Block 1164
Tract 8801.04 / Block 1165
Tract 8801.04 / Block 1166
Tract 8801.04 / Block 1167
Tract 8801.04 / Block 1168
Tract 8801.04 / Block 1999
Tract 8805.01 / Block 1002
Tract 8805.01 / Block 1024
Tract 8805.01 / Block 1025
Tract 8805.01 / Block 1044
Tract 8805.01 / Block 1045
Tract 8805.01 / Block 1046
Tract 8805.01 / Block 1047
Tract 8805.01 / Block 1048
Tract 8805.01 / Block 1049
Tract 8805.01 / Block 1050
Tract 8805.01 / Block 1051
Tract 8805.01 / Block 1052
Tract 8805.01 / Block 3000
Tract 8805.01 / Block 3001
Tract 8805.01 / Block 3002
Tract 8805.01 / Block 3008
Tract 8805.01 / Block 3009
Tract 8805.01 / Block 3010
Tract 8805.01 / Block 3011
Tract 8805.01 / Block 3012
Tract 8805.01 / Block 3013
Tract 8805.01 / Block 3014
Tract 8805.01 / Block 4000
Tract 8805.01 / Block 4001
Tract 8805.01 / Block 4002
Tract 8805.01 / Block 4003
Tract 8805.01 / Block 4009
Tract 8805.01 / Block 4010
Tract 8805.01 / Block 4011
Tract 8805.01 / Block 4012
Tract 8805.01 / Block 4013
Tract 8805.01 / Block 4014

JUDICIAL SUBCIRCUIT 5

Tract 8810.01

Tract 8810.02

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Tract 8810.03
 Tract 8810.04
 Tract 8810.05
 Tract 8810.06
 Tract 8811.03
 Tract 8811.04
 Tract 8811.05
 Tract 8811.06
 Tract 8835.01
 Tract 8835.02
 Tract 8835.03
 Tract 8835.04
 Tract 8835.05

Section 10. The 16th Judicial Circuit is divided into 4 subcircuits, with the numerical order 1, 2, 3, and 4, as follows:

JUDICIAL SUBCIRCUIT 1

Tract 8528.02
 Tract 8529.02
 Tract 8529.03
 Tract 8529.04
 Tract 8529.05
 Tract 8530.01
 Tract 8530.02
 Tract 8530.03
 Tract 8530.04
 Tract 8531.00
 Tract 8532.00
 Tract 8533.00
 Tract 8534.00
 Tract 8535.00
 Tract 8536.00
 Tract 8537.00
 Tract 8538.00
 Tract 8539.00
 Tract 8540.01
 Tract 8540.02
 Tract 8541.00
 Tract 8542.00
 Tract 8543.00
 Tract 8544.00

Kane (Part)

VTD BA005
 VTD GE010
 VTD GE011
 VTD GE012
 VTD GE015

VTD BA001 (Part)

Tract 8528.01 / Block 1001
 Tract 8528.01 / Block 3076
 Tract 8528.01 / Block 3079
 Tract 8528.01 / Block 3080
 Tract 8528.01 / Block 3081
 Tract 8528.01 / Block 3082
 Tract 8528.01 / Block 3083
 Tract 8528.01 / Block 3084
 Tract 8528.01 / Block 3085
 Tract 8528.01 / Block 3086

Tract 8528.01 / Block 3087
 Tract 8528.01 / Block 3088
 Tract 8528.01 / Block 3089
 Tract 8528.01 / Block 3090
 Tract 8528.01 / Block 3091
 Tract 8528.01 / Block 3092
 Tract 8528.01 / Block 3093
 Tract 8528.01 / Block 3094
 Tract 8528.01 / Block 3095
 Tract 8528.01 / Block 3096
 Tract 8528.01 / Block 3097
 Tract 8528.01 / Block 3995
 Tract 8528.01 / Block 3996
 Tract 8528.01 / Block 3997

JUDICIAL SUBCIRCUIT 2

Tract 8501.00
 Tract 8502.01
 Tract 8502.02
 Tract 8503.01
 Tract 8503.02
 Tract 8504.00
 Tract 8505.00
 Tract 8506.00
 Tract 8508.00
 Tract 8509.00
 Tract 8510.00
 Tract 8511.00
 Tract 8512.00
 Tract 8513.00
 Tract 8514.00
 Tract 8515.00
 Tract 8516.00
 Tract 8517.00
 Tract 8518.01
 Tract 8518.02

Kane (Part)

VTD EL007
 VTD EL008
 VTD EL010
 VTD EL014
 VTD EL015
 VTD EL043
 VTD EL046
 VTD EL048
 VTD EL050
 VTD EL052
 VTD EL054
 VTD EL057

VTD EL053 (Part)

Tract 8519.02 / Block 2048
 Tract 8519.02 / Block 2049
 Tract 8519.02 / Block 2050
 Tract 8519.02 / Block 2051
 Tract 8519.02 / Block 2052
 Tract 8519.02 / Block 2053
 Tract 8519.02 / Block 2072
 Tract 8519.02 / Block 2080
 Tract 8519.02 / Block 2081

Tract 8519.02 / Block 2082
 Tract 8519.02 / Block 2086
 Tract 8519.02 / Block 2087
 Tract 8519.02 / Block 2088
 Tract 8519.02 / Block 2099
 Tract 8519.02 / Block 2125
 Tract 8519.02 / Block 2126
 Tract 8519.02 / Block 2127
 Tract 8519.02 / Block 2128
 Tract 8519.02 / Block 2129
 Tract 8519.03 / Block 1018
 Tract 8519.03 / Block 1022
 Tract 8519.03 / Block 1023
 Tract 8519.03 / Block 1025
 Tract 8519.03 / Block 2000
 Tract 8519.03 / Block 2001
 Tract 8519.03 / Block 2002
 Tract 8519.03 / Block 2003
 Tract 8519.03 / Block 2004
 Tract 8519.03 / Block 2005
 Tract 8519.03 / Block 2006
 Tract 8519.03 / Block 2007
 Tract 8519.03 / Block 2008
 Tract 8519.03 / Block 2011
 Tract 8519.03 / Block 2012
 Tract 8519.03 / Block 2013
 Tract 8519.03 / Block 2014
 Tract 8519.03 / Block 3008
 Tract 8519.03 / Block 3009
 Tract 8519.03 / Block 3010
 Tract 8519.03 / Block 3023
 Tract 8519.03 / Block 3024
 Tract 8519.03 / Block 3025
 Tract 8519.03 / Block 3026
 Tract 8519.03 / Block 3027
 Tract 8519.03 / Block 3028
 Tract 8519.03 / Block 4031
 Tract 8519.03 / Block 4037
 Tract 8519.03 / Block 4038
 Tract 8519.03 / Block 4039
 Tract 8519.03 / Block 4048

JUDICIAL SUBCIRCUIT 3

Kendall County

Tract 0017.00
 Tract 0018.00
 Tract 0019.00
 Tract 0020.00
 Tract 0021.00
 Tract 8522.01
 Tract 8526.01
 Tract 8526.02
 Tract 8545.01
 Tract 8545.02

Kane (Part)

Township Big Rock

Township Kaneville

Kane (Part)

VTD BA002

VTD BA003

VTD BA007
VTD BA008
VTD BA009
VTD BA010
VTD BA015
VTD BA016
VTD GE009
VTD GE018
VTD SC004
VTD SC006
VTD SC013
VTD SC015
VTD SC023
VTD SC025

Kane (Part)

BG 4

VTD MI01 (Part)

Tract 0003.00 / Block 2054
Tract 0003.00 / Block 2055
Tract 0003.00 / Block 2056
Tract 0003.00 / Block 2057
Tract 0003.00 / Block 2058
Tract 0003.00 / Block 2059
Tract 0003.00 / Block 2060
Tract 0003.00 / Block 2061
Tract 0003.00 / Block 2062
Tract 0003.00 / Block 2063
Tract 0003.00 / Block 2064
Tract 0003.00 / Block 2065
Tract 0003.00 / Block 2066
Tract 0003.00 / Block 2067
Tract 0003.00 / Block 2068
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Tract 0003.00 / Block 2082
Tract 0003.00 / Block 2083
Tract 0003.00 / Block 2084
Tract 0003.00 / Block 2085
Tract 0003.00 / Block 2086
Tract 0003.00 / Block 2087
Tract 0014.00 / Block 4029
Tract 0014.00 / Block 4030
Tract 0014.00 / Block 4031
Tract 0014.00 / Block 4032
Tract 0014.00 / Block 4033
Tract 0014.00 / Block 4034
Tract 0014.00 / Block 4037
Tract 0014.00 / Block 4040

[January 10, 2005]

Tract 0014.00 / Block 4041
Tract 0014.00 / Block 4042
Tract 0014.00 / Block 4043
Tract 0014.00 / Block 4044
Tract 0014.00 / Block 4045
Tract 0014.00 / Block 4046
Tract 0014.00 / Block 4047
Tract 0014.00 / Block 4048
Tract 0014.00 / Block 4049
Tract 0014.00 / Block 4050
Tract 0014.00 / Block 4051
Tract 0014.00 / Block 4052
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Tract 0014.00 / Block 4054
Tract 0014.00 / Block 4055
Tract 0015.00 / Block 3045
Tract 0015.00 / Block 3046
Tract 0015.00 / Block 3047
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Tract 0015.00 / Block 3049
Tract 0015.00 / Block 3051
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Tract 0015.00 / Block 3058
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Tract 0015.00 / Block 3060
Tract 0015.00 / Block 3061
Tract 0015.00 / Block 3062
Tract 0016.00 / Block 1046
Tract 0016.00 / Block 1047
Tract 0016.00 / Block 1048
Tract 0016.00 / Block 1049
Tract 0016.00 / Block 1050
Tract 0016.00 / Block 2086
Tract 0016.00 / Block 2087
Tract 0016.00 / Block 2092
Tract 0016.00 / Block 2093
Tract 0016.00 / Block 2094
Tract 0016.00 / Block 2095
Tract 0016.00 / Block 2096

VTD SC005 (Part)

Tract 8522.02 / Block 2000
Tract 8522.02 / Block 2001
Tract 8522.02 / Block 2013
Tract 8522.02 / Block 2014
Tract 8522.02 / Block 2015
Tract 8522.02 / Block 2016
Tract 8522.02 / Block 2017
Tract 8522.02 / Block 2018
Tract 8522.02 / Block 3005
Tract 8522.02 / Block 3006
Tract 8522.02 / Block 3007
Tract 8522.02 / Block 3008
Tract 8522.02 / Block 3009
Tract 8522.02 / Block 4045

Tract 8522.02 / Block 4047
Tract 8522.02 / Block 4048
Tract 8522.02 / Block 4049
Tract 8522.02 / Block 4050
Tract 8522.02 / Block 4051
Tract 8522.02 / Block 4052
Tract 8522.02 / Block 5000
Tract 8522.02 / Block 5001
Tract 8522.02 / Block 5002
Tract 8522.02 / Block 5003
Tract 8522.02 / Block 5004
Tract 8522.02 / Block 5005
Tract 8522.02 / Block 5006
Tract 8522.02 / Block 5007
Tract 8522.02 / Block 5008
Tract 8522.02 / Block 5009
Tract 8522.02 / Block 5010
Tract 8522.02 / Block 5011
Tract 8522.02 / Block 5012
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Tract 8522.02 / Block 5014
Tract 8522.02 / Block 5015
Tract 8522.02 / Block 5016
Tract 8522.02 / Block 5018
Tract 8522.02 / Block 5019
Tract 8522.02 / Block 5020
Tract 8522.02 / Block 5021
Tract 8523.00 / Block 3009
Tract 8523.00 / Block 3010
Tract 8523.00 / Block 3011
Tract 8523.00 / Block 3012
Tract 8523.00 / Block 3013
Tract 8523.00 / Block 3014
Tract 8523.00 / Block 3015
Tract 8523.00 / Block 3016
Tract 8523.00 / Block 3017
Tract 8523.00 / Block 3998
Tract 8525.00 / Block 2028
Tract 8525.00 / Block 2995
Tract 8528.01 / Block 1066
Tract 8528.01 / Block 2034
Tract 8528.01 / Block 2035
Tract 8528.01 / Block 2994
Tract 8528.01 / Block 3043
Tract 8528.01 / Block 3044
Tract 8528.01 / Block 3045
Tract 8528.01 / Block 3056
Tract 8528.01 / Block 3057
Tract 8528.01 / Block 3058
Tract 8528.01 / Block 3059
Tract 8528.01 / Block 3060
Tract 8528.01 / Block 3061
Tract 8528.01 / Block 3062
Tract 8528.01 / Block 3063
Tract 8528.01 / Block 3064
Tract 8528.01 / Block 3065
Tract 8528.01 / Block 3066
Tract 8528.01 / Block 3067
Tract 8528.01 / Block 3068

Tract 8528.01 / Block 3069
 Tract 8528.01 / Block 3070
 Tract 8528.01 / Block 3071
 Tract 8528.01 / Block 3072
 Tract 8528.01 / Block 3073
 Tract 8528.01 / Block 3074
 Tract 8528.01 / Block 3075
 Tract 8528.01 / Block 3077
 Tract 8528.01 / Block 3078
 Tract 8528.01 / Block 3098
 Tract 8528.01 / Block 3099
 Tract 8528.01 / Block 3100
 Tract 8528.01 / Block 3101
 Tract 8528.01 / Block 3102
 Tract 8528.01 / Block 3103
 Tract 8528.01 / Block 3104
 Tract 8528.01 / Block 3105
 Tract 8528.01 / Block 3106
 Tract 8528.01 / Block 3107
 Tract 8528.01 / Block 3108
 Tract 8528.01 / Block 3109
 Tract 8528.01 / Block 3110
 Tract 8528.01 / Block 3111
 Tract 8528.01 / Block 3112
 Tract 8528.01 / Block 3113
 Tract 8528.01 / Block 3114
 Tract 8528.01 / Block 3115
 Tract 8528.01 / Block 3116
 Tract 8528.01 / Block 3117
 Tract 8528.01 / Block 3118
 Tract 8528.01 / Block 3119
 Tract 8528.01 / Block 3121
 Tract 8528.01 / Block 3122
 Tract 8528.01 / Block 3123
 Tract 8528.01 / Block 3998

JUDICIAL SUBCIRCUIT 4

Tract 0001.00
 Tract 0002.00
 Tract 0004.00
 Tract 0005.00
 Tract 0006.00
 Tract 0007.00
 Tract 0008.00
 Tract 0009.00
 Tract 0010.00
 Tract 0011.00
 Tract 0012.00
 Tract 0013.00
 Tract 8507.01
 Tract 8507.02
 Tract 8507.03
 Tract 8520.01
 Tract 8520.03
 Tract 8521.00
 Tract 8524.01
 Tract 8524.02
 DeKalb (Part)

Township Malta
 Township South Grove

Township Virgil
 DeKalb (Part)
 VTD DK26
 VTD DK27
 VTD DK29
 VTD DK31
 VTD DK32
 VTD DK34
 Kane (Part)
 VTD EL016
 VTD EL024
 VTD EL047
 VTD SC003
 Kane (Part)
 BG 1
 VTD MF01 (Part)
 Tract 0003.00 / Block 1000
 Tract 0003.00 / Block 1001
 Tract 0003.00 / Block 1002
 Tract 0003.00 / Block 1003
 Tract 0003.00 / Block 1022
 Tract 0003.00 / Block 1023
 Tract 0003.00 / Block 1024
 Tract 0003.00 / Block 1025
 Tract 0003.00 / Block 1026
 Tract 0003.00 / Block 1027
 Tract 0003.00 / Block 1028
 Tract 0003.00 / Block 1029
 Tract 0003.00 / Block 1063
 Tract 0003.00 / Block 1064
 Tract 0003.00 / Block 1065
 Tract 0003.00 / Block 1066
 Tract 0003.00 / Block 1073
 Tract 0003.00 / Block 1074
 Tract 0003.00 / Block 1075
 Tract 0003.00 / Block 3000
 Tract 0003.00 / Block 3006
 Tract 0003.00 / Block 3007
 Tract 0003.00 / Block 3008
 Tract 0003.00 / Block 3009
 Tract 0003.00 / Block 3010
 Tract 0003.00 / Block 3011
 Tract 0003.00 / Block 3012
 Tract 0014.00 / Block 3000
 Tract 0014.00 / Block 3001
 Tract 0014.00 / Block 4000
 Tract 0014.00 / Block 4001
 Tract 0014.00 / Block 4002
 Tract 0014.00 / Block 4003
 Tract 0014.00 / Block 4004
 Tract 0014.00 / Block 4005
 Tract 0014.00 / Block 4006
 Tract 0014.00 / Block 4007
 Tract 0014.00 / Block 4009
 Tract 0014.00 / Block 4014
 Tract 0014.00 / Block 4015
 Tract 0015.00 / Block 4000
 Tract 0015.00 / Block 4001
 Tract 0015.00 / Block 4002

[January 10, 2005]

Tract 0015.00 / Block 4003
Tract 0015.00 / Block 4004
Tract 0015.00 / Block 4005
Tract 0015.00 / Block 4006
Tract 0015.00 / Block 4007
Tract 0015.00 / Block 4008
Tract 0015.00 / Block 4009
Tract 0015.00 / Block 4039
Tract 0015.00 / Block 4040
Tract 0015.00 / Block 4043
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Tract 0015.00 / Block 4045
Tract 0015.00 / Block 4046
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Tract 0015.00 / Block 4048
Tract 0015.00 / Block 4049
Tract 0016.00 / Block 1000
Tract 0016.00 / Block 1001
Tract 0016.00 / Block 1002
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Tract 0016.00 / Block 1004
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Tract 0016.00 / Block 1006
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Tract 0016.00 / Block 1009
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Tract 0016.00 / Block 1043
Tract 0016.00 / Block 1044
Tract 0016.00 / Block 1045
Tract 0016.00 / Block 2000
Tract 0016.00 / Block 2001
Tract 0016.00 / Block 2002
Tract 0016.00 / Block 2003
Tract 0016.00 / Block 2004
Tract 0016.00 / Block 2005
Tract 0016.00 / Block 2006
Tract 0016.00 / Block 2007
Tract 0016.00 / Block 2008
Tract 0016.00 / Block 2009
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Tract 0016.00 / Block 2011
Tract 0016.00 / Block 2012
Tract 0016.00 / Block 2013
Tract 0016.00 / Block 2014
Tract 0016.00 / Block 2015
Tract 0016.00 / Block 2016
Tract 0016.00 / Block 2017
Tract 0016.00 / Block 2018
Tract 0016.00 / Block 2019
Tract 0016.00 / Block 2020
Tract 0016.00 / Block 2021
Tract 0016.00 / Block 2022
Tract 0016.00 / Block 2023
Tract 0016.00 / Block 2024
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Tract 0016.00 / Block 2026
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Tract 0016.00 / Block 2031
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Tract 0016.00 / Block 2081
Tract 0016.00 / Block 2082
Tract 0016.00 / Block 2083
Tract 0016.00 / Block 2084
Tract 0016.00 / Block 2085
Tract 0016.00 / Block 2088
Tract 0016.00 / Block 2089
Tract 0016.00 / Block 2090
Tract 0016.00 / Block 2091
Tract 0016.00 / Block 2097
Tract 0016.00 / Block 2098
Tract 0016.00 / Block 2099

VTD EL056 (Part)

Tract 8519.02 / Block 2083
Tract 8519.02 / Block 2084
Tract 8519.02 / Block 2085
Tract 8519.02 / Block 2089
Tract 8519.02 / Block 2090
Tract 8519.02 / Block 2091
Tract 8519.02 / Block 2092
Tract 8519.02 / Block 2093
Tract 8519.02 / Block 2094
Tract 8519.02 / Block 2095
Tract 8519.02 / Block 2096
Tract 8519.02 / Block 2097
Tract 8519.02 / Block 2098
Tract 8519.02 / Block 2118
Tract 8519.02 / Block 2119
Tract 8519.02 / Block 2120
Tract 8519.02 / Block 2121
Tract 8519.02 / Block 2122
Tract 8519.02 / Block 2123
Tract 8519.02 / Block 2124
Tract 8519.02 / Block 2134

Tract 8519.03 / Block 4032
Tract 8519.03 / Block 4033
Tract 8519.03 / Block 4034
Tract 8519.03 / Block 4035
Tract 8519.03 / Block 4036
Tract 8519.04 / Block 4000
Tract 8519.04 / Block 4001
Tract 8519.04 / Block 4002
Tract 8519.04 / Block 4003
Tract 8522.02 / Block 4000
Tract 8522.02 / Block 4001
Tract 8522.02 / Block 4002
Tract 8522.02 / Block 4003
Tract 8522.02 / Block 4004
Tract 8522.02 / Block 4005
Tract 8522.02 / Block 4006
Tract 8522.02 / Block 4007
Tract 8522.02 / Block 4008
Tract 8522.02 / Block 4009
Tract 8522.02 / Block 4010
Tract 8522.02 / Block 4011
Tract 8522.02 / Block 4012
Tract 8522.02 / Block 4013
Tract 8522.02 / Block 4014
Tract 8522.02 / Block 4015
Tract 8522.02 / Block 4016
Tract 8522.02 / Block 4017
Tract 8522.02 / Block 4018
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Tract 8522.02 / Block 4020
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Tract 8522.02 / Block 4027
Tract 8522.02 / Block 4028
Tract 8522.02 / Block 4029
Tract 8522.02 / Block 4030
Tract 8522.02 / Block 4031
Tract 8522.02 / Block 4032
Tract 8522.02 / Block 4033
Tract 8522.02 / Block 4034
Tract 8522.02 / Block 4035
Tract 8522.02 / Block 4036
Tract 8522.02 / Block 4037
Tract 8522.02 / Block 4038
Tract 8522.02 / Block 4039
Tract 8522.02 / Block 4040
Tract 8522.02 / Block 4041
Tract 8522.02 / Block 4042
Tract 8522.02 / Block 4043
Tract 8522.02 / Block 4044
Tract 8522.02 / Block 5017
Tract 8522.02 / Block 5022
Tract 8522.02 / Block 5023
Tract 8522.02 / Block 5024
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Tract 8522.02 / Block 5026
Tract 8522.02 / Block 5027
Tract 8522.02 / Block 5028
Tract 8522.02 / Block 5029
Tract 8522.02 / Block 5030
Tract 8523.00 / Block 1001
Tract 8523.00 / Block 1002
Tract 8523.00 / Block 1003
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Tract 8523.00 / Block 1006
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Tract 8523.00 / Block 1009
Tract 8523.00 / Block 1010
Tract 8523.00 / Block 1011
Tract 8523.00 / Block 1012
Tract 8523.00 / Block 1013
Tract 8523.00 / Block 1014
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Tract 8523.00 / Block 1016
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Tract 8523.00 / Block 1020
Tract 8523.00 / Block 1028
Tract 8523.00 / Block 1029
Tract 8523.00 / Block 1030
Tract 8523.00 / Block 1031
Tract 8523.00 / Block 1032
Tract 8523.00 / Block 1033
Tract 8523.00 / Block 1999
Tract 8523.00 / Block 3000
Tract 8523.00 / Block 3001
Tract 8523.00 / Block 3002
Tract 8523.00 / Block 3003
Tract 8523.00 / Block 3004
Tract 8523.00 / Block 3005
Tract 8523.00 / Block 3006
Tract 8523.00 / Block 3007
Tract 8523.00 / Block 3008
Tract 8523.00 / Block 3999
Tract 8524.03 / Block 1000
Tract 8524.03 / Block 1032
Tract 8524.03 / Block 1033
Tract 8524.03 / Block 1034
Tract 8524.03 / Block 1035
Tract 8524.03 / Block 1036
Tract 8524.03 / Block 1037
Tract 8524.03 / Block 1038
Tract 8524.03 / Block 1039
Tract 8524.03 / Block 1040
Tract 8524.03 / Block 1065
Tract 8524.03 / Block 1066
Tract 8524.03 / Block 1067
Tract 8524.03 / Block 1068
Tract 8524.03 / Block 1069
Tract 8524.03 / Block 1070
Tract 8524.03 / Block 1071

Tract 8524.03 / Block 1072
 Tract 8524.03 / Block 1092
 Tract 8524.03 / Block 1093
 Tract 8524.03 / Block 1094
 Tract 8524.03 / Block 1095
 Tract 8524.03 / Block 1997
 Tract 8524.03 / Block 1998
 Tract 8524.03 / Block 1999

Section 15. The 17th Judicial Circuit is divided into 4 subcircuits, with the numerical order 1, 2, 3, and 4, as follows:

JUDICIAL SUBCIRCUIT 1

Tract 0001.01
 Tract 0001.03
 Tract 0001.04
 Tract 0001.05
 Tract 0002.00
 Tract 0023.01
 Tract 0023.02
 Tract 0024.00
 Tract 0025.00
 Tract 0027.00
 Tract 0032.00
 Tract 0033.00
 Tract 0034.00
 Tract 0036.01
 Tract 0036.02
 Tract 0036.04
 Tract 0036.05
 Tract 0036.06
 Winnebago (Part)
 VTD HR13
 VTD HR19
 VTD HR22
 VTD OW01
 VTD OW02
 VTD OW03
 VTD OW04
 VTD R0501
 VTD R0502
 VTD R0506
 VTD R0508
 Winnebago (Part)
 BG 1
 BG 5
 BG 3
 BG 4
 VTD RT57 (Part)
 Tract 0003.00 / Block 2000
 Tract 0003.00 / Block 4002
 Tract 0003.00 / Block 4003
 Tract 0003.00 / Block 4999
 Tract 0001.00 / Block 1997
 Tract 0001.00 / Block 2000
 Tract 0001.00 / Block 2001
 Tract 0001.00 / Block 2002
 Tract 0001.00 / Block 2004
 Tract 0001.00 / Block 2005

[January 10, 2005]

Tract 0001.00 / Block 2008
Tract 0001.00 / Block 2999
Tract 0001.00 / Block 3022
Tract 0001.00 / Block 3023
Tract 0001.00 / Block 3024
Tract 0001.00 / Block 3025
Tract 0001.00 / Block 3026
Tract 0001.00 / Block 3027
Tract 0001.00 / Block 3028
Tract 0021.00 / Block 1003
Tract 0021.00 / Block 1004
Tract 0021.00 / Block 1005
Tract 0021.00 / Block 1006
Tract 0021.00 / Block 1007
Tract 0021.00 / Block 1008
Tract 0021.00 / Block 1009
Tract 0021.00 / Block 1010
Tract 0021.00 / Block 1011
Tract 0021.00 / Block 1012
Tract 0021.00 / Block 1013
Tract 0021.00 / Block 1014
Tract 0021.00 / Block 1015
Tract 0021.00 / Block 1016
Tract 0021.00 / Block 1017
Tract 0021.00 / Block 1018
Tract 0021.00 / Block 1019
Tract 0021.00 / Block 1020
Tract 0021.00 / Block 1021
Tract 0021.00 / Block 1022
Tract 0021.00 / Block 1998
Tract 0021.00 / Block 1999
Tract 0022.00 / Block 1000
Tract 0022.00 / Block 1001
Tract 0022.00 / Block 1002
Tract 0022.00 / Block 1003
Tract 0022.00 / Block 1006
Tract 0022.00 / Block 1009
Tract 0022.00 / Block 1010
Tract 0022.00 / Block 1011
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Tract 0022.00 / Block 1013
Tract 0022.00 / Block 1014
Tract 0022.00 / Block 1015
Tract 0022.00 / Block 1022
Tract 0022.00 / Block 1023
Tract 0022.00 / Block 1027
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Tract 0022.00 / Block 1033
Tract 0022.00 / Block 1036
Tract 0022.00 / Block 1038
Tract 0022.00 / Block 1039
Tract 0022.00 / Block 2000
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Tract 0022.00 / Block 2002
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Tract 0022.00 / Block 2007
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Tract 0022.00 / Block 2011
Tract 0022.00 / Block 2012
Tract 0022.00 / Block 2013
Tract 0022.00 / Block 2014
Tract 0022.00 / Block 2015
Tract 0022.00 / Block 2016
Tract 0022.00 / Block 2017
Tract 0022.00 / Block 2018
Tract 0022.00 / Block 2019
Tract 0022.00 / Block 2020
Tract 0022.00 / Block 2021
Tract 0022.00 / Block 2022
Tract 0022.00 / Block 2023
Tract 0022.00 / Block 2028
Tract 0022.00 / Block 2029
Tract 0022.00 / Block 2030
Tract 0022.00 / Block 2033
Tract 0022.00 / Block 2034
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Tract 0022.00 / Block 2036
Tract 0022.00 / Block 2037
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Tract 0022.00 / Block 2042
Tract 0022.00 / Block 2043
Tract 0022.00 / Block 2044
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Tract 0022.00 / Block 2046
Tract 0022.00 / Block 3008
Tract 0022.00 / Block 3009
Tract 0022.00 / Block 3010
Tract 0022.00 / Block 3011
Tract 0022.00 / Block 3998
Tract 0022.00 / Block 4001
Tract 0022.00 / Block 4002
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Tract 0022.00 / Block 4004
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Tract 0022.00 / Block 4006
Tract 0022.00 / Block 4007
Tract 0022.00 / Block 4008
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Tract 0022.00 / Block 4010
Tract 0022.00 / Block 4011
Tract 0022.00 / Block 4012
Tract 0022.00 / Block 4013
Tract 0022.00 / Block 4014
Tract 0026.00 / Block 1003
Tract 0026.00 / Block 1004
Tract 0026.00 / Block 1005
Tract 0026.00 / Block 1006
Tract 0026.00 / Block 1013
Tract 0026.00 / Block 1014

[January 10, 2005]

Tract 0026.00 / Block 1015
Tract 0026.00 / Block 2001
Tract 0026.00 / Block 2002
Tract 0026.00 / Block 2003
Tract 0026.00 / Block 2004
Tract 0026.00 / Block 2005
Tract 0026.00 / Block 2006
Tract 0026.00 / Block 2007
Tract 0026.00 / Block 2008
Tract 0026.00 / Block 2009
Tract 0026.00 / Block 2010
Tract 0026.00 / Block 2011
Tract 0026.00 / Block 2012
Tract 0026.00 / Block 2013
Tract 0026.00 / Block 2014
Tract 0026.00 / Block 2015
Tract 0026.00 / Block 2016
Tract 0026.00 / Block 2017
Tract 0026.00 / Block 2018
Tract 0026.00 / Block 2023
Tract 0026.00 / Block 2024
Tract 0026.00 / Block 2025
Tract 0026.00 / Block 2026
Tract 0026.00 / Block 2027
Tract 0026.00 / Block 2028
Tract 0026.00 / Block 2029
Tract 0026.00 / Block 2030
Tract 0026.00 / Block 2031
Tract 0026.00 / Block 2032
Tract 0026.00 / Block 2033
Tract 0026.00 / Block 2034
Tract 0026.00 / Block 2035
Tract 0026.00 / Block 2036
Tract 0026.00 / Block 2037
Tract 0026.00 / Block 2038
Tract 0026.00 / Block 2039
Tract 0026.00 / Block 2040
Tract 0026.00 / Block 2041
Tract 0026.00 / Block 2042
Tract 0026.00 / Block 2046
Tract 0026.00 / Block 2047
Tract 0026.00 / Block 2048
Tract 0026.00 / Block 2049
Tract 0026.00 / Block 2050
Tract 0026.00 / Block 2051
Tract 0028.00 / Block 1003
Tract 0028.00 / Block 1004
Tract 0028.00 / Block 1005
Tract 0028.00 / Block 1006
Tract 0028.00 / Block 1007
Tract 0028.00 / Block 1008
Tract 0028.00 / Block 1009
Tract 0028.00 / Block 1010
Tract 0028.00 / Block 1011
Tract 0028.00 / Block 1012
Tract 0028.00 / Block 1013
Tract 0028.00 / Block 1014
Tract 0028.00 / Block 1015
Tract 0028.00 / Block 1016

Tract 0028.00 / Block 1017
Tract 0028.00 / Block 1018
Tract 0028.00 / Block 1019
Tract 0028.00 / Block 1020
Tract 0028.00 / Block 1021
Tract 0028.00 / Block 1022
Tract 0028.00 / Block 1023
Tract 0028.00 / Block 1024
Tract 0028.00 / Block 1025
Tract 0028.00 / Block 1026
Tract 0028.00 / Block 1027
Tract 0028.00 / Block 1028
Tract 0028.00 / Block 1029
Tract 0028.00 / Block 1030
Tract 0028.00 / Block 1031
Tract 0028.00 / Block 1032
Tract 0028.00 / Block 1033
Tract 0028.00 / Block 1034
Tract 0028.00 / Block 1035
Tract 0028.00 / Block 1998
Tract 0028.00 / Block 1999
Tract 0031.00 / Block 1002
Tract 0031.00 / Block 1003
Tract 0031.00 / Block 1004
Tract 0031.00 / Block 1005
Tract 0031.00 / Block 1006
Tract 0031.00 / Block 1007
Tract 0031.00 / Block 1008
Tract 0031.00 / Block 1009
Tract 0031.00 / Block 1010
Tract 0031.00 / Block 1011
Tract 0031.00 / Block 5004
Tract 0031.00 / Block 5005
Tract 0031.00 / Block 5006
Tract 0031.00 / Block 5007
Tract 0031.00 / Block 5008
Tract 0031.00 / Block 5009
Tract 0035.00 / Block 1000
Tract 0035.00 / Block 1999
Tract 0038.01 / Block 2037
Tract 0038.01 / Block 2045
Tract 0038.01 / Block 2046
Tract 0038.01 / Block 2051
Tract 0038.01 / Block 2053
Tract 0038.01 / Block 2054
Tract 0038.01 / Block 2055
Tract 0038.01 / Block 2057
Tract 0038.01 / Block 3079
Tract 0038.01 / Block 3080
Tract 0038.01 / Block 3081
Tract 0038.01 / Block 3082
Tract 0038.01 / Block 3083
Tract 0038.01 / Block 3084
Tract 0038.01 / Block 3989
Tract 0038.05 / Block 2072
Tract 0038.05 / Block 2073
Tract 0038.05 / Block 2074
Tract 0038.05 / Block 2075
Tract 0038.05 / Block 2076

Tract 0042.00 / Block 1102
 Tract 0042.00 / Block 1103
 Tract 0042.00 / Block 1120
 Tract 0042.00 / Block 1121
 Tract 0042.00 / Block 1122
 Tract 0042.00 / Block 1125

JUDICIAL SUBCIRCUIT 2

Tract 0007.00
 Tract 0008.00
 Tract 0011.00
 Tract 0012.00
 Tract 0013.00
 Tract 0014.00
 Tract 0017.00
 Tract 0018.00
 Tract 0019.00
 Tract 0020.00
 Tract 0029.00
 Tract 0030.00
 Tract 0037.08
 Tract 0037.09

Winnebago (Part)

VTD CV06
 VTD CV10
 VTD RT08
 VTD RT20
 VTD RT27
 VTD RT29
 VTD RT37
 VTD RT38
 VTD RT54
 VTD RT58
 VTD R0306
 VTD R0311
 VTD R0405
 VTD R0603
 VTD R0708
 VTD R0802
 VTD R0803
 VTD R0805
 VTD R0806
 VTD R1004
 VTD R1201
 VTD R1203
 VTD R1204
 VTD R1403

Winnebago (Part)

BG 5
 BG 4
 BG 1

VTD R1210 (Part)

Tract 0003.00 / Block 2028
 Tract 0003.00 / Block 2029
 Tract 0003.00 / Block 3000
 Tract 0003.00 / Block 4000
 Tract 0003.00 / Block 4001
 Tract 0003.00 / Block 4004
 Tract 0003.00 / Block 4010
 Tract 0003.00 / Block 4011

Tract 0003.00 / Block 4014
Tract 0003.00 / Block 4015
Tract 0003.00 / Block 4016
Tract 0003.00 / Block 4998
Tract 0004.01 / Block 2002
Tract 0004.01 / Block 2003
Tract 0004.01 / Block 2004
Tract 0004.01 / Block 2007
Tract 0004.01 / Block 2012
Tract 0004.01 / Block 2013
Tract 0004.01 / Block 2014
Tract 0004.01 / Block 2015
Tract 0004.01 / Block 3000
Tract 0004.02 / Block 4002
Tract 0004.02 / Block 4003
Tract 0004.02 / Block 4005
Tract 0004.02 / Block 4006
Tract 0004.02 / Block 4007
Tract 0004.02 / Block 4008
Tract 0004.03 / Block 3027
Tract 0004.03 / Block 3028
Tract 0004.03 / Block 3035
Tract 0004.03 / Block 3036
Tract 0004.03 / Block 3037
Tract 0004.03 / Block 3038
Tract 0004.03 / Block 4010
Tract 0004.03 / Block 4015
Tract 0004.03 / Block 4016
Tract 0004.03 / Block 4017
Tract 0004.03 / Block 4018
Tract 0004.03 / Block 4019
Tract 0004.03 / Block 4020
Tract 0004.03 / Block 4021
Tract 0004.03 / Block 4023
Tract 0005.01 / Block 3000
Tract 0005.01 / Block 3001
Tract 0005.01 / Block 3002
Tract 0005.01 / Block 3003
Tract 0005.01 / Block 3004
Tract 0005.01 / Block 3005
Tract 0005.01 / Block 3006
Tract 0005.01 / Block 3007
Tract 0005.01 / Block 3008
Tract 0005.01 / Block 3009
Tract 0005.01 / Block 3010
Tract 0005.01 / Block 3011
Tract 0005.01 / Block 3014
Tract 0005.01 / Block 3015
Tract 0005.01 / Block 3017
Tract 0005.01 / Block 3018
Tract 0005.01 / Block 3020
Tract 0005.01 / Block 3023
Tract 0005.01 / Block 3025
Tract 0005.01 / Block 3026
Tract 0005.01 / Block 3027
Tract 0005.01 / Block 3031
Tract 0005.01 / Block 4000
Tract 0005.01 / Block 4001
Tract 0005.01 / Block 4002

Tract 0005.01 / Block 4012
Tract 0005.01 / Block 4013
Tract 0006.00 / Block 1008
Tract 0006.00 / Block 1009
Tract 0006.00 / Block 1010
Tract 0006.00 / Block 1011
Tract 0006.00 / Block 1012
Tract 0006.00 / Block 1013
Tract 0006.00 / Block 4003
Tract 0006.00 / Block 4004
Tract 0006.00 / Block 4005
Tract 0006.00 / Block 4006
Tract 0006.00 / Block 4007
Tract 0006.00 / Block 4008
Tract 0006.00 / Block 4015
Tract 0006.00 / Block 4016
Tract 0006.00 / Block 4017
Tract 0006.00 / Block 4018
Tract 0006.00 / Block 4019
Tract 0006.00 / Block 4020
Tract 0010.00 / Block 1000
Tract 0010.00 / Block 1001
Tract 0010.00 / Block 1002
Tract 0010.00 / Block 1003
Tract 0010.00 / Block 1004
Tract 0010.00 / Block 1005
Tract 0010.00 / Block 1006
Tract 0010.00 / Block 1007
Tract 0010.00 / Block 1008
Tract 0010.00 / Block 1009
Tract 0010.00 / Block 1010
Tract 0010.00 / Block 1011
Tract 0010.00 / Block 1012
Tract 0010.00 / Block 1013
Tract 0010.00 / Block 1014
Tract 0010.00 / Block 1015
Tract 0010.00 / Block 1016
Tract 0010.00 / Block 1017
Tract 0010.00 / Block 1018
Tract 0010.00 / Block 1019
Tract 0010.00 / Block 1020
Tract 0010.00 / Block 1021
Tract 0010.00 / Block 1022
Tract 0010.00 / Block 1023
Tract 0010.00 / Block 1024
Tract 0010.00 / Block 1998
Tract 0010.00 / Block 1999
Tract 0015.00 / Block 3009
Tract 0015.00 / Block 3010
Tract 0015.00 / Block 3011
Tract 0015.00 / Block 3012
Tract 0015.00 / Block 5005
Tract 0015.00 / Block 5006
Tract 0015.00 / Block 5007
Tract 0015.00 / Block 5008
Tract 0015.00 / Block 5018
Tract 0015.00 / Block 5019
Tract 0015.00 / Block 6022
Tract 0015.00 / Block 6023

Tract 0016.00 / Block 1001
Tract 0016.00 / Block 1002
Tract 0016.00 / Block 1003
Tract 0016.00 / Block 1004
Tract 0016.00 / Block 1006
Tract 0016.00 / Block 1009
Tract 0016.00 / Block 2005
Tract 0016.00 / Block 3003
Tract 0016.00 / Block 3004
Tract 0016.00 / Block 6007
Tract 0016.00 / Block 6008
Tract 0016.00 / Block 6009
Tract 0016.00 / Block 6010
Tract 0016.00 / Block 6011
Tract 0016.00 / Block 6012
Tract 0016.00 / Block 6013
Tract 0016.00 / Block 6015
Tract 0021.00 / Block 2000
Tract 0021.00 / Block 2001
Tract 0021.00 / Block 2002
Tract 0021.00 / Block 2003
Tract 0021.00 / Block 2004
Tract 0021.00 / Block 2005
Tract 0021.00 / Block 2006
Tract 0021.00 / Block 2007
Tract 0021.00 / Block 2008
Tract 0021.00 / Block 2009
Tract 0021.00 / Block 2010
Tract 0021.00 / Block 2998
Tract 0021.00 / Block 3000
Tract 0021.00 / Block 3001
Tract 0021.00 / Block 3002
Tract 0021.00 / Block 3003
Tract 0021.00 / Block 3004
Tract 0021.00 / Block 3005
Tract 0021.00 / Block 3006
Tract 0021.00 / Block 3007
Tract 0021.00 / Block 3008
Tract 0021.00 / Block 3009
Tract 0021.00 / Block 3010
Tract 0021.00 / Block 3011
Tract 0021.00 / Block 3012
Tract 0021.00 / Block 3013
Tract 0021.00 / Block 3014
Tract 0021.00 / Block 3015
Tract 0021.00 / Block 3016
Tract 0021.00 / Block 3017
Tract 0021.00 / Block 3018
Tract 0021.00 / Block 3019
Tract 0021.00 / Block 3020
Tract 0021.00 / Block 3021
Tract 0021.00 / Block 3022
Tract 0021.00 / Block 3023
Tract 0021.00 / Block 3024
Tract 0021.00 / Block 3025
Tract 0021.00 / Block 3026
Tract 0021.00 / Block 3998
Tract 0022.00 / Block 4000
Tract 0022.00 / Block 4016

Tract 0022.00 / Block 4017
Tract 0022.00 / Block 4027
Tract 0022.00 / Block 4034
Tract 0022.00 / Block 4035
Tract 0022.00 / Block 4036
Tract 0022.00 / Block 4037
Tract 0022.00 / Block 4039
Tract 0022.00 / Block 4040
Tract 0022.00 / Block 4045
Tract 0022.00 / Block 4048
Tract 0022.00 / Block 4050
Tract 0022.00 / Block 4051
Tract 0022.00 / Block 4052
Tract 0022.00 / Block 4997
Tract 0022.00 / Block 4998
Tract 0026.00 / Block 1010
Tract 0026.00 / Block 1011
Tract 0026.00 / Block 1012
Tract 0026.00 / Block 1016
Tract 0026.00 / Block 1017
Tract 0026.00 / Block 1018
Tract 0026.00 / Block 1019
Tract 0026.00 / Block 1020
Tract 0026.00 / Block 2000
Tract 0026.00 / Block 2019
Tract 0026.00 / Block 2020
Tract 0026.00 / Block 2021
Tract 0026.00 / Block 2022
Tract 0026.00 / Block 2043
Tract 0026.00 / Block 2044
Tract 0026.00 / Block 2045
Tract 0028.00 / Block 1000
Tract 0028.00 / Block 1001
Tract 0028.00 / Block 1002
Tract 0031.00 / Block 1000
Tract 0031.00 / Block 1001
Tract 0031.00 / Block 1012
Tract 0031.00 / Block 1013
Tract 0031.00 / Block 1014
Tract 0031.00 / Block 1018
Tract 0031.00 / Block 2000
Tract 0031.00 / Block 2001
Tract 0031.00 / Block 2002
Tract 0031.00 / Block 2003
Tract 0031.00 / Block 2007
Tract 0031.00 / Block 2012
Tract 0031.00 / Block 2013
Tract 0031.00 / Block 2014
Tract 0031.00 / Block 3000
Tract 0031.00 / Block 3001
Tract 0031.00 / Block 3002
Tract 0031.00 / Block 3003
Tract 0031.00 / Block 5003
Tract 0035.00 / Block 1001
Tract 0035.00 / Block 1025
Tract 0035.00 / Block 1997
Tract 0035.00 / Block 1998
Tract 0037.01 / Block 1000
Tract 0037.01 / Block 1001

Tract 0037.01 / Block 1002
Tract 0037.01 / Block 1003
Tract 0037.01 / Block 1004
Tract 0037.01 / Block 1005
Tract 0037.01 / Block 1006
Tract 0037.01 / Block 1007
Tract 0037.01 / Block 1008
Tract 0037.01 / Block 1009
Tract 0037.01 / Block 1010
Tract 0037.01 / Block 1011
Tract 0037.01 / Block 1012
Tract 0037.01 / Block 1013
Tract 0037.01 / Block 1014
Tract 0037.01 / Block 1015
Tract 0037.01 / Block 1016
Tract 0037.01 / Block 1017
Tract 0037.01 / Block 1018
Tract 0037.01 / Block 1019
Tract 0037.01 / Block 1020
Tract 0037.01 / Block 1021
Tract 0037.01 / Block 4036
Tract 0037.01 / Block 5023
Tract 0037.01 / Block 6000
Tract 0037.01 / Block 6002
Tract 0037.01 / Block 6004
Tract 0037.01 / Block 6005
Tract 0037.01 / Block 6006
Tract 0037.01 / Block 6007
Tract 0037.01 / Block 6008
Tract 0037.01 / Block 6009
Tract 0037.01 / Block 6010
Tract 0037.01 / Block 6011
Tract 0037.01 / Block 6012
Tract 0037.01 / Block 6013
Tract 0037.01 / Block 6014
Tract 0037.01 / Block 6015
Tract 0037.01 / Block 6016
Tract 0037.01 / Block 6017
Tract 0037.01 / Block 6018
Tract 0037.01 / Block 6019
Tract 0037.01 / Block 6020
Tract 0037.01 / Block 6023
Tract 0037.01 / Block 6025
Tract 0037.01 / Block 6027
Tract 0037.01 / Block 6028
Tract 0037.01 / Block 6029
Tract 0037.01 / Block 6997
Tract 0037.01 / Block 6998
Tract 0037.06 / Block 1001
Tract 0037.06 / Block 1002
Tract 0037.06 / Block 2000
Tract 0037.06 / Block 2001
Tract 0037.06 / Block 2002
Tract 0037.06 / Block 2003
Tract 0037.06 / Block 2004
Tract 0037.06 / Block 2005
Tract 0037.06 / Block 2006
Tract 0037.06 / Block 2007
Tract 0037.06 / Block 2008

Tract 0037.06 / Block 2016
 Tract 0037.06 / Block 2017
 Tract 0037.06 / Block 3001
 Tract 0037.07 / Block 1002
 Tract 0037.07 / Block 1003
 Tract 0037.07 / Block 1004
 Tract 0037.07 / Block 1005
 Tract 0037.07 / Block 1023
 Tract 0037.07 / Block 1024
 Tract 0037.07 / Block 1025
 Tract 0037.07 / Block 1026
 Tract 0037.07 / Block 1027
 Tract 0037.07 / Block 1028
 Tract 0037.07 / Block 1029
 Tract 0037.07 / Block 2012
 Tract 0037.07 / Block 2013

JUDICIAL SUBCIRCUIT 3

Boone County

Tract 0005.02

Tract 0005.13

Tract 0005.14

Tract 0037.05

Winnebago (Part)

VTD CV02

VTD CV03

VTD CV04

VTD RT12

VTD RT14

VTD RT16

VTD RT33

VTD R0103

VTD R1002

VTD R1005

VTD R1006

VTD R1007

VTD R1010

VTD R1011

VTD R1012

Winnebago (Part)

BG 1

BG 2

BG 2

BG 3

VTD R0302 (Part)

Tract 0004.01 / Block 2000

Tract 0004.01 / Block 2001

Tract 0004.01 / Block 2005

Tract 0004.01 / Block 2006

Tract 0004.01 / Block 2008

Tract 0004.01 / Block 2009

Tract 0004.01 / Block 2010

Tract 0004.01 / Block 2011

Tract 0004.01 / Block 2016

Tract 0004.01 / Block 2017

Tract 0004.02 / Block 1006

Tract 0004.02 / Block 1007

Tract 0004.02 / Block 1008

Tract 0004.02 / Block 1012

Tract 0004.02 / Block 1013

Tract 0004.02 / Block 1027
Tract 0004.02 / Block 1028
Tract 0004.02 / Block 2003
Tract 0004.02 / Block 2006
Tract 0004.02 / Block 3000
Tract 0004.02 / Block 3002
Tract 0004.02 / Block 3003
Tract 0004.02 / Block 3004
Tract 0004.02 / Block 3005
Tract 0004.02 / Block 3006
Tract 0004.02 / Block 3015
Tract 0004.02 / Block 4000
Tract 0004.02 / Block 4001
Tract 0004.02 / Block 4004
Tract 0004.02 / Block 4009
Tract 0004.02 / Block 4010
Tract 0004.02 / Block 4011
Tract 0004.02 / Block 4013
Tract 0004.02 / Block 4014
Tract 0004.02 / Block 4015
Tract 0004.02 / Block 4016
Tract 0004.03 / Block 3029
Tract 0004.03 / Block 3030
Tract 0004.03 / Block 3031
Tract 0004.03 / Block 3032
Tract 0004.03 / Block 4000
Tract 0004.03 / Block 4004
Tract 0004.03 / Block 4005
Tract 0004.03 / Block 4006
Tract 0005.01 / Block 1000
Tract 0005.01 / Block 1003
Tract 0005.01 / Block 1004
Tract 0005.01 / Block 1005
Tract 0005.01 / Block 1007
Tract 0005.01 / Block 1008
Tract 0005.01 / Block 1009
Tract 0005.01 / Block 1010
Tract 0005.01 / Block 1011
Tract 0005.01 / Block 1012
Tract 0005.01 / Block 1013
Tract 0005.01 / Block 1014
Tract 0005.01 / Block 1017
Tract 0005.01 / Block 1019
Tract 0005.01 / Block 1021
Tract 0005.01 / Block 1022
Tract 0005.01 / Block 1023
Tract 0005.01 / Block 1026
Tract 0005.01 / Block 1027
Tract 0005.01 / Block 1028
Tract 0005.01 / Block 1029
Tract 0005.01 / Block 1030
Tract 0005.01 / Block 1031
Tract 0005.01 / Block 1038
Tract 0005.01 / Block 1039
Tract 0005.01 / Block 2000
Tract 0005.01 / Block 2002
Tract 0005.01 / Block 2003
Tract 0005.01 / Block 2004
Tract 0005.01 / Block 2005

Tract 0005.01 / Block 2006
Tract 0005.01 / Block 2007
Tract 0005.01 / Block 2008
Tract 0005.01 / Block 2009
Tract 0005.01 / Block 2010
Tract 0005.01 / Block 2011
Tract 0005.01 / Block 2012
Tract 0005.07 / Block 1000
Tract 0005.07 / Block 1003
Tract 0005.07 / Block 3000
Tract 0005.07 / Block 3001
Tract 0005.07 / Block 3002
Tract 0005.07 / Block 3004
Tract 0005.07 / Block 3006
Tract 0005.07 / Block 3007
Tract 0005.12 / Block 2014
Tract 0005.12 / Block 2015
Tract 0005.12 / Block 2016
Tract 0005.12 / Block 2017
Tract 0005.12 / Block 2018
Tract 0005.12 / Block 4013
Tract 0005.12 / Block 4014
Tract 0005.12 / Block 4015
Tract 0005.12 / Block 4016
Tract 0005.12 / Block 4020
Tract 0005.12 / Block 4021
Tract 0005.12 / Block 4022
Tract 0005.12 / Block 4023
Tract 0005.12 / Block 4024
Tract 0005.12 / Block 4025
Tract 0005.12 / Block 4026
Tract 0005.12 / Block 4027
Tract 0006.00 / Block 1000
Tract 0006.00 / Block 1001
Tract 0006.00 / Block 1002
Tract 0006.00 / Block 1003
Tract 0006.00 / Block 1004
Tract 0006.00 / Block 1005
Tract 0006.00 / Block 1006
Tract 0006.00 / Block 1007
Tract 0006.00 / Block 1014
Tract 0006.00 / Block 1015
Tract 0015.00 / Block 1017
Tract 0015.00 / Block 1018
Tract 0015.00 / Block 1019
Tract 0015.00 / Block 2006
Tract 0015.00 / Block 2007
Tract 0015.00 / Block 2008
Tract 0015.00 / Block 2009
Tract 0015.00 / Block 2010
Tract 0015.00 / Block 2011
Tract 0015.00 / Block 2012
Tract 0015.00 / Block 2013
Tract 0015.00 / Block 2014
Tract 0015.00 / Block 6015
Tract 0015.00 / Block 6017
Tract 0015.00 / Block 6018
Tract 0015.00 / Block 6019
Tract 0015.00 / Block 6020

Tract 0015.00 / Block 6021
 Tract 0016.00 / Block 1000
 Tract 0037.01 / Block 6001
 Tract 0037.01 / Block 6003
 Tract 0037.06 / Block 4000
 Tract 0037.07 / Block 2014
 Tract 0037.07 / Block 2015
 Tract 0037.07 / Block 2016
 Tract 0037.07 / Block 2017
 Tract 0037.07 / Block 2018
 Tract 0037.07 / Block 2019
 Tract 0037.10 / Block 2000
 Tract 0037.10 / Block 2001
 Tract 0037.10 / Block 2002
 Tract 0037.10 / Block 2003
 Tract 0037.10 / Block 2004
 Tract 0037.10 / Block 2005
 Tract 0037.10 / Block 2007
 Tract 0037.10 / Block 2011
 Tract 0037.10 / Block 2012
 Tract 0037.10 / Block 2013
 Tract 0037.10 / Block 2014
 Tract 0037.10 / Block 2022
 Tract 0037.10 / Block 2023
 Tract 0037.10 / Block 2024
 Tract 0037.10 / Block 2025
 Tract 0037.10 / Block 2026
 Tract 0037.10 / Block 2027
 Tract 0037.10 / Block 2032

JUDICIAL SUBCIRCUIT 4

Tract 0005.04
 Tract 0005.10
 Tract 0038.06
 Tract 0038.09
 Tract 0039.01
 Tract 0039.03
 Tract 0039.04
 Tract 0040.01
 Tract 0040.02
 Tract 0040.03
 Tract 0041.00
 Tract 0043.00

Winnebago (Part)

Township Winnebago

Winnebago (Part)

VTD BU01
 VTD HR01
 VTD HR04
 VTD HR21
 VTD HR23
 VTD HR26
 VTD HR30
 VTD HR31
 VTD RT21
 VTD R0101
 VTD R0403
 VTD R0409

Winnebago (Part)

BG 1

[January 10, 2005]

BG 1

VTD R0106 (Part)

Tract 0005.06 / Block 1000
Tract 0005.06 / Block 1001
Tract 0005.06 / Block 1002
Tract 0005.06 / Block 1003
Tract 0005.06 / Block 1004
Tract 0005.06 / Block 1005
Tract 0005.06 / Block 1006
Tract 0005.06 / Block 1012
Tract 0005.06 / Block 2000
Tract 0005.06 / Block 2001
Tract 0005.06 / Block 2002
Tract 0005.06 / Block 2003
Tract 0005.06 / Block 2004
Tract 0005.06 / Block 2005
Tract 0005.06 / Block 2006
Tract 0005.06 / Block 2007
Tract 0005.06 / Block 2008
Tract 0005.06 / Block 3000
Tract 0005.06 / Block 3001
Tract 0005.06 / Block 3002
Tract 0005.06 / Block 3003
Tract 0005.06 / Block 3004
Tract 0005.06 / Block 3005
Tract 0005.06 / Block 3011
Tract 0005.06 / Block 4000
Tract 0005.06 / Block 4001
Tract 0005.06 / Block 4002
Tract 0005.06 / Block 4003
Tract 0005.06 / Block 4004
Tract 0005.06 / Block 4005
Tract 0005.06 / Block 4006
Tract 0005.06 / Block 4007
Tract 0005.06 / Block 4008
Tract 0005.06 / Block 4009
Tract 0005.06 / Block 4010
Tract 0005.06 / Block 4011
Tract 0005.06 / Block 4012
Tract 0005.06 / Block 4013
Tract 0005.06 / Block 4014
Tract 0005.06 / Block 4015
Tract 0005.06 / Block 4016
Tract 0005.06 / Block 4017
Tract 0005.06 / Block 4018
Tract 0005.06 / Block 4019
Tract 0005.06 / Block 4025
Tract 0005.06 / Block 4026
Tract 0005.06 / Block 4027
Tract 0005.06 / Block 5003
Tract 0005.06 / Block 5005
Tract 0005.06 / Block 5006
Tract 0005.06 / Block 5007
Tract 0005.06 / Block 5008
Tract 0005.06 / Block 5009
Tract 0005.06 / Block 5010
Tract 0005.06 / Block 5012
Tract 0005.06 / Block 5013
Tract 0005.06 / Block 5014

Tract 0005.07 / Block 1001
Tract 0005.12 / Block 2000
Tract 0005.12 / Block 2001
Tract 0005.12 / Block 2002
Tract 0005.12 / Block 2003
Tract 0005.12 / Block 2004
Tract 0005.12 / Block 2005
Tract 0005.12 / Block 2006
Tract 0005.12 / Block 2007
Tract 0005.12 / Block 2008
Tract 0005.12 / Block 2009
Tract 0005.12 / Block 2010
Tract 0005.12 / Block 2011
Tract 0005.12 / Block 2012
Tract 0005.12 / Block 2013
Tract 0038.01 / Block 2002
Tract 0038.01 / Block 2003
Tract 0038.01 / Block 3000
Tract 0038.01 / Block 3001
Tract 0038.01 / Block 3002
Tract 0038.01 / Block 3003
Tract 0038.01 / Block 3004
Tract 0038.01 / Block 3005
Tract 0038.01 / Block 3006
Tract 0038.01 / Block 3007
Tract 0038.01 / Block 3008
Tract 0038.01 / Block 3009
Tract 0038.01 / Block 3010
Tract 0038.01 / Block 3012
Tract 0038.01 / Block 3013
Tract 0038.01 / Block 3014
Tract 0038.01 / Block 3016
Tract 0038.01 / Block 3017
Tract 0038.01 / Block 3018
Tract 0038.01 / Block 3019
Tract 0038.01 / Block 3020
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Tract 0038.01 / Block 3026
Tract 0038.01 / Block 3027
Tract 0038.01 / Block 3028
Tract 0038.01 / Block 3029
Tract 0038.01 / Block 3998
Tract 0038.01 / Block 3999
Tract 0038.05 / Block 2019
Tract 0038.05 / Block 2020
Tract 0038.05 / Block 2021
Tract 0038.05 / Block 2022
Tract 0038.05 / Block 2023
Tract 0038.05 / Block 2024
Tract 0038.05 / Block 2025
Tract 0038.05 / Block 2026
Tract 0038.05 / Block 2028
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Tract 0038.05 / Block 2030
Tract 0038.05 / Block 2031

Tract 0038.05 / Block 2032
Tract 0038.05 / Block 2033
Tract 0038.05 / Block 2034
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Tract 0038.05 / Block 2038
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Tract 0038.05 / Block 2045
Tract 0038.05 / Block 2046
Tract 0038.05 / Block 2047
Tract 0038.05 / Block 2048
Tract 0038.05 / Block 2049
Tract 0038.05 / Block 2050
Tract 0038.05 / Block 2051
Tract 0038.05 / Block 2052
Tract 0038.05 / Block 2053
Tract 0038.05 / Block 2054
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Tract 0038.05 / Block 2056
Tract 0038.05 / Block 2057
Tract 0038.05 / Block 2058
Tract 0038.05 / Block 2059
Tract 0038.05 / Block 2060
Tract 0038.05 / Block 2068
Tract 0038.05 / Block 2069
Tract 0038.05 / Block 2070
Tract 0038.07 / Block 2027
Tract 0038.07 / Block 2028
Tract 0038.07 / Block 2029
Tract 0038.07 / Block 2030
Tract 0038.07 / Block 2055
Tract 0038.07 / Block 2056
Tract 0038.07 / Block 2057
Tract 0038.07 / Block 2058
Tract 0038.07 / Block 2059
Tract 0038.07 / Block 2060
Tract 0038.07 / Block 2061
Tract 0038.07 / Block 2062
Tract 0038.07 / Block 2063
Tract 0038.07 / Block 2064
Tract 0038.07 / Block 2065
Tract 0038.07 / Block 2066
Tract 0038.07 / Block 3008
Tract 0038.07 / Block 3009
Tract 0038.07 / Block 3010
Tract 0038.07 / Block 3011
Tract 0038.07 / Block 3012
Tract 0038.07 / Block 3013
Tract 0038.07 / Block 3014
Tract 0038.07 / Block 3015
Tract 0038.07 / Block 3016
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Tract 0038.07 / Block 3018
Tract 0038.07 / Block 3019

Tract 0038.07 / Block 3020
 Tract 0038.07 / Block 3021
 Tract 0038.07 / Block 3022
 Tract 0038.07 / Block 3023
 Tract 0038.07 / Block 3024
 Tract 0038.07 / Block 3025
 Tract 0038.07 / Block 3026
 Tract 0038.07 / Block 3027
 Tract 0038.07 / Block 3028

Section 20. The 19th Judicial Circuit is divided into 6 subcircuits, with the numerical order 1, 2, 3, 4, 5, and 6 as follows:

JUDICIAL SUBCIRCUIT 1

Tract 8601.03
 Tract 8601.04
 Tract 8602.00
 Tract 8603.01
 Tract 8603.02
 Tract 8604.00
 Tract 8605.00
 Tract 8606.00
 Tract 8617.01
 Tract 8617.02
 Tract 8618.03
 Tract 8618.04
 Tract 8618.05
 Tract 8618.15
 Tract 8619.01
 Tract 8619.02
 Tract 8620.00
 Tract 8621.00
 Tract 8622.00
 Tract 8624.01
 Tract 8624.02
 Lake (Part)
 VTD BE046
 VTD WK321
 VTD WK326
 VTD WK328
 VTD WR281
 VTD WK318 (Part)
 Tract 000000 / Block 0994
 Tract 000000 / Block 0995
 Tract 000000 / Block 0996
 Tract 8601.01 / Block 1000
 Tract 8601.01 / Block 1001
 Tract 8601.01 / Block 1002
 Tract 8601.01 / Block 1003
 Tract 8601.01 / Block 1004
 Tract 8601.01 / Block 1005
 Tract 8601.01 / Block 1006
 Tract 8601.01 / Block 1007
 Tract 8601.01 / Block 1008
 Tract 8601.01 / Block 1009
 Tract 8601.01 / Block 1010
 Tract 8601.01 / Block 1011
 Tract 8601.01 / Block 1013
 Tract 8601.01 / Block 1016

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Tract 8601.01 / Block 1019
Tract 8601.01 / Block 1020
Tract 8601.01 / Block 1021
Tract 8601.01 / Block 1022
Tract 8601.01 / Block 1023
Tract 8601.01 / Block 1024
Tract 8601.01 / Block 1025
Tract 8601.01 / Block 1026
Tract 8601.01 / Block 1027
Tract 8601.01 / Block 1028
Tract 8601.01 / Block 1032
Tract 8601.01 / Block 1041
Tract 8601.01 / Block 2000
Tract 8601.01 / Block 2001
Tract 8601.01 / Block 2002
Tract 8601.01 / Block 2007
Tract 8601.01 / Block 2008
Tract 8601.01 / Block 2009
Tract 8601.01 / Block 2010
Tract 8601.01 / Block 2011
Tract 8601.01 / Block 2012
Tract 8601.01 / Block 2013
Tract 8601.01 / Block 2014
Tract 8601.01 / Block 2015
Tract 8601.01 / Block 2016
Tract 8601.01 / Block 2017
Tract 8601.01 / Block 2018
Tract 8601.01 / Block 2019
Tract 8601.01 / Block 2043
Tract 8601.01 / Block 2044
Tract 8601.01 / Block 2045
Tract 8601.01 / Block 2046
Tract 8601.01 / Block 2047
Tract 8601.01 / Block 2048
Tract 8601.01 / Block 2049
Tract 8601.01 / Block 2050
Tract 8601.01 / Block 2051
Tract 8601.01 / Block 2052
Tract 8601.01 / Block 2053
Tract 8601.01 / Block 2054
Tract 8601.01 / Block 2055
Tract 8601.01 / Block 2056
Tract 8601.01 / Block 2057
Tract 8601.01 / Block 2058
Tract 8601.01 / Block 2059
Tract 8601.01 / Block 2060
Tract 8601.01 / Block 2073
Tract 8607.02 / Block 2000
Tract 8607.02 / Block 2001
Tract 8607.02 / Block 2002
Tract 8607.02 / Block 2003
Tract 8607.02 / Block 2004
Tract 8607.02 / Block 2005
Tract 8607.02 / Block 2006
Tract 8607.02 / Block 2007
Tract 8607.02 / Block 2008
Tract 8607.02 / Block 2009
Tract 8607.02 / Block 2010
Tract 8607.02 / Block 2011

Tract 8607.02 / Block 2012
Tract 8607.02 / Block 2013
Tract 8607.02 / Block 2014
Tract 8607.02 / Block 2015
Tract 8607.02 / Block 2016
Tract 8607.02 / Block 2017
Tract 8607.02 / Block 2018
Tract 8607.02 / Block 2019
Tract 8607.02 / Block 2020
Tract 8607.02 / Block 2021
Tract 8607.02 / Block 2022
Tract 8607.02 / Block 2023
Tract 8607.02 / Block 2035
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Tract 8607.02 / Block 2037
Tract 8607.02 / Block 2038
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Tract 8607.02 / Block 2055
Tract 8607.02 / Block 2056
Tract 8607.02 / Block 2057
Tract 8607.02 / Block 2058
Tract 8607.02 / Block 2059
Tract 8615.06 / Block 1000
Tract 8615.06 / Block 1001
Tract 8615.06 / Block 1002
Tract 8615.06 / Block 1003
Tract 8615.06 / Block 1004
Tract 8615.06 / Block 1005
Tract 8615.06 / Block 1006
Tract 8615.06 / Block 1007
Tract 8615.06 / Block 1008
Tract 8615.06 / Block 1009
Tract 8615.06 / Block 1010
Tract 8615.06 / Block 1011
Tract 8615.06 / Block 1012
Tract 8615.06 / Block 1015
Tract 8615.06 / Block 1025
Tract 8615.06 / Block 1026
Tract 8615.06 / Block 1027
Tract 8615.06 / Block 1028
Tract 8615.06 / Block 1029
Tract 8615.06 / Block 1030
Tract 8615.06 / Block 1031
Tract 8615.06 / Block 1032

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Tract 8615.06 / Block 1033
Tract 8615.06 / Block 1034
Tract 8615.06 / Block 1035
Tract 8615.06 / Block 1036
Tract 8615.06 / Block 1037
Tract 8615.06 / Block 1038
Tract 8615.06 / Block 1039
Tract 8615.06 / Block 1040
Tract 8615.06 / Block 1041
Tract 8615.06 / Block 1042
Tract 8615.06 / Block 1043
Tract 8615.06 / Block 1049
Tract 8615.06 / Block 1052
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Tract 8615.06 / Block 1054
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Tract 8615.06 / Block 1056
Tract 8615.06 / Block 1057
Tract 8615.06 / Block 1058
Tract 8615.06 / Block 1059
Tract 8615.06 / Block 1991
Tract 8615.07 / Block 2000
Tract 8615.07 / Block 2001
Tract 8615.07 / Block 2002
Tract 8615.07 / Block 2003
Tract 8615.07 / Block 2004
Tract 8615.07 / Block 2005
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Tract 8615.07 / Block 2015
Tract 8615.07 / Block 2016
Tract 8615.07 / Block 2017
Tract 8615.07 / Block 2018
Tract 8615.07 / Block 2019
Tract 8615.07 / Block 2020
Tract 8615.07 / Block 2021
Tract 8615.07 / Block 2022
Tract 8615.07 / Block 2023
Tract 8615.07 / Block 2024
Tract 8615.07 / Block 2025
Tract 8615.07 / Block 2026
Tract 8615.07 / Block 2027
Tract 8615.07 / Block 2028
Tract 8615.07 / Block 2029
Tract 8615.07 / Block 2030
Tract 8615.07 / Block 2031
Tract 8615.07 / Block 2032
Tract 8615.07 / Block 2033
Tract 8615.07 / Block 2034
Tract 8615.07 / Block 2035
Tract 8615.07 / Block 2036
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Tract 8615.07 / Block 2038
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Tract 8615.07 / Block 2046
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Tract 8615.07 / Block 2048
Tract 8615.07 / Block 2049
Tract 8615.07 / Block 2050
Tract 8615.07 / Block 2051
Tract 8615.07 / Block 2052
Tract 8615.07 / Block 2053
Tract 8615.07 / Block 2054
Tract 8615.07 / Block 2055
Tract 8615.07 / Block 2056
Tract 8615.07 / Block 2057
Tract 8615.07 / Block 2058
Tract 8615.07 / Block 2059
Tract 8615.07 / Block 2060
Tract 8615.07 / Block 2061
Tract 8615.07 / Block 2062
Tract 8615.07 / Block 2063
Tract 8615.07 / Block 2064
Tract 8615.07 / Block 2065
Tract 8615.07 / Block 2066
Tract 8615.07 / Block 2067
Tract 8615.07 / Block 2068
Tract 8615.07 / Block 2069
Tract 8615.08 / Block 1000
Tract 8615.08 / Block 1001
Tract 8615.08 / Block 1002
Tract 8615.08 / Block 1003
Tract 8615.08 / Block 1004
Tract 8615.08 / Block 1005
Tract 8615.08 / Block 1006
Tract 8615.08 / Block 1007
Tract 8615.08 / Block 1008
Tract 8615.08 / Block 1009
Tract 8615.08 / Block 1034
Tract 8615.08 / Block 1035
Tract 8615.08 / Block 1042
Tract 8615.08 / Block 1043
Tract 8615.08 / Block 1999
Tract 8623.00 / Block 1000
Tract 8623.00 / Block 1001
Tract 8623.00 / Block 1002
Tract 8623.00 / Block 1003
Tract 8623.00 / Block 1004
Tract 8623.00 / Block 4000
Tract 8623.00 / Block 4001
Tract 8623.00 / Block 4002
Tract 8623.00 / Block 4003
Tract 8623.00 / Block 4004
Tract 8623.00 / Block 4005
Tract 8623.00 / Block 4006

Tract 8623.00 / Block 4007
 Tract 8623.00 / Block 4008
 Tract 8623.00 / Block 4009
 Tract 8625.01 / Block 1000
 Tract 8625.01 / Block 1009
 Tract 8625.01 / Block 1010
 Tract 8625.01 / Block 1014
 Tract 8626.03 / Block 5011
 Tract 8626.03 / Block 5012
 Tract 8626.03 / Block 5013
 Tract 8626.04 / Block 1004
 Tract 8626.04 / Block 1005
 Tract 8626.04 / Block 1014

JUDICIAL SUBCIRCUIT 2

Tract 8615.04
 Tract 8615.09
 Tract 8615.10
 Tract 8616.03
 Tract 8616.07
 Tract 8616.08
 Tract 8625.02
 Tract 8626.05
 Tract 8627.00
 Tract 8628.00
 Tract 8629.01
 Tract 8629.02
 Tract 8630.02
 Tract 8631.00
 Tract 8632.01
 Tract 8636.01
 Tract 8636.04
 Tract 8637.01
 Tract 8637.02

Lake (Part)

VTD LB169
 VTD SH206
 VTD WK319
 VTD WK320
 VTD WK335
 VTD WK336
 VTD WR262
 VTD WR397

Lake (Part)

BG 2
 BG 3

VTD WR263 (Part)

Tract 8611.06 / Block 2003
 Tract 8611.06 / Block 2004
 Tract 8611.06 / Block 2009
 Tract 8615.07 / Block 2084
 Tract 8615.07 / Block 2085
 Tract 8615.07 / Block 2086
 Tract 8615.07 / Block 2088
 Tract 8615.07 / Block 2089
 Tract 8615.07 / Block 2090
 Tract 8615.07 / Block 2091
 Tract 8615.07 / Block 2092
 Tract 8615.07 / Block 2093
 Tract 8615.07 / Block 2094

Tract 8615.07 / Block 2095
Tract 8615.07 / Block 2096
Tract 8615.07 / Block 2097
Tract 8615.08 / Block 1012
Tract 8615.08 / Block 1030
Tract 8615.08 / Block 1031
Tract 8615.08 / Block 1032
Tract 8615.08 / Block 1033
Tract 8615.08 / Block 1036
Tract 8615.08 / Block 1037
Tract 8615.08 / Block 1038
Tract 8615.08 / Block 1039
Tract 8615.08 / Block 1044
Tract 8615.08 / Block 1045
Tract 8625.01 / Block 1018
Tract 8625.01 / Block 1019
Tract 8625.01 / Block 1020
Tract 8625.01 / Block 1021
Tract 8625.01 / Block 1022
Tract 8625.01 / Block 1023
Tract 8625.01 / Block 1024
Tract 8626.03 / Block 2022
Tract 8630.01 / Block 1000
Tract 8630.01 / Block 1001
Tract 8630.01 / Block 1002
Tract 8630.01 / Block 1003
Tract 8630.01 / Block 1004
Tract 8630.01 / Block 1005
Tract 8630.01 / Block 1006
Tract 8630.01 / Block 1007
Tract 8630.01 / Block 1008
Tract 8630.01 / Block 1009
Tract 8630.01 / Block 1010
Tract 8630.01 / Block 1011
Tract 8630.01 / Block 1012
Tract 8630.01 / Block 1013
Tract 8630.01 / Block 1019
Tract 8630.01 / Block 1020
Tract 8630.01 / Block 1021
Tract 8630.01 / Block 1022
Tract 8632.02 / Block 1005
Tract 8632.02 / Block 1007
Tract 8632.02 / Block 1008
Tract 8632.02 / Block 1009
Tract 8632.02 / Block 1036
Tract 8632.02 / Block 3009
Tract 8636.03 / Block 1013
Tract 8636.03 / Block 1014
Tract 8636.03 / Block 1015
Tract 8636.03 / Block 1016
Tract 8636.03 / Block 1017
Tract 8636.03 / Block 1018
Tract 8636.03 / Block 1019
Tract 8636.03 / Block 1020
Tract 8636.03 / Block 1021
Tract 8636.03 / Block 1022
Tract 8636.03 / Block 1023
Tract 8636.03 / Block 1024
Tract 8636.03 / Block 1025

Tract 8636.03 / Block 1026
 Tract 8636.03 / Block 1027
 Tract 8636.03 / Block 1028
 Tract 8636.03 / Block 1029
 Tract 8636.03 / Block 1030
 Tract 8636.03 / Block 1031
 Tract 8636.03 / Block 1032
 Tract 8636.03 / Block 1033
 Tract 8636.03 / Block 1051

JUDICIAL SUBCIRCUIT 3

Tract 8639.02
 Tract 8639.03
 Tract 8639.04
 Tract 8640.01
 Tract 8640.02
 Tract 8641.05
 Tract 8641.06
 Tract 8641.07
 Tract 8641.08
 Tract 8644.02
 Tract 8644.03
 Tract 8645.10
 Tract 8645.11
 Tract 8645.12
 Tract 8645.13
 Tract 8645.15
 Tract 8645.16
 Tract 8645.17
 Tract 8645.18
 Tract 8645.19
 Tract 8645.20
 Lake (Part)

BG 1

VTD LB173 (Part)

Tract 8636.03 / Block 1049
 Tract 8636.03 / Block 1050
 Tract 8636.03 / Block 1052
 Tract 8641.01 / Block 2011
 Tract 8641.01 / Block 2018
 Tract 8641.01 / Block 2019
 Tract 8644.07 / Block 1000
 Tract 8644.07 / Block 1003
 Tract 8644.07 / Block 1004
 Tract 8644.07 / Block 1005
 Tract 8644.07 / Block 1006
 Tract 8644.07 / Block 1060
 Tract 8644.07 / Block 1065
 Tract 8644.07 / Block 1066
 Tract 8644.12 / Block 2000
 Tract 8644.12 / Block 2001
 Tract 8644.12 / Block 2002
 Tract 8644.12 / Block 2003
 Tract 8644.12 / Block 2004
 Tract 8644.12 / Block 2022
 Tract 8644.12 / Block 2023
 Tract 8644.12 / Block 2024
 Tract 8644.12 / Block 2025
 Tract 8644.12 / Block 2026
 Tract 8644.12 / Block 2027

Tract 8644.12 / Block 2028
Tract 8644.12 / Block 2029
Tract 8644.12 / Block 2030
Tract 8644.12 / Block 2031
Tract 8644.12 / Block 2032
Tract 8644.12 / Block 2033
Tract 8644.12 / Block 2034
Tract 8644.12 / Block 2035
Tract 8644.12 / Block 2036
Tract 8644.12 / Block 2037
Tract 8644.12 / Block 2038
Tract 8645.02 / Block 2077
Tract 8645.02 / Block 2084
Tract 8645.14 / Block 1000
Tract 8645.14 / Block 1001
Tract 8645.14 / Block 1002
Tract 8645.14 / Block 1003
Tract 8645.14 / Block 1004
Tract 8645.14 / Block 1005
Tract 8645.14 / Block 1006
Tract 8645.14 / Block 1009
Tract 8645.14 / Block 1010
Tract 8645.14 / Block 1011
Tract 8645.14 / Block 1012
Tract 8645.14 / Block 1013
Tract 8645.14 / Block 1014
Tract 8645.14 / Block 1015
Tract 8645.14 / Block 1016
Tract 8645.14 / Block 1017
Tract 8645.14 / Block 1018
Tract 8645.14 / Block 1019
Tract 8645.14 / Block 1020
Tract 8645.14 / Block 1021
Tract 8645.14 / Block 1022
Tract 8645.14 / Block 1023
Tract 8645.14 / Block 1024
Tract 8645.14 / Block 1025
Tract 8645.14 / Block 1026
Tract 8645.14 / Block 1027
Tract 8645.14 / Block 1028
Tract 8645.14 / Block 1029
Tract 8645.14 / Block 1030
Tract 8645.14 / Block 1031
Tract 8645.14 / Block 1032
Tract 8645.14 / Block 1033
Tract 8645.14 / Block 1034
Tract 8645.14 / Block 1035
Tract 8645.14 / Block 1041
Tract 8645.14 / Block 1046
Tract 8645.14 / Block 1047
Tract 8645.14 / Block 1048
Tract 8645.14 / Block 1049
Tract 8645.14 / Block 1050
Tract 8645.14 / Block 1051

JUDICIAL SUBCIRCUIT 4

Tract 8633.00
Tract 8634.00
Tract 8635.00
Tract 8638.01

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Tract 8638.02
 Tract 8645.05
 Tract 8645.21
 Tract 8645.22
 Tract 8646.01
 Tract 8646.02
 Tract 8647.00
 Tract 8648.01
 Tract 8648.02
 Tract 8649.01
 Tract 8649.03
 Tract 8649.04
 Tract 8650.00
 Tract 8652.00
 Tract 8653.00
 Tract 8654.00
 Tract 8655.01
 Tract 8655.02
 Tract 8656.00
 Tract 8657.00
 Tract 8658.01
 Tract 8658.02

Lake (Part)

VTD SH209
 VTD SH213
 VTD SH214
 VTD VE234
 VTD VE235
 VTD VE392

Lake (Part)

BG 2

VTD SH207 (Part)

Tract 8630.01 / Block 1014
 Tract 8630.01 / Block 1015
 Tract 8630.01 / Block 1016
 Tract 8630.01 / Block 1017
 Tract 8630.01 / Block 1018
 Tract 8632.02 / Block 1010
 Tract 8632.02 / Block 1011
 Tract 8632.02 / Block 1012
 Tract 8632.02 / Block 1013
 Tract 8632.02 / Block 1014
 Tract 8632.02 / Block 1015
 Tract 8632.02 / Block 1016
 Tract 8632.02 / Block 1017
 Tract 8632.02 / Block 1018
 Tract 8632.02 / Block 1019
 Tract 8632.02 / Block 1020
 Tract 8632.02 / Block 1021
 Tract 8632.02 / Block 1022
 Tract 8632.02 / Block 1025
 Tract 8632.02 / Block 1027
 Tract 8632.02 / Block 1028
 Tract 8632.02 / Block 1029
 Tract 8632.02 / Block 1030
 Tract 8632.02 / Block 1031
 Tract 8632.02 / Block 1032
 Tract 8632.02 / Block 1033
 Tract 8632.02 / Block 1034

Tract 8632.02 / Block 1035
Tract 8632.02 / Block 3049
Tract 8632.02 / Block 3050
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Tract 8645.02 / Block 2095
Tract 8645.14 / Block 1007
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 Tract 8645.14 / Block 1073
 Tract 8645.14 / Block 1074
 Tract 8645.14 / Block 1075

JUDICIAL SUBCIRCUIT 5

Tract 8609.06
 Tract 8612.01
 Tract 8613.01
 Tract 8613.03
 Tract 8613.04
 Tract 8614.03
 Tract 8642.03
 Tract 8642.04
 Tract 8642.05
 Tract 8642.06
 Tract 8643.03
 Tract 8643.05
 Tract 8643.06
 Tract 8643.07
 Tract 8643.08
 Tract 8644.08
 Tract 8644.09
 Tract 8644.10
 Tract 8644.11
 Lake (Part)
 VTD AV024
 VTD EL099
 VTD FR126
 VTD GR140
 VTD GR141
 VTD GR143
 VTD GR144
 VTD GR145
 VTD GR146

Lake (Part)

BG 2
 BG 1
 BG 2
 BG 1

VTD GR142 (Part)

Tract 8609.03 / Block 1020
 Tract 8609.03 / Block 1030
 Tract 8609.03 / Block 1031
 Tract 8609.03 / Block 2000
 Tract 8609.03 / Block 2001
 Tract 8609.03 / Block 2002
 Tract 8609.03 / Block 2003

Tract 8609.03 / Block 2004
Tract 8609.03 / Block 2005
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Tract 8609.03 / Block 2018
Tract 8609.03 / Block 2019
Tract 8609.03 / Block 2020
Tract 8609.03 / Block 2021
Tract 8609.03 / Block 2022
Tract 8609.03 / Block 2999
Tract 8609.04 / Block 2017
Tract 8609.04 / Block 2038
Tract 8609.04 / Block 2039
Tract 8609.04 / Block 2040
Tract 8609.04 / Block 2041
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Tract 8609.04 / Block 2083
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Tract 8609.04 / Block 2104
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Tract 8609.05 / Block 3000
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Tract 8614.02 / Block 1000
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Tract 8614.04 / Block 2000
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Tract 8614.04 / Block 3006
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Tract 8614.04 / Block 3010
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Tract 8614.04 / Block 3020
Tract 8614.04 / Block 3021
Tract 8614.04 / Block 3022
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Tract 8614.04 / Block 3024
Tract 8641.01 / Block 2000
Tract 8641.01 / Block 2001
Tract 8641.01 / Block 2002
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Tract 8641.01 / Block 2005
Tract 8641.01 / Block 2008
Tract 8641.01 / Block 2009
Tract 8641.01 / Block 2010
Tract 8641.01 / Block 2012
Tract 8641.01 / Block 2013
Tract 8644.07 / Block 1024
Tract 8644.07 / Block 1025
Tract 8644.07 / Block 1026
Tract 8644.07 / Block 1027
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Tract 8644.07 / Block 1080
Tract 8644.07 / Block 1081
Tract 8644.07 / Block 1082
Tract 8644.07 / Block 1083
Tract 8644.07 / Block 1084
Tract 8644.07 / Block 1085
Tract 8644.12 / Block 2005
Tract 8644.12 / Block 2006
Tract 8644.12 / Block 2007
Tract 8644.12 / Block 2008
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Tract 8644.12 / Block 2010
Tract 8644.12 / Block 2011
Tract 8644.12 / Block 2012
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Tract 8644.12 / Block 2014
Tract 8644.12 / Block 2015
Tract 8644.12 / Block 2016
Tract 8644.12 / Block 2017
Tract 8644.12 / Block 2018
Tract 8644.12 / Block 2019
Tract 8644.12 / Block 2020
Tract 8644.12 / Block 2021

JUDICIAL SUBCIRCUIT 6

Tract 8607.01
Tract 8608.05
Tract 8608.06
Tract 8608.07
Tract 8608.08
Tract 8608.09
Tract 8608.10
Tract 8608.11
Tract 8610.07
Tract 8610.08
Tract 8610.09
Tract 8610.10
Tract 8610.11
Tract 8610.12
Tract 8610.13
Tract 8610.14
Tract 8611.04
Tract 8611.05
Tract 8615.05
Tract 8616.04
Lake (Part)
VTD AV034
VTD AV040
VTD AV041

VTD GR137
VTD GR138
VTD GR139
VTD GR384
VTD WR261
VTD WR386
VTD WR396
VTD WR402

Lake (Part)

BG 1

VTD BE042 (Part)

Tract 8601.01 / Block 2003
Tract 8601.01 / Block 2004
Tract 8601.01 / Block 2005
Tract 8601.01 / Block 2006
Tract 8601.01 / Block 2020
Tract 8601.01 / Block 2021
Tract 8601.01 / Block 2022
Tract 8601.01 / Block 2023
Tract 8601.01 / Block 2024
Tract 8601.01 / Block 2025
Tract 8601.01 / Block 2026
Tract 8601.01 / Block 2027
Tract 8601.01 / Block 2028
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Tract 8601.01 / Block 2074
Tract 8607.02 / Block 2024
Tract 8607.02 / Block 2025
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Tract 8609.03 / Block 3020
Tract 8609.03 / Block 3023

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Tract 8609.03 / Block 3024
Tract 8609.03 / Block 3025
Tract 8609.03 / Block 3026
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Tract 8609.03 / Block 3031
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Tract 8609.03 / Block 3035
Tract 8609.03 / Block 3036
Tract 8609.03 / Block 3988
Tract 8609.03 / Block 3989
Tract 8609.03 / Block 3990
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Tract 8611.06 / Block 1021
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Tract 8612.02 / Block 1044
Tract 8614.02 / Block 2000
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Tract 8614.02 / Block 2004
Tract 8614.02 / Block 2005
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Tract 8614.02 / Block 2069
Tract 8614.04 / Block 2018
Tract 8614.04 / Block 3000
Tract 8614.04 / Block 3001
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Tract 8614.04 / Block 3015
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Tract 8615.06 / Block 1992
Tract 8615.06 / Block 1993
Tract 8615.06 / Block 1994
Tract 8615.06 / Block 1995
Tract 8615.06 / Block 1996
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Tract 8615.06 / Block 1998
Tract 8615.06 / Block 1999
Tract 8615.08 / Block 1010
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 Tract 8616.05 / Block 2022
 Tract 8616.05 / Block 2023
 Tract 8616.05 / Block 2024
 Tract 8616.05 / Block 2025

Section 25. The 22nd Judicial Circuit is divided into 4 subcircuits, with the numerical order 1, 2, 3, and 4, as follows:

JUDICIAL SUBCIRCUIT 1

Tract 8702.00

Tract 8703.00

Tract 8704.01

Tract 8704.02

Tract 8709.03

Tract 8709.04

Tract 8709.05

Tract 8710.02

Tract 8710.03

Tract 8710.04

Tract 8711.01

McHenry (Part)

 Township Hebron

McHenry (Part)

 VTD 00002

 VTD 00021

 VTD 00032

 VTD 00033

VTD 00031 (Part)

 Tract 8709.02 / Block 1055

 Tract 8709.02 / Block 2049

 Tract 8709.02 / Block 2050

 Tract 8709.02 / Block 2051

 Tract 8709.02 / Block 2059

 Tract 8709.02 / Block 2060

 Tract 8709.02 / Block 2061

 Tract 8709.02 / Block 2062

 Tract 8709.02 / Block 2063

 Tract 8709.02 / Block 2064

 Tract 8709.02 / Block 2065

 Tract 8709.02 / Block 2066

 Tract 8709.02 / Block 2067

 Tract 8709.02 / Block 2068

 Tract 8709.02 / Block 2069

 Tract 8709.02 / Block 2070

 Tract 8709.02 / Block 2071

 Tract 8709.02 / Block 2072

 Tract 8709.02 / Block 2073

 Tract 8709.02 / Block 2074

 Tract 8709.02 / Block 2075

 Tract 8709.02 / Block 2076

 Tract 8709.02 / Block 2077

 Tract 8709.02 / Block 2079

 Tract 8709.02 / Block 3001

 Tract 8709.02 / Block 3002

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Tract 8709.02 / Block 3003
Tract 8709.02 / Block 3004
Tract 8709.02 / Block 3005
Tract 8709.02 / Block 3006
Tract 8709.02 / Block 3007
Tract 8709.02 / Block 3008
Tract 8709.02 / Block 3009
Tract 8709.02 / Block 3010
Tract 8709.02 / Block 3011
Tract 8709.02 / Block 3012
Tract 8709.02 / Block 3013
Tract 8709.02 / Block 3014
Tract 8709.02 / Block 3015
Tract 8709.02 / Block 3016
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Tract 8709.02 / Block 3041
Tract 8709.02 / Block 3042
Tract 8709.02 / Block 3043
Tract 8709.02 / Block 3044

JUDICIAL SUBCIRCUIT 2

Tract 8701.02
Tract 8705.00
Tract 8706.03
Tract 8706.04
Tract 8706.05
Tract 8706.06
Tract 8707.02
Tract 8707.03
Tract 8707.04
Tract 8708.07

McHenry (Part)

VTD 00120
VTD 00129
VTD 00130
VTD 00131
VTD 00132
VTD 00136
VTD 00158
VTD 00160
VTD 00179

VTD 00176 (Part)

Tract 8701.01 / Block 1000
Tract 8701.01 / Block 1012

Tract 8701.01 / Block 1013
Tract 8701.01 / Block 1014
Tract 8701.01 / Block 1015
Tract 8701.01 / Block 1016
Tract 8701.01 / Block 1017
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Tract 8701.01 / Block 1020
Tract 8701.01 / Block 1021
Tract 8701.01 / Block 1022
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Tract 8701.01 / Block 1024
Tract 8701.01 / Block 1025
Tract 8701.01 / Block 1026
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Tract 8701.01 / Block 1067
Tract 8701.01 / Block 1077
Tract 8701.01 / Block 1078
Tract 8701.01 / Block 1079
Tract 8701.01 / Block 1080
Tract 8701.01 / Block 1081
Tract 8701.01 / Block 1082
Tract 8704.01 / Block 1036
Tract 8708.03 / Block 2008
Tract 8708.03 / Block 2009
Tract 8708.03 / Block 2010
Tract 8708.03 / Block 2011
Tract 8708.03 / Block 2012
Tract 8708.03 / Block 2024
Tract 8708.03 / Block 2025
Tract 8708.08 / Block 2042
Tract 8708.08 / Block 2043

Tract 8708.08 / Block 2044
 Tract 8708.08 / Block 2057
 Tract 8708.11 / Block 1019
 Tract 8708.11 / Block 1020
 Tract 8708.11 / Block 1021
 Tract 8708.11 / Block 1054
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 Tract 8708.11 / Block 1076
 Tract 8708.11 / Block 1077
 Tract 8708.11 / Block 1078
 Tract 8708.11 / Block 1991
 Tract 8708.11 / Block 1992
 Tract 8708.11 / Block 1993
 Tract 8708.11 / Block 1994
 Tract 8709.02 / Block 1010

JUDICIAL SUBCIRCUIT 3

Tract 8708.12
 Tract 8713.04
 Tract 8713.05
 Tract 8713.07
 Tract 8713.08
 Tract 8714.02
 Tract 8714.03
 Tract 8714.04

McHenry (Part)

VTD 00066
 VTD 00072
 VTD 00095
 VTD 00098
 VTD 00104
 VTD 00105
 VTD 00121
 VTD 00122
 VTD 00124
 VTD 00126
 VTD 00128
 VTD 00133
 VTD 00134
 VTD 00137

VTD 00163
VTD 00164
VTD 00182
McHenry (Part)
BG 1
VTD 00169 (Part)
Tract 8708.10 / Block 3999
Tract 8708.11 / Block 1000
Tract 8708.11 / Block 1001
Tract 8708.11 / Block 1002
Tract 8708.11 / Block 1003
Tract 8708.11 / Block 1004
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Tract 8708.11 / Block 1049
Tract 8708.11 / Block 1050
Tract 8708.11 / Block 1995
Tract 8708.11 / Block 1996
Tract 8708.11 / Block 1997
Tract 8708.11 / Block 1998

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Tract 8708.11 / Block 1999
Tract 8708.11 / Block 2040
Tract 8708.11 / Block 2041
Tract 8708.11 / Block 2042
Tract 8708.11 / Block 2043
Tract 8708.11 / Block 2044
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Tract 8708.11 / Block 3996
Tract 8708.11 / Block 3997
Tract 8708.11 / Block 3998
Tract 8708.11 / Block 3999
Tract 8713.06 / Block 1000

Tract 8713.06 / Block 1042
Tract 8713.06 / Block 1110
Tract 8713.06 / Block 1111
Tract 8713.06 / Block 1112
Tract 8713.06 / Block 1114
Tract 8713.06 / Block 1115
Tract 8713.06 / Block 1116
Tract 8713.06 / Block 1118
Tract 8713.06 / Block 1119
Tract 8713.06 / Block 1120
Tract 8713.06 / Block 1121
Tract 8713.06 / Block 1122
Tract 8713.06 / Block 1123
Tract 8713.06 / Block 1124
Tract 8713.06 / Block 1125
Tract 8713.06 / Block 1126
Tract 8713.06 / Block 1127
Tract 8713.06 / Block 1128
Tract 8713.06 / Block 1131
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Tract 8713.06 / Block 1135
Tract 8713.06 / Block 1136
Tract 8713.06 / Block 1140
Tract 8713.06 / Block 1141
Tract 8713.09 / Block 4000
Tract 8713.09 / Block 4001
Tract 8713.09 / Block 4002
Tract 8713.09 / Block 4003
Tract 8713.09 / Block 4004
Tract 8713.09 / Block 4005
Tract 8713.09 / Block 4006
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Tract 8713.09 / Block 4038
Tract 8713.09 / Block 4039
Tract 8713.09 / Block 4040
Tract 8713.09 / Block 4041
Tract 8713.09 / Block 4042
Tract 8713.09 / Block 4043
Tract 8713.09 / Block 4999

JUDICIAL SUBCIRCUIT 4

[January 10, 2005]

Tract 8712.01

Tract 8712.06

McHenry (Part)

VTD 00003

VTD 00004

VTD 00005

VTD 00006

VTD 00007

VTD 00008

VTD 00009

VTD 00010

VTD 00012

VTD 00014

VTD 00015

VTD 00017

VTD 00018

VTD 00067

VTD 00080

VTD 00081

VTD 00084

VTD 00085

VTD 00087

VTD 00089

VTD 00096

VTD 00097

VTD 00106

VTD 00108

VTD 00171

VTD 00172

VTD 00173

VTD 00180

VTD 00181

VTD 00184

VTD 00189

VTD 00011 (Part)

Tract 8712.02 / Block 1015

Tract 8712.02 / Block 1016

Tract 8712.02 / Block 1018

Tract 8712.04 / Block 1005

Tract 8712.04 / Block 1008

Tract 8712.04 / Block 1009

Tract 8712.04 / Block 1010

Tract 8712.04 / Block 1012

Tract 8712.04 / Block 1013

Tract 8712.04 / Block 1014

Tract 8712.04 / Block 1015

Tract 8712.04 / Block 1016

Tract 8712.04 / Block 1017

Tract 8712.04 / Block 1018

Tract 8712.04 / Block 1019

Tract 8712.04 / Block 1022

Tract 8712.04 / Block 1036

Tract 8712.04 / Block 1037

Tract 8712.04 / Block 1038

Tract 8712.04 / Block 1039

Tract 8712.04 / Block 1040

Tract 8712.04 / Block 1041

Tract 8713.01 / Block 1003

Tract 8713.01 / Block 1004

Tract 8713.01 / Block 1005
 Tract 8713.01 / Block 1006
 Tract 8713.01 / Block 1007
 Tract 8713.01 / Block 1012
 Tract 8713.01 / Block 1013
 Tract 8713.09 / Block 2000
 Tract 8713.09 / Block 2001
 Tract 8713.09 / Block 2002
 Tract 8713.09 / Block 2003
 Tract 8713.09 / Block 2004
 Tract 8713.09 / Block 2005
 Tract 8713.09 / Block 2006
 Tract 8713.09 / Block 2008
 Tract 8713.09 / Block 2009

Section 90. Miscellaneous provisions.

(a) All counties, townships, census tracts, voting tabulation districts, block groups, and blocks are those that appear on maps published by the United States Bureau of the Census for the 2000 census. The term "tract" means census tract. The term "BG" means block group. The term "VTD" means Voting Tabulation District. All judicial subcircuits created by this Act for the purpose of electing judges shall not be altered by operation of any other statute, ordinance, or resolution.

(b)(1) Any part of a circuit that has not been described as included in one of the judicial subcircuits described in this Act is included within the judicial subcircuit of that circuit that:

- (i) is contiguous to the part; and
- (ii) contains the least population of all subcircuits in that circuit contiguous to the part according to the 2000 decennial census.

(2) If any part of a circuit is described in this Act as being in more than one judicial subcircuit, the part is included within the subcircuit in that circuit that:

- (i) is one of the subcircuits in which that part is listed in this Act;
- (ii) is contiguous to that part; and
- (iii) contains the least population according to the 2000 decennial census.

(3) If any part of a circuit:

- (i) is described in this Act as being in one judicial subcircuit; and
- (ii) is entirely surrounded by another judicial subcircuit;

the part shall be incorporated into the subcircuit that surrounds the part.

(4) If any part of a circuit:

- (i) is described in this Act as being in one judicial subcircuit; and
- (ii) is not contiguous to another part of the subcircuit;

the part is included with the contiguous subcircuit in that circuit that contains the least population according to the 2000 decennial census of that county.

(c) The Speaker of the House, the Minority Leader of the House, the President of the Senate, and the Minority Leader of the Senate shall by joint letter of transmittal present to the Secretary of State for deposit in the State Archives an official set of United States Bureau of the Census maps and descriptions used for conducting the 2000 census, and those maps shall serve as the official record of all counties, townships, census tracts, block groups, and blocks referred to in this Act.

(d) The State Board of Elections shall prepare and make available to the public a metes and bounds description of the subcircuits created under this Act.

Section 905. The Circuit Courts Act is amended by changing Sections 2f-2, 2f-4, and 2f-5 and adding Sections 2f-6, 2f-7, and 2f-9 as follows:

(705 ILCS 35/2f-2)

Sec. 2f-2. 19th judicial circuit; subcircuits.

(a) The 19th circuit shall be divided into 6 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 6 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 19th circuit shall have a total of 6 resident judgeships.

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(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 19th circuit existing on or occurring on or after the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election and (ii) the resident judgeships of the 19th circuit filled at the 2004 general election as those judgeships thereafter become vacant, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 19th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge ~~elected from~~ of a subcircuit ~~shall~~ ~~must reside in the subcircuit and~~ must continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 19th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04.)

(705 ILCS 35/2f-4)

Sec. 2f-4. 12th circuit; subcircuits; additional judges.

(a) The 12th circuit shall be divided into 5 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 5 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(a-10) Of the 12th circuit's 10 existing circuit judgeships (8 at large and 2 resident), 2 shall be allotted as 12th circuit resident judgeships under subsection (c) as the first 2 of any of those at large and resident judgeships become vacant on or after August 18, 2003. As used in this subsection, a vacancy does not include the expiration of a term of an at large or resident judge who seeks retention in that office at the next term.

(b) The 12th circuit shall have 3 additional resident judgeships, as well as its 2 existing resident judgeships, and 8 at large judgeships, for a total of 13 judgeships available to be allotted to the 5 subcircuit resident judgeships. The additional resident judgeship created by Public Act 93-541 shall be filled by election beginning at the general election in 2006. The 2 additional resident judgeships created by this amendatory Act of 2004 shall be filled by election beginning at the general election in 2008. After the subcircuits are created by law, the Supreme Court may fill by appointment the additional resident judgeships created by Public Act 93-541 and this amendatory Act of 2004 until the 2006 or 2008 general election, as the case may be.

(c) The Supreme Court shall allot (i) the additional resident judgeships of the 12th circuit created by Public Act 93-541 and this amendatory Act of 2004, and (ii) the first 2 vacancies in the at large and resident judgeships of the 12th circuit as provided in subsection (a-10), for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No at large or resident judge of the 12th circuit serving on August 18, 2003 shall be required to change his or her residency in order to continue serving in office or to seek retention in office as at large or resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge ~~elected from~~ of a subcircuit ~~shall~~ ~~must reside in the subcircuit and~~ must continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 12th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04.)

(705 ILCS 35/2f-5)

Sec. 2f-5. 22nd circuit; subcircuits; additional resident judgeship.

(a) The 22nd circuit shall be divided into 4 ~~3~~ subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 4 ~~3~~ subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 22nd circuit shall have one additional resident judgeship, as well as its 3 existing resident judgeships, for a total of 4 ~~3~~ resident judgeships to be allotted to the 4 subcircuit resident judgeships. The additional resident judgeship created by this amendatory Act of the 93rd General Assembly shall be filled by election beginning at the general election in 2006 and shall not be filled by appointment before the general election in 2006.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 22nd circuit existing on or occurring on or after August 18, 2003 the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election, and (ii) the resident judgeships of the 22nd circuit filled at the 2004 general election as those judgeships thereafter become vacant, and (iii) the additional resident judgeship of the 22nd circuit created by this amendatory Act of the 93rd General Assembly, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 22nd circuit serving on August 18, 2003 the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from ~~of~~ a subcircuit shall ~~must reside in the subcircuit and must~~ continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 22nd circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04.)

(705 ILCS 35/2f-6 new)

Sec. 2f-6. 17th judicial circuit; subcircuits.

(a) The 17th circuit shall be divided into 4 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 4 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(a-10) Of the 17th circuit's 9 existing circuit judgeships (6 at large and 3 resident), the 3 resident judgeships shall be allotted as 17th circuit resident judgeships under subsection (c) as those resident judgeships are or become vacant on or after the effective date of this amendatory Act of the 93rd General Assembly. Of the 17th circuit's associate judgeships, the first associate judgeship that is or becomes vacant on or after the effective date of this amendatory Act of the 93rd General Assembly shall become a resident judgeship of the 17th circuit to be allotted by the Supreme Court under subsection (c) as a resident subcircuit judgeship. These resident judgeships shall constitute all of the resident judgeships of the 17th circuit. As used in this subsection, a vacancy does not include the expiration of a term of a resident judge who seeks retention in that office at the next term. A vacancy does not exist or occur at the expiration of an associate judge's term if the associate judge is reappointed.

(b) The 17th circuit shall have a total of 4 judgeships (3 resident and one associate) available to be allotted to the 4 subcircuit resident judgeships.

(c) The Supreme Court shall allot (i) the 3 resident judgeships of the 17th circuit as they are or become vacant as provided in subsection (a-10) and (ii) the one associate judgeship converted into a resident judgeship of the 17th circuit as it is or becomes vacant as provided in subsection (a-10), for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident or associate judge of the 17th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention or reappointment in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 17th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(705 ILCS 35/2f-7 new)

Sec. 2f-7. Additional circuit judge; 9th circuit. In addition to the number of circuit judges otherwise authorized by this Act, there shall be one additional circuit judge elected in the 9th circuit, who shall be a resident of and elected from Fulton County. The additional circuit judgeship provided by this subsection shall be filled by appointment until that judgeship is filled by election at the 2006 general election.

(705 ILCS 35/2f-9 new)

Sec. 2f-9. 16th judicial circuit; subcircuits.

(a) The 16th circuit shall be divided into 4 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 4 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be

assigned to that subcircuit for all purposes.

(b) Of the 16th circuit's 16 existing circuit judgeships (7 at large and 9 resident), 4 of the 9 resident judgeships shall be allotted as 16th circuit resident judgeships under subsection (c) as the first resident judgeship of DeKalb County, the first resident judgeship of Kendall County, and the first 2 resident judgeships of Kane County are or become vacant on or after the effective date of this amendatory Act of the 93rd General Assembly. These 4 resident subcircuit judgeships and the remaining 5 resident judgeships shall constitute all of the resident judgeships of the 16th circuit. As used in this subsection, a vacancy does not include the expiration of a term of a resident judge who seeks retention in that office at the next term.

(c) The Supreme Court shall allot the first DeKalb County vacancy, the first Kendall County vacancy, and the first 2 Kane County vacancies in resident judgeships of the 16th circuit as provided in subsection (b), for election from the various subcircuits. The judgeships shall be assigned to the subcircuits based upon the numerical order of the 4 subcircuits. No resident judge of the 16th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 16th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

Section 910. The Judicial Vacancies Act is amended by changing Section 2 as follows:
(705 ILCS 40/2) (from Ch. 37, par. 72.42)

Sec. 2. (a) Except as provided in paragraphs (1), (2), (3), (4), and (5) of this subsection (a), vacancies in the office of a resident circuit judge in any county or in any unit or subcircuit of any circuit shall not be filled.

(1) If in any county of less than 45,000 inhabitants there remains in office no other resident judge following the occurrence of a vacancy, such vacancy shall be filled.

(2) If in any county of 45,000 or more but less than 60,000 inhabitants there remains in office only one resident judge following the occurrence of a vacancy, such vacancy shall be filled.

(3) If in any county of 60,000 or more inhabitants, other than the County of Cook or as provided in paragraph (5), there remain in office no more than 2 resident judges following the occurrence of a vacancy, such vacancy shall be filled.

(4) The County of Cook shall have 165 resident judges on and after the effective date of this amendatory Act of 1990. Of those resident judgeships, (i) 56 shall be those authorized before the effective date of this amendatory Act of 1990 from the unit of the Circuit of Cook County within Chicago, (ii) 27 shall be those authorized before the effective date of this amendatory Act of 1990 from the unit of the Circuit of Cook County outside Chicago, (iii) 12 shall be additional resident judgeships first elected at the general election in November of 1992, (iv) 10 shall be additional resident judgeships first elected at the general election in November of 1994, and (v) 60 shall be additional resident judgeships to be authorized one each for each reduction upon vacancy in the office of associate judge in the Circuit of Cook County as those vacancies exist or occur on and after the effective date of this amendatory Act of 1990 and as those vacancies are determined under subsection (b) of Section 2 of the Associate Judges Act until the total resident judgeships authorized under this item (v) is 60. Seven of the 12 additional resident judgeships provided in item (iii) may be filled by appointment by the Supreme Court during the period beginning on the effective date of this amendatory Act of 1990 and ending 60 days before the primary election in March of 1992; those judicial appointees shall serve until the first Monday in December of 1992. Five of the 12 additional resident judgeships provided in item (iii) may be filled by appointment by the Supreme Court during the period beginning July 1, 1991 and ending 60 days before the primary election in March of 1992; those judicial appointees shall serve until the first Monday in December of 1992. Five of the 10 additional resident judgeships provided in item (iv) may be filled by appointment by the Supreme Court during the period beginning July 1, 1992 and ending 60 days before the primary election in March of 1994; those judicial appointees shall serve until the first Monday in December of 1994. The remaining 5 of the 10 additional resident judgeships provided in item (iv) may be filled by appointment by the Supreme Court during the period beginning July 1, 1993 and ending 60 days before the primary election in March of 1994; those judicial appointees shall serve until the first Monday in December 1994. The additional resident judgeships created upon vacancy in the office of associate judge provided in item (v) may be filled by appointment by the Supreme Court beginning on

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the effective date of this amendatory Act of 1990; but no additional resident judgeships created upon vacancy in the office of associate judge provided in item (v) shall be filled during the 59 day period before the next primary election to nominate judges. The Circuit of Cook County shall be divided into units to be known as subcircuits as provided in Section 2f of the Circuit Courts Act. A vacancy in the office of resident judge of the Circuit of Cook County existing on or occurring on or after the effective date of this amendatory Act of 1990, but before the date the subcircuits are created by law, shall be filled by appointment by the Supreme Court from the unit within Chicago or the unit outside Chicago, as the case may be, in which the vacancy occurs and filled by election from the subcircuit to which it is allotted under Section 2f of the Circuit Courts Act. A vacancy in the office of resident judge of the Circuit of Cook County existing on or occurring on or after the date the subcircuits are created by law shall be filled by appointment by the Supreme Court and by election from the subcircuit to which it is allotted under Section 2f of the Circuit Courts Act.

(5) Notwithstanding paragraphs (1), (2), and (3) of this subsection (a), resident ~~Resident~~ judges in the 12th, 16th, 17th, 19th, and 22nd judicial circuits are as provided in Sections

2f-1, 2f-2, 2f-4, ~~and 2f-5~~ 2f-6 and 2f-9 of the Circuit Courts Act.

(b) Nothing in paragraphs (2) or (3) of subsection (a) of this Section shall be construed to require or permit in any county a greater number of resident judges than there were resident associate judges on January 1, 1967.

(c) Vacancies authorized to be filled by this Section 2 shall be filled in the manner provided in Article VI of the Constitution.

(d) A person appointed to fill a vacancy in the office of circuit judge shall be, at the time of appointment, a resident of the subcircuit from which the person whose vacancy is being filled was elected if the vacancy occurred in a circuit divided into subcircuits. If a vacancy in the office of circuit judge occurred in a circuit not divided into subcircuits, a person appointed to fill the vacancy shall be, at the time of appointment, a resident of the circuit from which the person whose vacancy is being filled was elected. Except as provided in Sections 2f-1, 2f-2, 2f-4, ~~and 2f-5~~ 2f-6 and 2f-9 of the Circuit Courts Act, if a vacancy occurred in the office of a resident circuit judge, a person appointed to fill the vacancy shall be, at the time of appointment, a resident of the county from which the person whose vacancy is being filled was elected.

(Source: P.A. 93-541, eff. 8-18-03.)

Section 915. The Associate Judges Act is amended by changing Section 2 as follows:

(705 ILCS 45/2) (from Ch. 37, par. 160.2)

Sec. 2. (a) The maximum number of associate judges authorized for each circuit is the greater of the applicable minimum number specified in this Section or one for each 35,000 or fraction thereof in population as determined by the last preceding Federal census, except for circuits with a population of more than 3,000,000 where the maximum number of associate judges is one for each 29,000 or fraction thereof in population as determined by the last preceding federal census, reduced in circuits of less than 200,000 inhabitants by the number of resident circuit judges elected in the circuit in excess of one per county. In addition, in circuits of 1,000,000 or more inhabitants, there shall be one additional associate judge authorized for each municipal district of the circuit court. The number of associate judges to be appointed in each circuit, not to exceed the maximum authorized, shall be determined from time to time by the Circuit Court. The minimum number of associate judges authorized for any circuit consisting of a single county shall be 14, except that the minimum in the 22nd circuit shall be 8 and except that the minimum in the 19th circuit on and after December 4, 2006 shall be 20. The minimum number of associate judges authorized for any circuit consisting of 2 counties with a combined population of at least 275,000 but less than 300,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 303,000 but not more than 309,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 329,000, but not more than 335,000 shall be 11. The minimum number of associate judges authorized for any circuit with a population of at least 173,000 shall be 5. As used in this Section, the term "resident circuit judge" has the meaning given it in the Judicial Vacancies Act.

(b) The maximum number of associate judges authorized under subsection (a) for a circuit with a population of more than 3,000,000 shall be reduced as provided in this subsection (b). For each vacancy that exists on or occurs on or after the effective date of this amendatory Act of 1990, that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 60. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

(c) The maximum number of associate judges authorized under subsection (a) for the 17th judicial circuit shall be reduced as provided in this subsection (c). Due to the vacancy that exists on or after the effective date of this amendatory Act of the 93rd General Assembly in the associate judgeship that is converted into a resident judgeship under subsection (a-10) of Section 2f-6 of the Circuit Courts Act, the maximum number of judges authorized under subsection (a) of this Section shall be reduced by one. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

(Source: P.A. 92-17, eff. 6-28-01; 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04.)

Section 999. 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.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Link, **House Bill No. 949**, 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 32; Nays 25; Present 1.

The following voted in the affirmative:

Clayborne	Halvorson	Meeks	Trotter
Collins	Harmon	Munoz	Viverito
Crotty	Hendon	Raoul	Walsh
Cullerton	Hunter	Ronen	Welch
DeLeo	Jacobs	Sandoval	Mr. President
Demuzio	Lightford	Schoenberg	
Forby	Link	Shadid	
Garrett	Maloney	Silverstein	
Haine	Martinez	Sullivan, J.	

The following voted in the negative:

Althoff	Jones, J.	Radogno	Syverson
Bomke	Jones, W.	Rauschenberger	Watson
Brady	Lauzen	Righter	Winkel
Burzynski	Luechtefeld	Risinger	Wojcik
Cronin	Pankau	Roskam	
Dillard	Peterson	Rutherford	
Geo-Karis	Petka	Sieben	

The following voted present:

del Valle

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.

HOUSE BILL RECALLED

On motion of Senator del Valle, **House Bill No. 756** was recalled from the order of third reading to the order of second reading.

Senator del Valle offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 756, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Childhood Hunger Relief Act.

Section 5. State policy and legislative intent. The General Assembly recognizes that hunger and food security are serious problems in the State of Illinois with as many as one million citizens being affected. These citizens have lost their sense of food security. Food insecurity occurs whenever the availability of nutritionally adequate and safe foods or the ability to acquire acceptable foods in socially acceptable ways is limited or uncertain. Hunger is a painful and uneasy sensation caused by a recurrent or involuntary lack of food and is a potential, although not necessary, consequence of food insecurity. Over time, hunger may result in malnutrition. It is estimated that just under 600,000 Illinois children experience hunger or food insecurity, meaning that they either go without eating meals, or their parents or guardians cannot provide the kinds of food they need. At present, the Illinois economy is steadily experiencing a 6% unemployment rate, people are being laid off who thought they had job security, and the unemployed are remaining unemployed beyond the terms of unemployment benefits. Emergency food providers throughout the State are experiencing an increase in the number of working poor families requesting emergency food. In October 2003, Illinois was ranked 48th in the nation in providing school breakfasts to low-income children of families who meet the criteria for free and reduced-price lunches. Because low-income children are not being adequately nourished, even to the point where many are arriving at school hungry, the General Assembly believes it is in the best interest of Illinois to utilize resources available through existing child nutrition programs, to the fullest extent possible.

The General Assembly also recognizes a definite correlation between adequate child nutrition and a child's physical, emotional, and cognitive development. There is also a correlation between adequate nutrition and a child's ability to perform well in school. Documented research has proven that school breakfasts improve attendance and increase a child's readiness to learn. In this regard, the General Assembly realizes the importance of the National School Breakfast Program and the Summer Food Service Program as effective measures that must be widely implemented to ensure more adequate nutrition for Illinois children.

Section 10. Definitions. In this Act:

"Hunger" means a symptom of poverty caused by a lack of resources that prevents the purchasing of a nutritionally adequate diet resulting in a chronic condition of being undernourished.

"Food insecurity" means a limited or uncertain availability of nutritionally adequate foods.

"Food security" means ensured access to enough food for an active, healthy life.

"School Breakfast Program" means the federal child nutrition entitlement program that helps serve nourishing low-cost breakfast meals to school children. In addition to cash assistance, participating schools get foods donated by and technical guidance from the United States Department of Agriculture. Payments to schools are higher for meals served to children who qualify, on the basis of family size and income, for free or reduced-price meals. The program is administered in Illinois by the State Board of Education.

"Summer Food Service Program" means the federal child nutrition entitlement program that helps communities serve meals to needy children when school is not in session. The United States Department of Agriculture reimburses sponsors for operating costs of food services up to a specific maximum rate for each meal served. In addition, sponsors receive some reimbursement for planning and supervising expenses. The program in Illinois is administered by the State Board of Education.

Section 15. School breakfast program.

(a) Within 90 days after the effective date of this amendatory Act of the 93rd General Assembly and then each school year thereafter, the board of education of each school district in this State shall implement and operate a school breakfast program, if a breakfast program does not currently exist, in

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accordance with federal guidelines in each school building within its district in which at least 40% or more of the students are eligible for free or reduced-price lunches based upon the count on October 31 of the previous year.

Using the data from the previous school year, the board of education of each school district in the State shall determine which schools within their districts will be required to implement and operate a school breakfast program.

(b) School districts may charge students who do not meet federal criteria for free school meals for the breakfasts served to these students within the allowable limits set by federal regulations.

(c) School breakfast programs established under this Section shall be supported entirely by federal funds and commodities, charges to students and other participants, and other available State and local resources, including under the School Breakfast and Lunch Program Act. Allowable costs for reimbursement to school districts, in accordance with the United States Department of Agriculture, include compensation of employees for the time devoted and identified specifically to implement the school breakfast program; the cost of materials acquired, consumed, or expended specifically to implement the school breakfast program; equipment and other approved capital expenditures necessary to implement the school breakfast program; and transportation expenses incurred specifically to implement and operate the school breakfast program.

(d) A school district shall be allowed to opt out of the school breakfast program requirement of this Section if it is determined that, due to circumstances specific to that school district, the expense reimbursement would not fully cover the costs of implementing and operating a school breakfast program. The school district shall petition its regional superintendent of schools by November 15 to request to be exempt from the school breakfast program requirement. The petition shall include all legitimate costs associated with implementing and operating a school breakfast program, the estimated reimbursement from State and federal sources, and any unique circumstances the school district can verify that exist that would cause the implementation and operation of such a program to be cost prohibitive.

The regional superintendent of schools shall review the petition. He or she shall convene a public hearing to hear testimony from the school district and interested community members. The regional superintendent shall, by December 15, inform the school district of his or her decision, along with the reasons why the exemption was granted or denied, in writing. If the regional superintendent grants an exemption to the school district, then the school district is relieved from the requirement to establish and implement a school breakfast program.

If the regional superintendent of schools does not grant an exemption to the school district, then the school district shall implement and operate a school breakfast program in accordance with this Section by September 1 of the subsequent school year. However, the school district or a resident of the school district may appeal the decision of the regional superintendent to the State Superintendent of Education. No later than February 15 of each year, the State Superintendent shall hear appeals on the decisions of regional superintendents of schools. The State Superintendent shall make a final decision at the conclusion of the hearing on the school district's request for an exemption from the school breakfast program requirement. If the State Superintendent grants an exemption to the school district, then the school district is relieved from the requirement to implement and operate a school breakfast program. If the State Superintendent does not grant an exemption to the school district, then the school district shall implement and operate a school breakfast program in accordance with this Section by September 1 of the subsequent school year.

A school district may not attempt to opt out of the school breakfast program requirement of this Section by requesting a waiver under Section 2-3.25g of the School Code.

Section 20. Summer food service program.

(a) The State Board of Education shall promulgate a State plan for summer food service programs, in accordance with 42 U.S.C. Sec. 1761 and any other applicable federal laws and regulations, by January 15, 2006.

(b) By the summer of 2006 and then each summer thereafter, it is strongly encouraged that the board of education of each school district in this State in which at least 50% of the students are eligible for free or reduced-price school meals operate a summer food service program or identify a non-profit or private agency to sponsor a summer food service program within the school district's boundaries.

(c) Summer food service programs established under this Section may be supported by federal funds and commodities and other available State and local resources.

Section 95. The School Breakfast and Lunch Program Act is amended by changing Sections 2.5, 4,

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and 5 as follows:

(105 ILCS 125/2.5)

Sec. 2.5. Breakfast incentive program. The State Board of Education shall fund a breakfast incentive program comprised of the components described in paragraphs (1), (2), and (3) of this Section, provided that a separate appropriation is made for the purposes of this Section. The State Board of Education may allocate the appropriation among the program components in whatever manner the State Board of Education finds will best serve the goal of increasing participation in school breakfast programs. If the amount of the appropriation allocated under paragraph (1), (2), or (3) of this Section is insufficient to fund all claims submitted under that particular paragraph, the claims under that paragraph shall be prorated.

(1) The State Board of Education may reimburse each sponsor of a school breakfast program an additional \$0.10 for each free, reduced-price, and paid breakfast served over and above the number of such breakfasts served in the same month during the preceding year, provided that the number of breakfasts served ~~in a participating school building by the sponsor~~ in that month is at least 10% greater than the number of breakfasts served in the same month during the preceding year.

(2) The State Board of Education may make grants to school boards and welfare centers that agree to start a school breakfast program in one or more schools or other sites. First priority for these grants shall be given to schools in which ~~40%~~ 50% or more of their students are eligible for free and reduced price meals under the National School Lunch Act (42 U.S.C. 1751 et seq.). Depending on the availability of funds and the rate at which funds are being utilized, the State Board of Education is authorized to allow additional schools or other sites to receive these grants. In making additional grants, the State Board of Education shall provide for priority to be given to schools with the highest percentage of students eligible for free and reduced price lunches under the National School Lunch Act. The amount of the grant shall be \$3,500 for each qualifying school or site in which a school breakfast program is started. The grants shall be used to pay the start-up costs for the school breakfast program, including equipment, supplies, and program promotion, but shall not be used for food, labor, or other recurring operational costs. Applications for the grants shall be made to the State Board of Education on forms designated by the State Board of Education. Any grantee that fails to operate a school breakfast program for at least 3 years after receipt of a grant shall refund the amount of the grant to the State Board of Education.

(3) The State Board of Education may reimburse a school board for each free, reduced-price, or paid breakfast served in a school breakfast program located in a school in which 80% or more of the students are eligible to receive free or reduced price lunches under the National School Lunch Act (42 U.S.C. 1751 et seq.) in an amount equal to the difference between (i) the current amount reimbursed by the federal government for a free breakfast and (ii) the amount actually reimbursed by the federal government for that free, reduced-price, or paid breakfast. A school board that receives reimbursement under this paragraph (3) shall not be eligible in the same year to receive reimbursement under paragraph (1) of this Section.

(Source: P.A. 91-843, eff. 6-22-00.)

(105 ILCS 125/4) (from Ch. 122, par. 712.4)

Sec. 4. Accounts; copies of menus served; free lunch program required; report. School boards and welfare centers shall keep an accurate, detailed and separate account of all moneys expended for school breakfast programs, school lunch programs, free breakfast programs, ~~and~~ free lunch programs, and summer food service programs, and of the amounts for which they are reimbursed by any governmental agency, moneys received from students and from any other contributors to the program. School boards and welfare centers shall also keep on file a copy of all menus served under the programs, which together with all records of receipts and disbursements, shall be made available to representatives of the State Board of Education at any time.

Every public school must have a free lunch program.

In 2001 and in each subsequent year, the State Board of Education shall provide to the Governor and the General Assembly, by a date not later than March 1, a report that provides all of the following:

- (1) A list by school district of all schools, the total student enrollment, and the number of children eligible for free, reduced price, and paid breakfasts and lunches.
- (2) A list of schools that have started breakfast programs during the past year along with information on which schools have utilized the \$3,500 start-up grants and the additional \$0.10 per meal increased participation incentives established under Section 2.5 of this Act.
- (3) A list of schools that have used the school breakfast program option outlined in this Act, a list of schools that have exercised Provision Two or Provision Three under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), and a list of schools that have dropped either school

lunch or school breakfast programs during the past year and the reasons why.

In ~~2007, 2009, and 2011~~ ~~2001, 2003, and 2005~~ the report required by this Section shall also include information that documents the results of surveys designed to identify parental interest in school breakfast programs and documents barriers to establishing school breakfast programs. To develop the surveys for school administrators and for parents, the State Board of Education shall work in coordination with the State Board of Education's Child Nutrition Advisory Council and local committees that involve parents, teachers, principals, superintendents, business, and anti-hunger advocates, organized by the State Board of Education to foster community involvement. The State Board of Education is authorized to distribute the surveys in all schools where there are no school breakfast programs.

(Source: P.A. 91-843, eff. 6-22-00.)

(105 ILCS 125/5) (from Ch. 122, par. 712.5)

Sec. 5. Application for participation in programs. Applications for participation in the school breakfast program, the school lunch program, the free breakfast program, ~~and the free lunch program~~, and the summer food service program shall be made on forms provided by the State Board of Education and filed with the State Board, ~~through the Regional Superintendent of Schools.~~

(Source: P.A. 91-843, eff. 6-22-00.)

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.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator del Valle, **House Bill No. 756**, 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 33; Nays 23.

The following voted in the affirmative:

Clayborne	Haine	Martinez	Sullivan, J.
Collins	Halvorson	Meeks	Trotter
Crotty	Harmon	Munoz	Viverito
Cullerton	Hendon	Raoul	Walsh
del Valle	Hunter	Ronen	Welch
DeLeo	Jacobs	Sandoval	Mr. President
Demuzio	Lightford	Schoenberg	
Forby	Link	Shadid	
Garrett	Maloney	Silverstein	

The following voted in the negative:

Althoff	Jones, W.	Radogno	Sieben
Bomke	Lauzen	Rauschenberger	Syverson
Brady	Luechtefeld	Righter	Watson
Burzynski	Pankau	Risinger	Winkel
Cronin	Peterson	Roskam	Wojcik
Jones, J.	Petka	Rutherford	

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.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

Senator del Valle, from the Committee appointed on the part of the Senate to adjust the differences between the two Houses on House Amendments numbered 1 and 2 to **Senate Bill No. 3186**, submitted the following Report of the First Conference Committee and moved its adoption:

93RD GENERAL ASSEMBLY
CONFERENCE COMMITTEE REPORT
ON SENATE BILL 3186

To the President of the Senate and the Speaker of the House of Representatives:

We, the conference committee appointed to consider the differences between the houses in relation to House Amendment Nos. 1 and 2 to Senate Bill 3186, recommend the following:

(1) that the House recede from House Amendments Nos. 1 and 2; and

(2) that Senate Bill 3186 be further amended by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Human Rights Act is amended by changing Sections 1-102, 1-103, 3-103, and 3-106 and the heading of Article 1 and adding Section 1-101.1 as follows:

(775 ILCS 5/Art. 1 heading)

ARTICLE 1.

GENERAL PROVISIONS TITLE, POLICY AND DEFINITIONS

(775 ILCS 5/1-101.1 new)

Sec. 1-101.1. Construction. Nothing in this Act shall be construed as requiring any employer, employment agency, or labor organization to give preferential treatment or special rights based on sexual orientation or to implement affirmative action policies or programs based on sexual orientation.

(775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

Sec. 1-102. Declaration of Policy. It is the public policy of this State:

(A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status, sexual orientation, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations.

(B) Freedom from Sexual Harassment-Employment and Higher Education. To prevent sexual harassment in employment and sexual harassment in higher education.

(C) Freedom from Discrimination Based on Citizenship Status-Employment. To prevent discrimination based on citizenship status in employment.

(D) Freedom from Discrimination Based on Familial Status-Real Estate Transactions. To prevent discrimination based on familial status in real estate transactions.

(E) Public Health, Welfare and Safety. To promote the public health, welfare and safety by protecting the interest of all people in Illinois in maintaining personal dignity, in realizing their full productive capacities, and in furthering their interests, rights and privileges as citizens of this State.

(F) Implementation of Constitutional Guarantees. To secure and guarantee the rights established by Sections 17, 18 and 19 of Article I of the Illinois Constitution of 1970.

(G) Equal Opportunity, Affirmative Action. To establish Equal Opportunity and Affirmative Action as the policies of this State in all of its decisions, programs and activities, and to assure that all State departments, boards, commissions and instrumentalities rigorously take affirmative action to provide equality of opportunity and eliminate the effects of past discrimination in the internal affairs of State government and in their relations with the public.

(H) Unfounded Charges. To protect citizens of this State against unfounded charges of unlawful discrimination, sexual harassment in employment and sexual harassment in higher education, and discrimination based on citizenship status in employment.

(Source: P.A. 87-579; 88-178.)

(775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with

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regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section 2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this Act.

(E) Commission. "Commission" means the Human Rights Commission created by this Act.

(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Handicap. "Handicap" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

(1) For purposes of Article 2 is unrelated to the person's ability to perform the duties

of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a handicap;

(2) For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;

(3) For purposes of Article 4, is unrelated to a person's ability to repay;

(4) For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

(J) Marital Status. "Marital status" means the legal status of being married, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in the armed forces of the United States, status as a current member of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member of the Illinois Army National Guard or Illinois Air National Guard.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, handicap,

military status, sexual orientation, or unfavorable discharge from military service as those terms are defined in this Section.

(Source: P.A. 93-941, eff. 8-16-04.)

(775 ILCS 5/3-103) (from Ch. 68, par. 3-103)

Sec. 3-103. Blockbusting.) It is a civil rights violation for any person to:

(A) Solicitation. Solicit for sale, lease, listing or purchase any residential real estate within this State, on the grounds of loss of value due to the present or prospective entry into the vicinity of the property involved of any person or persons of any particular race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, familial status or handicap.

(B) Statements. Distribute or cause to be distributed, written material or statements designed to induce any owner of residential real estate in this State to sell or lease his or her property because of any present or prospective changes in the race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, familial status or handicap of residents in the vicinity of the property involved.

(C) Creating Alarm. Intentionally create alarm, among residents of any community, by transmitting communications in any manner, including a telephone call whether or not conversation thereby ensues, with a design to induce any owner of residential real estate in this state to sell or lease his or her property because of any present or prospective entry into the vicinity of the property involved of any person or persons of any particular race, color, religion, national origin, ancestry, age, sex, sexual orientation, marital status, familial status or handicap.

(Source: P.A. 86-910.)

(775 ILCS 5/3-106) (from Ch. 68, par. 3-106)

Sec. 3-106. Exemptions.) Nothing contained in Section 3-102 shall prohibit:

(A) Private Sales of Single Family Homes. Any sale of a single family home by its owner so long as the following criteria are met:

(1) The owner does not own or have a beneficial interest in more than three single family homes at the time of the sale;

(2) The owner or a member of his or her family was the last current resident of the home;

(3) The home is sold without the use in any manner of the sales or rental facilities or services of any real estate broker or salesman, or of any employee or agent of any real estate broker or salesman;

(4) The home is sold without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of paragraph (F) of Section 3-102.

(B) Apartments. Rental of a housing accommodation in a building which contains housing accommodations for not more than five families living independently of each other, if the lessor or a member of his or her family resides in one of the housing accommodations;

(C) Private Rooms. Rental of a room or rooms in a private home by an owner if he or she or a member of his or her family resides therein or, while absent for a period of not more than twelve months, if he or she or a member of his or her family intends to return to reside therein;

(D) Reasonable local, State, or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling.

(E) Religious Organizations. A religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of a dwelling which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin.

(F) Sex. Restricting the rental of rooms in a housing accommodation to persons of one sex.

(G) Persons Convicted of Drug-Related Offenses. Conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined in Section 102 of the federal Controlled Substances Act (21 U.S.C. 802).

(H) Persons engaged in the business of furnishing appraisals of real property from taking into consideration factors other than those based on unlawful discrimination or familial status in furnishing appraisals.

(H-1) The owner of an owner-occupied residential building with 5 or fewer units (including the unit in which the owner resides) from making decisions regarding whether to rent to a person based upon that person's sexual orientation.

(I) Housing for Older Persons. No provision in this Article regarding familial status shall apply with respect to housing for older persons.

(1) As used in this Section, "housing for older persons" means housing:

(a) provided under any State or Federal program that the Department determines is specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or

(b) intended for, and solely occupied by, persons 62 years of age or older; or

(c) intended and operated for occupancy by persons 55 years of age or older and:

(i) at least 80% of the occupied units are occupied by at least one person who is 55 years of age or older;

(ii) the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subdivision (c); and

(iii) the housing facility or community complies with rules adopted by the Department for verification of occupancy, which shall:

(aa) provide for verification by reliable surveys and affidavits; and

(bb) include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii).

These surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

(2) Housing shall not fail to meet the requirements for housing for older persons by reason of:

(a) persons residing in such housing as of the effective date of this amendatory Act of 1989 who do not meet the age requirements of subsections (1)(b) or (c); provided, that new occupants of such housing meet the age requirements of subsections (1)(b) or (c) of this subsection; or

(b) unoccupied units; provided, that such units are reserved for occupancy by persons who meet the age requirements of subsections (1)(b) or (c) of this subsection.

(3) (a) A person shall not be held personally liable for monetary damages for a violation of this Article if the person reasonably relied, in good faith, on the application of the exemption under this subsection (I) relating to housing for older persons.

(b) For the purposes of this item (3), a person may show good faith reliance on the application of the exemption only by showing that:

(i) the person has no actual knowledge that the facility or community is not, or will not be, eligible for the exemption; and

(ii) the facility or community has stated formally, in writing, that the facility or community complies with the requirements for the exemption.

(Source: P.A. 89-520, eff. 7-18-96.)"

Submitted on November 17, 2004.

s/Senator Ronen

s/Representative McKeon

s/Senator Cullerton

s/Representative Fritchey

s/Senator Link

Representative Lang

Senator Petka

s/Representative Beaubien

Senator Roskam
Committee for the Senate

Representative Biggins
Committee for the House

[January 10, 2005]

And on that motion, a call of the roll was had resulting as follows:

Yeas 30; Nays 27; Present 1.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Silverstein
Clayborne	Harmon	Radogno	Trotter
Collins	Hendon	Raoul	Viverito
Crotty	Hunter	Ronen	Walsh
Cullerton	Jacobs	Rutherford	Welch
del Valle	Lightford	Sandoval	Mr. President
DeLeo	Link	Schoenberg	
Garrett	Martinez	Shadid	

The following voted in the negative:

Bomke	Haine	Pankau	Sieben
Brady	Jones, J.	Peterson	Sullivan, J.
Burzynski	Jones, W.	Petka	Syverson
Cronin	Lauzen	Rauschenberger	Watson
Demuzio	Luechtefeld	Righter	Winkel
Dillard	Maloney	Risinger	Wojcik
Forby	Meeks	Roskam	

The following voted present:

Geo-Karis

The motion prevailed.

And the Senate adopted the Report of the First Conference Committee on **Senate Bill No. 3186**.
Ordered that the Secretary inform the House of Representatives thereof.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Link, **House Bill No. 4241**, 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 negative by the following vote:

Yeas 19; Nays 37; Present 1.

The following voted in the affirmative:

Collins	Forby	Link	Ronen
Crotty	Halvorson	Martinez	Silverstein
Cullerton	Harmon	Meeks	Trotter
del Valle	Jacobs	Munoz	Mr. President
Demuzio	Lightford	Raoul	

The following voted in the negative:

Althoff	Haine	Radogno	Syverson
Bomke	Hunter	Rauschenberger	Viverito
Brady	Jones, J.	Righter	Walsh
Burzynski	Jones, W.	Risinger	Watson

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Clayborne	Lauzen	Roskam	Welch
Cronin	Luechtefeld	Rutherford	Winkel
DeLeo	Maloney	Schoenberg	Wojcik
Dillard	Pankau	Shadid	
Garrett	Peterson	Sieben	
Geo-Karis	Petka	Sullivan, J.	

The following voted present:

Sandoval

This bill, having failed to receive the vote of a constitutional majority of the members elected, was declared lost, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 37

A bill for AN ACT concerning finance.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 37

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 37 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Finance Authority Act is amended by changing Sections 801-10, 801-25, and 845-5 as follows:

(20 ILCS 3501/801-10)

Sec. 801-10. Definitions. The following terms, whenever used or referred to in this Act, shall have the following meanings, except in such instances where the context may clearly indicate otherwise:

(a) The term "Authority" means the Illinois Finance Authority created by this Act.

(b) The term "project" means an industrial project, housing project, public purpose project, higher education project, health facility project, cultural institution project, agricultural facility or agribusiness, and "project" may include any combination of one or more of the foregoing undertaken jointly by any person with one or more other persons, ~~but "project" shall not include any facility used or to be used for sectarian instruction or as a place of religious worship nor any facility which is used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination or the training of ministers, priests, rabbis or other professional persons in the field of religion.~~

(c) The term "public purpose project" means any project or facility including without limitation land, buildings, structures, machinery, equipment and all other real and personal property, which is authorized or required by law to be acquired, constructed, improved, rehabilitated, reconstructed, replaced or maintained by any unit of government or any other lawful public purpose which is authorized or required by law to be undertaken by any unit of government.

(d) The term "industrial project" means the acquisition, construction, refurbishment, creation, development or redevelopment of any facility, equipment, machinery, real property or personal property for use by any instrumentality of the State or its political subdivisions, for use by any person or institution, public or private, for profit or not for profit, or for use in any trade or business including, but not limited to, any industrial, manufacturing or commercial enterprise and which is (1) a capital project including but not limited to: (i) land and any rights therein, one or more buildings, structures or other improvements, machinery and equipment, whether now existing or hereafter acquired, and whether or

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not located on the same site or sites; (ii) all appurtenances and facilities incidental to the foregoing, including, but not limited to utilities, access roads, railroad sidings, track, docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling or related equipment, site preparation and landscaping; and (iii) all non-capital costs and expenses relating thereto or (2) any addition to, renovation, rehabilitation or improvement of a capital project or (3) any activity or undertaking which the Authority determines will aid, assist or encourage economic growth, development or redevelopment within the State or any area thereof, will promote the expansion, retention or diversification of employment opportunities within the State or any area thereof or will aid in stabilizing or developing any industry or economic sector of the State economy. The term "industrial project" also means the production of motion pictures.

(e) The term "bond" or "bonds" shall include bonds, notes (including bond, grant or revenue anticipation notes), certificates and/or other evidences of indebtedness representing an obligation to pay money, including refunding bonds.

(f) The terms "lease agreement" and "loan agreement" shall mean: (i) an agreement whereby a project acquired by the Authority by purchase, gift or lease is leased to any person, corporation or unit of local government which will use or cause the project to be used as a project as heretofore defined upon terms providing for lease rental payments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority issued with respect to such project, providing for the maintenance, insuring and operation of the project on terms satisfactory to the Authority, providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, and such other terms as may be deemed desirable by the Authority, or (ii) any agreement pursuant to which the Authority agrees to loan the proceeds of its bonds issued with respect to a project or other funds of the Authority to any person which will use or cause the project to be used as a project as heretofore defined upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority, if any, issued with respect to the project, and providing for maintenance, insurance and other matters as may be deemed desirable by the Authority.

(g) The term "financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its bonds, notes or other evidences of indebtedness or from other sources for the development, construction, acquisition or improvement of a project.

(h) The term "person" means an individual, corporation, unit of government, business trust, estate, trust, partnership or association, 2 or more persons having a joint or common interest, or any other legal entity.

(i) The term "unit of government" means the federal government, the State or unit of local government, a school district, or any agency or instrumentality, office, officer, department, division, bureau, commission, college or university thereof.

(j) The term "health facility" means: (a) any public or private institution, place, building, or agency required to be licensed under the Hospital Licensing Act; (b) any public or private institution, place, building, or agency required to be licensed under the Nursing Home Care Act; (c) any public or licensed private hospital as defined in the Mental Health and Developmental Disabilities Code; (d) any such facility exempted from such licensure when the Director of Public Health attests that such exempted facility meets the statutory definition of a facility subject to licensure; (e) any other public or private health service institution, place, building, or agency which the Director of Public Health attests is subject to certification by the Secretary, U.S. Department of Health and Human Services under the Social Security Act, as now or hereafter amended, or which the Director of Public Health attests is subject to standard-setting by a recognized public or voluntary accrediting or standard-setting agency; (f) any public or private institution, place, building or agency engaged in providing one or more supporting services to a health facility; (g) any public or private institution, place, building or agency engaged in providing training in the healing arts, including but not limited to schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy or nursing, schools for the training of x-ray, laboratory or other health care technicians and schools for the training of para-professionals in the health care field; (h) any public or private congregate, life or extended care or elderly housing facility or any public or private home for the aged or infirm, including, without limitation, any Facility as defined in the Life Care Facilities Act; (i) any public or private mental, emotional or physical rehabilitation facility or any public or private educational, counseling, or rehabilitation facility or home, for those persons with a developmental disability, those who are physically ill or disabled, the emotionally disturbed, those persons with a mental illness or persons with learning or similar disabilities or problems; (j) any public or private alcohol, drug or substance abuse diagnosis, counseling treatment or rehabilitation facility, (k) any public or private institution, place, building or agency licensed by the Department of Children and

Family Services or which is not so licensed but which the Director of Children and Family Services attests provides child care, child welfare or other services of the type provided by facilities subject to such licensure; (l) any public or private adoption agency or facility; and (m) any public or private blood bank or blood center. "Health facility" also means a public or private structure or structures suitable primarily for use as a laboratory, laundry, nurses or interns residence or other housing or hotel facility used in whole or in part for staff, employees or students and their families, patients or relatives of patients admitted for treatment or care in a health facility, or persons conducting business with a health facility, physician's facility, surgicenter, administration building, research facility, maintenance, storage or utility facility and all structures or facilities related to any of the foregoing or required or useful for the operation of a health facility, including parking or other facilities or other supporting service structures required or useful for the orderly conduct of such health facility.

(k) The term "participating health institution" means a private corporation or association or public entity of this State, authorized by the laws of this State to provide or operate a health facility as defined in this Act and which, pursuant to the provisions of this Act, undertakes the financing, construction or acquisition of a project or undertakes the refunding or refinancing of obligations, loans, indebtedness or advances as provided in this Act.

(l) The term "health facility project", means a specific health facility work or improvement to be financed or refinanced (including without limitation through reimbursement of prior expenditures), acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, with funds provided in whole or in part hereunder, any accounts receivable, working capital, liability or insurance cost or operating expense financing or refinancing program of a health facility with or involving funds provided in whole or in part hereunder, or any combination thereof.

(m) The term "bond resolution" means the resolution or resolutions authorizing the issuance of, or providing terms and conditions related to, bonds issued under this Act and includes, where appropriate, any trust agreement, trust indenture, indenture of mortgage or deed of trust providing terms and conditions for such bonds.

(n) The term "property" means any real, personal or mixed property, whether tangible or intangible, or any interest therein, including, without limitation, any real estate, leasehold interests, appurtenances, buildings, easements, equipment, furnishings, furniture, improvements, machinery, rights of way, structures, accounts, contract rights or any interest therein.

(o) The term "revenues" means, with respect to any project, the rents, fees, charges, interest, principal repayments, collections and other income or profit derived therefrom.

(p) The term "higher education project" means, in the case of a private institution of higher education, an educational facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(q) The term "cultural institution project" means, in the case of a cultural institution, a cultural facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(r) The term "educational facility" means any property located within the State constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the instruction, feeding, recreation or housing of students, the conducting of research or other work of a private institution of higher education, the use by a private institution of higher education in connection with any educational, research or related or incidental activities then being or to be conducted by it, or any combination of the foregoing, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an academic facility, administrative facility, agricultural facility, assembly hall, athletic facility, auditorium, boating facility, campus, communication facility, computer facility, continuing education facility, classroom, dining hall, dormitory, exhibition hall, fire fighting facility, fire prevention facility, food service and preparation facility, gymnasium, greenhouse, health care facility, hospital, housing, instructional facility, laboratory, library, maintenance facility, medical facility, museum, offices, parking area, physical education facility, recreational facility, research facility, stadium, storage facility, student union, study facility, theatre or utility. ~~An educational facility shall not include any property used or to be used for sectarian instruction or study or as a place for devotional activities or religious worship nor any property which is used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination.~~

(s) The term "cultural facility" means any property located within the State constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the particular purposes or needs of a cultural institution, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an administrative facility,

aquarium, assembly hall, auditorium, botanical garden, exhibition hall, gallery, greenhouse, library, museum, scientific laboratory, theater or zoological facility, and shall also include, without limitation, books, works of art or music, animal, plant or aquatic life or other items for display, exhibition or performance. The term "cultural facility" includes buildings on the National Register of Historic Places which are owned or operated by nonprofit entities. ~~A cultural facility shall not include any property used or to be used for sectarian instruction or study or as a place for devotional activities or religious worship nor any property which is used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination.~~

(t) "Private institution of higher education" means a not-for-profit educational institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which is authorized by law to provide a program of education beyond the high school level and which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Provides an educational program for which it awards a bachelor's degree, or provides an educational program, admission into which is conditioned upon the prior attainment of a bachelor's degree or its equivalent, for which it awards a postgraduate degree, or provides not less than a 2-year program which is acceptable for full credit toward such a degree, or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(3) Is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than 3 institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, and holds an unrevoked certificate of approval under the Private College Act from the Board of Higher Education, or is qualified as a "degree granting institution" under the Academic Degree Act; and

(4) Does not discriminate in the admission of students on the basis of race ~~or~~ color ~~or~~ creed. "Private institution of higher education" also includes any "academic institution".

(u) The term "academic institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in, or facilitates academic, scientific, educational or professional research or learning in a field or fields of study taught at a private institution of higher education. Academic institutions include, without limitation, libraries, archives, academic, scientific, educational or professional societies, institutions, associations or foundations having such purposes. ~~Academic institution does not include any school or any institution primarily engaged in religious or sectarian activities.~~

(v) The term "cultural institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in the cultural, intellectual, scientific, educational or artistic enrichment of the people of the State. Cultural institutions include, without limitation, aquaria, botanical societies, historical societies, libraries, museums, performing arts associations or societies, scientific societies and zoological societies. ~~Cultural institution does not include any institution primarily engaged in religious or sectarian activities.~~

(w) The term "affiliate" means, with respect to financing of an agricultural facility or an agribusiness, any lender, any person, firm or corporation controlled by, or under common control with, such lender, and any person, firm or corporation controlling such lender.

(x) The term "agricultural facility" means land, any building or other improvement thereon or thereto, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in farming, ranching, the production of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the treating, processing or storing of such agricultural commodities when such activities are customarily engaged in by farmers as a part of farming.

(y) The term "lender" with respect to financing of an agricultural facility or an agribusiness, means any federal or State chartered bank, Federal Land Bank, Production Credit Association, Bank for Cooperatives, federal or State chartered savings and loan association or building and loan association, Small Business Investment Company or any other institution qualified within this State to originate and service loans, including, but without limitation to, insurance companies, credit unions and mortgage loan companies. "Lender" also means a wholly owned subsidiary of a manufacturer, seller or distributor of goods or services that makes loans to businesses or individuals, commonly known as a "captive finance company".

(z) The term "agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation or cooperative which operates or will operate a facility located within the State of Illinois that is related to the processing of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the manufacturing, production or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production. Agribusiness includes but is not limited to the following:

- (1) grain handling and processing, including grain storage, drying, treatment, conditioning, mailing and packaging;
- (2) seed and feed grain development and processing;
- (3) fruit and vegetable processing, including preparation, canning and packaging;
- (4) processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apiarian products, including slaughter, shearing, collecting, preparation, canning and packaging;
- (5) fertilizer and agricultural chemical manufacturing, processing, application and supplying;
- (6) farm machinery, equipment and implement manufacturing and supplying;
- (7) manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning or packaging of agricultural commodities;
- (8) farm building and farm structure manufacturing, construction and supplying;
- (9) construction, manufacturing, implementation, supplying or servicing of irrigation, drainage and soil and water conservation devices or equipment;
- (10) fuel processing and development facilities that produce fuel from agricultural commodities or byproducts;
- (11) facilities and equipment for processing and packaging agricultural commodities specifically for export;
- (12) facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of prefabricated buildings, paper, furniture or other goods from forestry products;
- (13) facilities and equipment for research and development of products, processes and equipment for the production, processing, preparation or packaging of agricultural commodities and byproducts.

(aa) The term "asset" with respect to financing of any agricultural facility or any agribusiness, means, but is not limited to the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interests in trusts; government payments or grants; and any other assets.

(bb) The term "liability" with respect to financing of any agricultural facility or any agribusiness shall include, but not be limited to the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

(cc) The term "Predecessor Authorities" means those authorities as described in Section 845-75.

(dd) The term "housing project" means a specific work or improvement undertaken to provide residential dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are part of the housing project, including land, buildings, improvements, equipment and all ancillary facilities for use for offices, stores, retirement homes, hotels, financial institutions, service, health care, education, recreation or research establishments, or any other commercial purpose which are or are to be related to a housing development.

(Source: P.A. 93-205, eff. 1-1-04.)

(20 ILCS 3501/801-25)

Sec. 801-25. All official acts of the Authority shall require the approval of at least 8 members. All meetings of the Authority and the Advisory Councils shall be conducted in accordance with the Open Meetings Act. Eight members of the Authority shall constitute a quorum. All meetings shall be conducted at a single location within this State with a quorum of members physically present at this location. Other members who are not physically present at this location may participate in the meeting and vote on all matters by means of a video or audio conference among members physically present at this location. The Auditor General shall conduct financial audits and program audits of the Authority, in

accordance with the Illinois State Auditing Act.

(Source: P.A. 93-205, eff. 1-1-04.)

(20 ILCS 3501/845-5)

Sec. 845-5. The Authority may not have outstanding at any one time bonds for any of its corporate purposes in an aggregate principal amount exceeding ~~\$24,000,000,000~~ ~~\$23,000,000,000~~, excluding bonds issued to refund the bonds of the Authority or bonds of the Predecessor Authorities.

(Source: P.A. 93-205, eff. 1-1-04.)

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

Under the rules, the foregoing **Senate Bill No. 37**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 738

A bill for AN ACT concerning the departments of State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 738

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 738 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 1A-9 and 1A-12 as follows:

(10 ILCS 5/1A-9) (from Ch. 46, par. 1A-9)

Sec. 1A-9. The State Board of Elections shall appoint an executive director and an assistant executive director. ~~The Subject to the provisions of the "Personnel Code",~~ the annual compensation of the executive director and assistant executive director shall be determined by the Board.

The executive director and assistant executive director may be removed from office at any time by a vote of at least 5 members of the Board. Upon any such removal a vacancy is created which shall be filled as provided for the initial appointments.

The Board, upon the affirmative vote of a majority of its members, may from time to time contract with technical consultants to assist it in the performance of its duties. Such technical consultants shall be compensated only under contracts which specify the duties to be performed and the compensation therefor. Except as otherwise provided in this Section, contracts with technical consultants, other than hearing officers and attorneys representing the Board in litigation, shall terminate no more than 60 days after the commencement of the specified duties and may be extended once for a period of no more than 30 days upon the affirmative vote of a majority of the Board. The time limitations imposed by this Section on contracts with technical consultants shall not apply to a contract with a technical consultant for the provision of electronic data processing services in connection with the Board's performance of the duties assigned to it pursuant to paragraph (11) of Section 1A-8 or in connection with the Board's performance of the duties assigned to it pursuant to Sections 4-8, 5-7 and 6-35 concerning the furnishing of electronic data or compilations containing voter registration information to state political committees registered pursuant to the Illinois Campaign Finance Act or the Federal Election Campaign Act. No technical consultant, other than a hearing officer or an attorney engaged to represent the Board in litigation, may be compensated under more than one contract in any fiscal year.

(Source: P.A. 84-1026.)

(10 ILCS 5/1A-12) (from Ch. 46, par. 1A-12)

Sec. 1A-12. ~~The Subject to the provisions of the "Personnel Code", approved July 18, 1955, as heretofore or hereafter amended,~~ the State Board of Elections may employ, promote or discharge such additional persons as are necessary for the proper performance of its duties under this Code, including

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investigators, examiners and hearing officers. However, persons employed by the State Board of Elections prior to January 1, 1978 and previously certified under a merit plan adopted by the Board shall not be subject to any probationary period nor required to qualify by examination under "The Personnel Code" to continue in their positions. No employee or consultant may appear before the Board in any representative capacity within 6 months after termination of his employment or contractual relationship with the Board.

(Source: P.A. 80-1437.)

Section 10. The Personnel Code is amended by changing Section 4c as follows:

(20 ILCS 415/4c) (from Ch. 127, par. 63b104c)

Sec. 4c. General exemptions. The following positions in State service shall be exempt from jurisdictions A, B, and C, unless the jurisdictions shall be extended as provided in this Act:

(1) All officers elected by the people.

(2) All positions under the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Board of Education, Clerk of the Supreme Court, ~~and~~ Attorney General and State Board of Elections.

(3) Judges, and officers and employees of the courts, and notaries public.

(4) All officers and employees of the Illinois General Assembly, all employees of legislative commissions, all officers and employees of the Illinois Legislative Reference Bureau, the Legislative Research Unit, and the Legislative Printing Unit.

(5) All positions in the Illinois National Guard and Illinois State Guard, paid from federal funds or positions in the State Military Service filled by enlistment and paid from State funds.

(6) All employees of the Governor at the executive mansion and on his immediate personal staff.

(7) Directors of Departments, the Adjutant General, the Assistant Adjutant General, the Director of the Illinois Emergency Management Agency, members of boards and commissions, and all other positions appointed by the Governor by and with the consent of the Senate.

(8) The presidents, other principal administrative officers, and teaching, research and extension faculties of Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Community College Board, Southern Illinois University, Illinois Board of Higher Education, University of Illinois, State Universities Civil Service System, University Retirement System of Illinois, and the administrative officers and scientific and technical staff of the Illinois State Museum.

(9) All other employees except the presidents, other principal administrative officers, and teaching, research and extension faculties of the universities under the jurisdiction of the Board of Regents and the colleges and universities under the jurisdiction of the Board of Governors of State Colleges and Universities, Illinois Community College Board, Southern Illinois University, Illinois Board of Higher Education, Board of Governors of State Colleges and Universities, the Board of Regents, University of Illinois, State Universities Civil Service System, University Retirement System of Illinois, so long as these are subject to the provisions of the State Universities Civil Service Act.

(10) The State Police so long as they are subject to the merit provisions of the State Police Act.

(11) The scientific staff of the State Scientific Surveys and the Waste Management and Research Center.

(12) The technical and engineering staffs of the Department of Transportation, the Department of Nuclear Safety, the Pollution Control Board, and the Illinois Commerce Commission, and the technical and engineering staff providing architectural and engineering services in the Department of Central Management Services.

(13) All employees of the Illinois State Toll Highway Authority.

(14) The Secretary of the Illinois Workers' Compensation Commission.

(15) All persons who are appointed or employed by the Director of Insurance under authority of Section 202 of the Illinois Insurance Code to assist the Director of Insurance in discharging his responsibilities relating to the rehabilitation, liquidation, conservation, and dissolution of companies that are subject to the jurisdiction of the Illinois Insurance Code.

(16) All employees of the St. Louis Metropolitan Area Airport Authority.

(17) All investment officers employed by the Illinois State Board of Investment.

(18) Employees of the Illinois Young Adult Conservation Corps program, administered by the Illinois Department of Natural Resources, authorized grantee under Title VIII of the

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Comprehensive Employment and Training Act of 1973, 29 USC 993.

(19) Seasonal employees of the Department of Agriculture for the operation of the Illinois State Fair and the DuQuoin State Fair, no one person receiving more than 29 days of such employment in any calendar year.

(20) All "temporary" employees hired under the Department of Natural Resources' Illinois Conservation Service, a youth employment program that hires young people to work in State parks for a period of one year or less.

(21) All hearing officers of the Human Rights Commission.

(22) All employees of the Illinois Mathematics and Science Academy.

(23) All employees of the Kankakee River Valley Area Airport Authority.

(24) The commissioners and employees of the Executive Ethics Commission.

(25) The Executive Inspectors General, including special Executive Inspectors General, and employees of each Office of an Executive Inspector General.

(26) The commissioners and employees of the Legislative Ethics Commission.

(27) The Legislative Inspector General, including special Legislative Inspectors General, and employees of the Office of the Legislative Inspector General.

(28) The Auditor General's Inspector General and employees of the Office of the Auditor General's Inspector General.
(Source: P.A. 93-617, eff. 12-9-03; 93-721, eff. 1-1-05; revised 10-14-04.)

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

Under the rules, the foregoing **Senate Bill No. 738**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2212

A bill for AN ACT in relation to budget implementation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2212

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2212 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Sections 5A-1, 5A-2, 5A-4, and 5A-12 as follows:

(305 ILCS 5/5A-1) (from Ch. 23, par. 5A-1)

Sec. 5A-1. Definitions. As used in this Article, unless the context requires otherwise:

"Fund" means the Hospital Provider Fund.

"Hospital" means an institution, place, building, or agency located in this State that is subject to licensure by the Illinois Department of Public Health under the Hospital Licensing Act, whether public or private and whether organized for profit or not-for-profit.

"Hospital provider" means a person licensed by the Department of Public Health to conduct, operate, or maintain a hospital, regardless of whether the person is a Medicaid provider. For purposes of this paragraph, "person" means any political subdivision of the State, municipal corporation, individual, firm, partnership, corporation, company, limited liability company, association, joint stock association, or trust, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

"Occupied bed days" means the sum of the number of days that each bed was occupied by a patient for all beds during calendar year 2001. Occupied bed days shall be computed separately for each hospital operated or maintained by a hospital provider.

"Proration factor" means a fraction, the numerator of which is 53 and the denominator of which is

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365.

(Source: P.A. 93-659, eff. 2-3-04.)

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

(Section scheduled to be repealed on July 1, 2005)

Sec. 5A-2. Assessment; no local authorization to tax.

(a) Subject to Sections 5A-3 and 5A-10, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to the hospital's occupied bed days multiplied by \$84.19 multiplied by the proration factor for State fiscal year years 2004 and the hospital's occupied bed days multiplied by \$84.19 for State fiscal year 2005, ~~if the payment methodologies required under 5A-12 and the waiver granted under 42 CFR 433.68 are approved with an effective date prior to July 1, 2004; or the assessment will be imposed for fiscal year 2005 only, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved with an effective date on or after July 1, 2004.~~

The Department of Public Aid shall use the number of occupied bed days as reported by each hospital on the Annual Survey of Hospitals conducted by the Department of Public Health to calculate the hospital's annual assessment. If the sum of a hospital's occupied bed days is not reported on the Annual Survey of Hospitals or if there are data errors in the reported sum of a hospital's occupied bed days as determined by the Department of Public Aid, then the Department of Public Aid may obtain the sum of occupied bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department of Public Aid or its duly authorized agents and employees.

(b) Nothing in this amendatory Act of the 93rd General Assembly shall be construed to authorize any home rule unit or other unit of local government to license for revenue or to impose a tax or assessment upon hospital providers or the occupation of hospital provider, or a tax or assessment measured by the income or earnings of a hospital provider.

(c) As provided in Section 5A-14, this Section is repealed on July 1, 2005.

(Source: P.A. 93-659, eff. 2-3-04; 93-841, eff. 7-30-04.)

(305 ILCS 5/5A-4) (from Ch. 23, par. 5A-4)

Sec. 5A-4. Payment of assessment; penalty.

(a) The annual assessment imposed by Section 5A-2 for State fiscal year 2004 shall be due and payable on June 18 of the year. The assessment imposed by Section 5A-2 for State fiscal year 2005 shall be due and payable in quarterly installments, each equalling one-fourth of the assessment for the year, on July 19, October 19, January 18, and April 19 of the year. No installment payment of an assessment imposed by Section 5A-2 shall be due and payable, however, until after: (i) the hospital provider receives written notice from the Department of Public Aid that the payment methodologies to hospitals required under Section 5A-12 have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waiver under 42 CFR 433.68 for the assessment imposed by Section 5A-2 has been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services; and (ii) the hospital has received the payments required under Section 5A-12. Upon notification to the Department of approval of the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68, all quarterly installments otherwise due under Section 5A-2 prior to the date of notification shall be due and payable to the Department ~~upon written direction from the Department within 30 days of the date of notification.~~

(b) The Illinois Department is authorized to establish delayed payment schedules for hospital providers that are unable to make installment payments when due under this Section due to financial difficulties, as determined by the Illinois Department.

(c) If a hospital provider fails to pay the full amount of an installment when due (including any extensions granted under subsection (b)), there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment imposed by Section 5A-2 a penalty assessment equal to the lesser of (i) 5% of the amount of the installment not paid on or before the due date plus 5% of the portion thereof remaining unpaid on the last day of each 30-day period thereafter or (ii) 100% of the installment amount not paid on or before the due date. For purposes of this subsection, payments will be credited first to unpaid installment amounts (rather than to penalty or interest), beginning with the most delinquent installments.

(Source: P.A. 93-659, eff. 2-3-04; 93-841, eff. 7-30-04.)

(305 ILCS 5/5A-12)

(Section scheduled to be repealed on July 1, 2005)

Sec. 5A-12. Hospital access improvement payments.

(a) To improve access to hospital services, for hospital services rendered on or after June 1, 2004, the Department of Public Aid shall make payments to hospitals as set forth in this Section, except for hospitals described in subsection (b) of Section 5A-3. These payments shall be paid on a quarterly basis. For State fiscal year 2004, if the effective date of the approval of the payment methodology required under this Section and the waiver granted under 42 CFR 433.68 by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services is prior to July 1, 2004, the Department shall pay the total amounts required for fiscal year 2004 under this Section within ~~75~~ ~~25~~ days of the latest notification. No payment shall be made for State fiscal year 2004 if the effective date of the approval is on or after July 1, 2004. In State fiscal year 2005, the total amounts required under this Section shall be paid in 4 equal installments on or before July 15, October 15, January 14, and April 15 of the year, except that if the date of notification of the approval of the payment methodologies required under this Section and the waiver granted under 42 CFR 433.68 is on or after July 1, 2004, the sum of amounts required under this Section prior to the date of notification shall be paid within ~~75~~ ~~25~~ days of the date of the last notification. Payments under this Section are not due and payable, however, until (i) the methodologies described in this Section are approved by the federal government in an appropriate State Plan amendment, (ii) the assessment imposed under this Article is determined to be a permissible tax under Title XIX of the Social Security Act, and (iii) the assessment is in effect.

(b) High volume payment. In addition to rates paid for inpatient hospital services, the Department of Public Aid shall pay, to each Illinois hospital that provided more than 20,000 Medicaid inpatient days of care during State fiscal year 2001 (except for hospitals that qualify for adjustment payments under Section 5-5.02 for the 12-month period beginning on October 1, 2002), \$190 for each Medicaid inpatient day of care provided during that fiscal year. A hospital that provided less than 30,000 Medicaid inpatient days of care during that period, however, is not entitled to receive more than \$3,500,000 per year in such payments.

(c) Medicaid inpatient utilization rate adjustment. In addition to rates paid for inpatient hospital services, the Department of Public Aid shall pay each Illinois hospital (except for hospitals described in Section 5A-3), for each Medicaid inpatient day of care provided during State fiscal year 2001, an amount equal to the product of \$57.25 multiplied by the quotient of 1 divided by the greater of 1.6% or the hospital's Medicaid inpatient utilization rate (as used to determine eligibility for adjustment payments under Section 5-5.02 for the 12-month period beginning on October 1, 2002). The total payments under this subsection to a hospital may not exceed \$10,500,000 annually.

(d) Psychiatric base rate adjustment.

(1) In addition to rates paid for inpatient psychiatric services, the Department of

Public Aid shall pay each Illinois general acute care hospital with a distinct part-psychiatric unit, for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2001, an amount equal to \$400 less the hospital's per-diem rate for Medicaid inpatient psychiatric services as in effect on October 1, 2003. In no event, however, shall that amount be less than zero.

(2) For distinct part-psychiatric units of Illinois general acute care hospitals, except

for all hospitals excluded in Section 5A-3, whose inpatient per-diem rate as in effect on October 1, 2003 is greater than \$400, the Department shall pay, in addition to any other amounts authorized under this Code, \$25 for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2001.

(e) Supplemental tertiary care adjustment. In addition to rates paid for inpatient services, the Department of Public Aid shall pay to each Illinois hospital eligible for tertiary care adjustment payments under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2003, a supplemental tertiary care adjustment payment equal to the tertiary care adjustment payment required under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2003.

(f) Medicaid outpatient utilization rate adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois hospital (except for hospitals described in Section 5A-3), an amount equal to the product of 2.45% multiplied by the hospital's Medicaid outpatient charges multiplied by the quotient of 1 divided by the greater of 1.6% or the hospital's Medicaid outpatient utilization rate. The total payments under this subsection to a hospital may not exceed \$6,750,000 annually.

For purposes of this subsection:

"Medicaid outpatient charges" means the charges for outpatient services provided to Medicaid patients for State fiscal year 2001 as submitted by the hospital on the UB-92 billing form or under the ambulatory procedure listing and adjudicated by the Department of Public Aid on or before September 12, 2003.

"Medicaid outpatient utilization rate" means a fraction, the numerator of which is the hospital's Medicaid outpatient charges and the denominator of which is the total number of the hospital's charges

for outpatient services for the hospital's fiscal year ending in 2001.

(g) State outpatient service adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois hospital an amount equal to the product of 75.5% multiplied by the hospital's Medicaid outpatient services submitted to the Department on the UB-92 billing form for State fiscal year 2001 multiplied by the hospital's outpatient access fraction.

For purposes of this subsection, "outpatient access fraction" means a fraction, the numerator of which is the hospital's Medicaid payments for outpatient services for ambulatory procedure listing services submitted to the Department on the UB-92 billing form for State fiscal year 2001, and the denominator of which is the hospital's Medicaid outpatient services submitted to the Department on the UB-92 billing form for State fiscal year 2001.

The total payments under this subsection to a hospital may not exceed \$3,000,000 annually.

(h) Rural hospital outpatient adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois rural hospital an amount equal to the product of \$14,500,000 multiplied by the rural hospital outpatient adjustment fraction.

For purposes of this subsection, "rural hospital outpatient adjustment fraction" means a fraction, the numerator of which is the hospital's Medicaid visits for outpatient services for ambulatory procedure listing services submitted to the Department on the UB-92 billing form for State fiscal year 2001, and the denominator of which is the total Medicaid visits for outpatient services for ambulatory procedure listing services for all Illinois rural hospitals submitted to the Department on the UB-92 billing form for State fiscal year 2001.

For purposes of this subsection, "rural hospital" has the same meaning as in 89 Ill. Adm. Code 148.25, as in effect on September 30, 2003.

(i) Merged/closed hospital adjustment. If any hospital files a combined Medicaid cost report with another hospital after January 1, 2001, and if that hospital subsequently closes, then except for the payments described in subsection (e), all payments described in the various subsections of this Section shall, before the application of the annual limitation amount specified in each such subsection, be multiplied by a fraction, the numerator of which is the number of occupied bed days attributable to the open hospital and the denominator of which is the sum of the number of occupied bed days of each open hospital and each closed hospital. For purposes of this subsection, "occupied bed days" has the same meaning as the term is defined in subsection (a) of Section 5A-2.

(j) For purposes of this Section, the terms "Medicaid days", "Medicaid charges", and "Medicaid services" do not include any days, charges, or services for which Medicare was liable for payment.

(j-5) For State fiscal year 2004, all payments described in this Section shall be multiplied by the proration factor.

(k) As provided in Section 5A-14, this Section is repealed on July 1, 2005.

(Source: P.A. 93-659, eff. 2-3-04; 93-841, eff. 7-30-04.)

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

Under the rules, the foregoing **Senate Bill No. 2212**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2216

A bill for AN ACT concerning finance.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2216

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2216 by replacing everything after the enacting clause with the following:

[January 10, 2005]

"Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 371 as follows:

(20 ILCS 2310/371 new)

Sec. 371. Heartsaver AED Fund; grants. Subject to appropriation, the Department of Public Health has the power to make matching grants from the Heartsaver AED Fund, a special fund created in the State treasury, to any public school, public park district, public college, or public university required to have an Automated External Defibrillator pursuant to the Physical Fitness Facility Medical Emergency Preparedness Act (Colleen O'Sullivan Law). Applicants for AED grants must demonstrate that they have funds to pay 50% of the cost of the AED's for which matching grant moneys are sought. Matching grants authorized under this Section shall be limited to one AED per eligible physical fitness facility. The State Treasurer shall accept and deposit into the Fund all gifts, grants, transfers, appropriations, and other amounts from any legal source, public or private, that are designated for deposit into the Fund.

Section 10. The State Finance Act is amended by adding Section 5.640 as follows:

(30 ILCS 105/5.640 new)

Sec. 5.640. The Heartsaver AED Fund.

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

Under the rules, the foregoing **Senate Bill No. 2216**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2220

A bill for AN ACT in relation to economic development.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2220

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2220 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-74.3-6 as follows:

(65 ILCS 5/11-74.3-6)

Sec. 11-74.3-6. Business district revenue and obligations.

(a) If the corporate authorities of a municipality have approved a business district development or redevelopment plan and have elected to impose a tax by ordinance pursuant to subsections (b), (c), or (d) of this Section, each year after the date of the approval of the ordinance and until all business district project costs and all municipal obligations financing the business district project costs, if any, have been paid in accordance with the business district development or redevelopment plan, but in no event longer than 23 years after the date of adoption of the ordinance approving the business district development or redevelopment plan, all amounts generated by the retailers' occupation tax and service occupation tax shall be collected and the tax shall be enforced by the Department of Revenue in the same manner as all retailers' occupation taxes and service occupation taxes imposed in the municipality imposing the tax and all amounts generated by the hotel operators' occupation tax shall be collected and the tax shall be enforced by the municipality in the same manner as all hotel operators' occupation taxes imposed in the municipality imposing the tax. The corporate authorities of the municipality shall deposit the proceeds of the taxes imposed under subsections (b), (c), and (d) into a special fund held by the corporate authorities of the municipality called the Business District Tax Allocation Fund for the purpose of paying business district project costs and obligations incurred in the payment of those costs.

(b) The corporate authorities of a municipality that has established a business district under this Division 74.3 may, by ordinance or resolution, impose a Business District Retailers' Occupation Tax

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upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this State's government, at retail in the business district at a rate not to exceed 1% of the gross receipts from the sales made in the course of such business, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable under any ordinance or resolution enacted pursuant to this subsection without registering separately with the Department under such ordinance or resolution or under this subsection. The Department of Revenue shall have full power to administer and enforce this subsection; to collect all taxes and penalties due under this subsection in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of, and compliance with, this subsection, the Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 1, 1a through 1o, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2c through 2h, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, and 14 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under this subsection may reimburse themselves for their seller's tax liability under this subsection by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the business district retailers' occupation tax fund.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes, penalties, and interest collected under this subsection for deposit into the business district retailers' occupation tax fund. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to named municipalities from the business district retailers' occupation tax fund, the municipalities to be those from which retailers have paid taxes or penalties under this subsection to the Department during the second preceding calendar month. The amount to be paid to each municipality shall be the amount (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department, less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering and enforcing the provisions of this subsection, on behalf of such municipality, and not including any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the municipality. Within 10 days after receipt by the Comptroller of the disbursement certification to the municipalities provided for in this subsection to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in the certification. The proceeds of the tax paid to municipalities under this subsection shall be deposited into the Business District Tax Allocation Fund by the municipality.

An ordinance or resolution imposing or discontinuing the tax under this subsection or effecting a change in the rate thereof shall either (i) be adopted and a certified copy thereof filed with the Department on or before the first day of April, whereupon the Department, if all other requirements of

this subsection are met, shall proceed to administer and enforce this subsection as of the first day of July next following the adoption and filing; or (ii) be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon, if all other requirements of this subsection are met, the Department shall proceed to administer and enforce this subsection as of the first day of January next following the adoption and filing.

The Department of Revenue shall not administer or enforce an ordinance imposing, discontinuing, or changing the rate of the tax under this subsection, until the municipality also provides, in the manner prescribed by the Department, the boundaries of the business district in such a way that the Department can determine by its address whether a business is located in the business district. The municipality must provide this boundary information to the Department on or before April 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following July 1 and on or before October 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following January 1. The Department of Revenue shall not administer or enforce any change made to the boundaries of a business district until the municipality reports the boundary change to the Department in the manner prescribed by the Department. The municipality must provide this boundary change information to the Department on or before April 1 for administration and enforcement by the Department of the change beginning on the following July 1 and on or before October 1 for administration and enforcement by the Department of the change beginning on the following January 1. The retailers in the business district shall be responsible for charging the tax imposed under this subsection. If a retailer is incorrectly included or excluded from the list of those required to collect the tax under this subsection, both the Department of Revenue and the retailer shall be held harmless if they reasonably relied on information provided by the municipality.

A municipality that imposes the tax under this subsection must submit to the Department of Revenue any other information as the Department may require for the administration and enforcement of the tax.

When certifying the amount of a monthly disbursement to a municipality under this subsection, the Department shall increase or decrease the amount by an amount necessary to offset any misallocation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a misallocation is discovered.

Nothing in this subsection shall be construed to authorize the municipality to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

If a tax is imposed under this subsection (b), a tax shall also be imposed under subsection (c) of this Section.

(c) If a tax has been imposed under subsection (b), a Business District Service Occupation Tax shall also be imposed upon all persons engaged, in the business district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the tax imposed in subsection (b) and shall not exceed 1% of the selling price of tangible personal property so transferred within the business district, to be imposed only in 0.25% increments. The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The certificate of registration which is issued by the Department to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit such registrant to engage in a business which is taxable under any ordinance or resolution enacted pursuant to this subsection without registering separately with the Department under such ordinance or resolution or under this subsection. The Department of Revenue shall have full power to administer and enforce this subsection; to collect all taxes and penalties due under this subsection; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of, and compliance with this subsection, the Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms and employ the same modes of procedure as are prescribed in Sections 2, 2a through 2d, 3 through 3-50 (in respect to all provisions therein other than

the State rate of tax), 4 (except that the reference to the State shall be to the business district), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the municipality), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the municipality), the first paragraph of Section 15, and Sections 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in such notification from the Department. Such refund shall be paid by the State Treasurer out of the business district retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex-officio, as trustee, all taxes, penalties, and interest collected under this subsection for deposit into the business district retailers' occupation tax fund. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to named municipalities from the business district retailers' occupation tax fund, the municipalities to be those from which suppliers and servicemen have paid taxes or penalties under this subsection to the Department during the second preceding calendar month. The amount to be paid to each municipality shall be the amount (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department, less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department, subject to appropriation, to cover the costs of the Department in administering and enforcing the provisions of this subsection, and not including an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of such municipality. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities, provided for in this subsection to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in such certification. The proceeds of the tax paid to municipalities under this subsection shall be deposited into the Business District Tax Allocation Fund by the municipality.

An ordinance or resolution imposing or discontinuing the tax under this subsection or effecting a change in the rate thereof shall either (i) be adopted and a certified copy thereof filed with the Department on or before the first day of April, whereupon the Department, if all other requirements of this subsection are met, shall proceed to administer and enforce this subsection as of the first day of July next following the adoption and filing; or (ii) be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon, if all other conditions of this subsection are met, the Department shall proceed to administer and enforce this subsection as of the first day of January next following the adoption and filing.

The Department of Revenue shall not administer or enforce an ordinance imposing, discontinuing, or changing the rate of the tax under this subsection, until the municipality also provides, in the manner prescribed by the Department, the boundaries of the business district in such a way that the Department can determine by its address whether a business is located in the business district. The municipality must provide this boundary information to the Department on or before April 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following July 1 and on or before October 1 for administration and enforcement of the tax under this subsection by the Department beginning on the following January 1. The Department of Revenue shall not administer or enforce any change made to the boundaries of a business district until the municipality reports the boundary change to the Department in the manner prescribed by the Department. The municipality must provide this boundary change information to the Department on or before April 1 for administration and enforcement by the Department of the change beginning on the following July 1 and on or before October 1 for administration and enforcement by the Department of the change beginning on the following January 1. The retailers in the business district shall be responsible for charging the tax imposed under this subsection. If a retailer is incorrectly included or excluded from the list of those

required to collect the tax under this subsection, both the Department of Revenue and the retailer shall be held harmless if they reasonably relied on information provided by the municipality.

A municipality that imposes the tax under this subsection must submit to the Department of Revenue any other information as the Department may require for the administration and enforcement of the tax.

Nothing in this subsection shall be construed to authorize the municipality to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

If a tax is imposed under this subsection (c), a tax shall also be imposed under subsection (b) of this Section.

(d) By ordinance, a municipality that has established a business district under this Division 74.3 may impose an occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate not to exceed 1% of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the business district, to be imposed only in 0.25% increments, excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act.

The tax imposed by the municipality under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the municipality imposing the tax. The municipality shall have full power to administer and enforce this subsection, to collect all taxes and penalties due under this subsection, to dispose of taxes and penalties so collected in the manner provided in this subsection, and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under this subsection. In the administration of and compliance with this subsection, the municipality and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers, and duties, shall be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and shall employ the same modes of procedure as are employed with respect to a tax adopted by the municipality under Section 8-3-14 of this Code.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their tax liability for that tax by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes imposed under the Hotel Operators' Occupation Tax Act, and with any other tax.

Nothing in this subsection shall be construed to authorize a municipality to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

The proceeds of the tax imposed under this subsection shall be deposited into the Business District Tax Allocation Fund.

(e) Obligations issued pursuant to subsection (14) of Section 11-74.3-3 shall be retired in the manner provided in the ordinance authorizing the issuance of those obligations by the receipts of taxes levied as authorized in subsections (12) and (13) of Section 11-74.3-3. The ordinance shall pledge all of the amounts in and to be deposited in the Business District Tax Allocation Fund to the payment of business district project costs and obligations. Obligations issued pursuant to subsection (14) of Section 11-74.3-3 may be sold at public or private sale at a price determined by the corporate authorities of the municipality and no referendum approval of the electors shall be required as a condition to the issuance of those obligations. The ordinance authorizing the obligations may require that the obligations contain a recital that they are issued pursuant to subsection (14) of Section 11-74.3-3 and this recital shall be conclusive evidence of their validity and of the regularity of their issuance. The corporate authorities of the municipality may also issue its obligations to refund, in whole or in part, obligations previously issued by the municipality under the authority of this Code, whether at or prior to maturity. All obligations issued pursuant to subsection (14) of Section 11-74.3-3 shall not be regarded as indebtedness of the municipality issuing the obligations for the purpose of any limitation imposed by law.

(f) When business district costs, including, without limitation, all municipal obligations financing business district project costs incurred under Section 11-74.3-3 have been paid, any surplus funds then remaining in the Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the municipal general corporate fund. Upon payment of all business district project costs and retirement of obligations, but in no event more than 23 years after the date of adoption of the ordinance approving the business district development or redevelopment plan, the municipality shall adopt an ordinance immediately rescinding the taxes imposed pursuant to subsections (12) and (13) of Section 11-74.3-3.

(Source: P.A. 93-1053, eff. 1-1-05.)

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

Under the rules, the foregoing **Senate Bill No. 2220**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3199

A bill for AN ACT in relation to State employees.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3199

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 3199 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 14-103.05 and 18-127 and by adding Section 1-123 as follows:

(40 ILCS 5/1-123 new)

Sec. 1-123. Service as legal counsel. Notwithstanding any provision in this Code to the contrary, if a person is a participant under Article 18 and files a written election by July 1, 2005 with the Judges Retirement System of Illinois, then that person may serve either as legal counsel in the Office of the Governor or as Chief Deputy Attorney General and (A) no retirement annuity or other benefit of that person under Article 18 is subject to forfeiture, diminishment, suspension, or other impairment solely by virtue of that service and (B) that person does not participate in any pension fund or retirement system under this Code with respect to that service. This Section applies without regard to whether the person is in active service under Article 18 of this Code on or after the effective date of this amendatory Act of the 93rd General Assembly.

(40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)

Sec. 14-103.05. Employee.

(a) Any person employed by a Department who receives salary for personal services rendered to the Department on a warrant issued pursuant to a payroll voucher certified by a Department and drawn by the State Comptroller upon the State Treasurer, including an elected official described in subparagraph (d) of Section 14-104, shall become an employee for purpose of membership in the Retirement System on the first day of such employment.

A person entering service on or after January 1, 1972 and prior to January 1, 1984 shall become a member as a condition of employment and shall begin making contributions as of the first day of employment.

A person entering service on or after January 1, 1984 shall, upon completion of 6 months of continuous service which is not interrupted by a break of more than 2 months, become a member as a condition of employment. Contributions shall begin the first of the month after completion of the qualifying period.

The qualifying period of 6 months of service is not applicable to: (1) a person who has been granted credit for service in a position covered by the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, the General Assembly Retirement System, or the Judges Retirement System of Illinois unless that service has been forfeited under the laws of those systems; (2) a person entering service on or after July 1, 1991 in a noncovered position; or (3) a person to whom Section 14-108.2a or 14-108.2b applies.

(b) The term "employee" does not include the following:

- (1) members of the State Legislature, and persons electing to become members of the General Assembly Retirement System pursuant to Section 2-105;
- (2) incumbents of offices normally filled by vote of the people;

[January 10, 2005]

(3) except as otherwise provided in this Section, any person appointed by the Governor with the advice and consent of the Senate unless that person elects to participate in this system;

(3.1) any person serving as a commissioner of an ethics commission created under the State Officials and Employees Ethics Act unless that person elects to participate in this system with respect to that service as a commissioner;

(3.2) any person serving as a part-time employee in any of the following positions: Legislative Inspector General, Special Legislative Inspector General, employee of the Office of the Legislative Inspector General, Executive Director of the Legislative Ethics Commission, or staff of the Legislative Ethics Commission, regardless of whether he or she is in active service on or after July 8, 2004 (the effective date of Public Act 93-685) ~~this amendatory Act of the 93rd General Assembly~~, unless that person elects to participate in this System with respect to that service; in this item (3.2), a "part-time employee" is a person who is not required to work at least 35 hours per week;

(3.3) any person who has made an election under Section 1-123 and who is serving either as legal counsel in the Office of the Governor or as Chief Deputy Attorney General;

(4) except as provided in Section 14-108.2 or 14-108.2c, any person who is covered or eligible to be covered by the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, or the Judges Retirement System of Illinois;

(5) an employee of a municipality or any other political subdivision of the State;

(6) any person who becomes an employee after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and whose wages or fringe benefits are paid in whole or in part by funds provided under such Act;

(7) enrollees of the Illinois Young Adult Conservation Corps program, administered by the Department of Natural Resources, authorized grantee pursuant to Title VIII of the "Comprehensive Employment and Training Act of 1973", 29 USC 993, as now or hereafter amended;

(8) enrollees and temporary staff of programs administered by the Department of Natural Resources under the Youth Conservation Corps Act of 1970;

(9) any person who is a member of any professional licensing or disciplinary board created under an Act administered by the Department of Professional Regulation or a successor agency or created or re-created after the effective date of this amendatory Act of 1997, and who receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 (P.A. 84-1472) is not intended to effect any change in the status of such persons;

(10) any person who is a member of the Illinois Health Care Cost Containment Council, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 is not intended to effect any change in the status of such persons;

(11) any person who is a member of the Oil and Gas Board created by Section 1.2 of the Illinois Oil and Gas Act, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; or

(12) a person employed by the State Board of Higher Education in a position with the Illinois Century Network as of June 30, 2004, who remains continuously employed after that date by the Department of Central Management Services in a position with the Illinois Century Network and participates in the Article 15 system with respect to that employment.

(Source: P.A. 92-14, eff. 6-28-01; 93-685, eff. 7-8-04; 93-839, eff. 7-30-04; revised 9-8-04.)

(40 ILCS 5/18-127) (from Ch. 108 1/2, par. 18-127)

Sec. 18-127. Retirement annuity - suspension on reemployment.

(a) A participant receiving a retirement annuity who is regularly employed for compensation by an employer other than a county, in any capacity, shall have his or her retirement annuity payments suspended during such employment. Upon termination of such employment, retirement annuity payments at the previous rate shall be resumed.

If such a participant resumes service as a judge, he or she shall receive credit for any additional service. Upon subsequent retirement, his or her retirement annuity shall be the amount previously granted, plus the amount earned by the additional judicial service under the provisions in effect during the period of such additional service. However, if the participant was receiving the maximum rate of annuity at the time of re-employment, he or she may elect, in a written direction filed with the board, not to receive any additional service credit during the period of re-employment. In such case, contributions shall not be required during the period of re-employment. Any such election shall be irrevocable.

(b) Beginning January 1, 1991, any participant receiving a retirement annuity who accepts temporary employment from an employer other than a county for a period not exceeding 75 working days in any calendar year shall not be deemed to be regularly employed for compensation or to have resumed service as a judge for the purposes of this Article. A day shall be considered a working day if the annuitant performs on it any of his duties under the temporary employment agreement.

(c) Except as provided in subsection (a), beginning January 1, 1993, retirement annuities shall not be subject to suspension upon resumption of employment for an employer, and any retirement annuity that is then so suspended shall be reinstated on that date.

(d) The changes made in this Section by this amendatory Act of 1993 shall apply to judges no longer in service on its effective date, as well as to judges serving on or after that date.

(e) A participant receiving a retirement annuity under this Article who serves as a part-time employee in any of the following positions: Legislative Inspector General, Special Legislative Inspector General, employee of the Office of the Legislative Inspector General, Executive Director of the Legislative Ethics Commission, or staff of the Legislative Ethics Commission, but has not elected to participate in the Article 14 System with respect to that service, shall not be deemed to be regularly employed for compensation by an employer other than a county, nor to have resumed service as a judge, on the basis of that service, and the retirement annuity payments and other benefits of that person under this Code shall not be suspended, diminished, or otherwise impaired solely as a consequence of that service. This subsection (e) applies without regard to whether the person is in service as a judge under this Article on or after the effective date of this amendatory Act of the 93rd General Assembly. In this subsection, a "part-time employee" is a person who is not required to work at least 35 hours per week.

(f) A participant receiving a retirement annuity under this Article who has made an election under Section 1-123 and who is serving either as legal counsel in the Office of the Governor or as Chief Deputy Attorney General shall not be deemed to be regularly employed for compensation by an employer other than a county, nor to have resumed service as a judge, on the basis of that service, and the retirement annuity payments and other benefits of that person under this Code shall not be suspended, diminished, or otherwise impaired solely as a consequence of that service. This subsection (f) applies without regard to whether the person is in service as a judge under this Article on or after the effective date of this amendatory Act of the 93rd General Assembly.

(Source: P.A. 93-685, eff. 7-8-04.)

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

Under the rules, the foregoing **Senate Bill No. 3199**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3196

A bill for AN ACT in relation to budget implementation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3196

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 3196 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Section 3-55 as follows:

(35 ILCS 105/3-55) (from Ch. 120, par. 439.3-55)

Sec. 3-55. Multistate exemption. To prevent actual or likely multistate taxation, the tax imposed by this Act does not apply to the use of tangible personal property in this State under the following circumstances:

[January 10, 2005]

(a) The use, in this State, of tangible personal property acquired outside this State by a nonresident individual and brought into this State by the individual for his or her own use while temporarily within this State or while passing through this State.

(b) The use, in this State, of tangible personal property by an interstate carrier for hire as rolling stock moving in interstate commerce or by lessors under a lease of one year or longer executed or in effect at the time of purchase of tangible personal property by interstate carriers for-hire for use as rolling stock moving in interstate commerce as long as so used by the interstate carriers for-hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(c) The use, in this State, by owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce as long as so used by the interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(d) The use, in this State, of tangible personal property that is acquired outside this State and caused to be brought into this State by a person who has already paid a tax in another State in respect to the sale, purchase, or use of that property, to the extent of the amount of the tax properly due and paid in the other State.

(e) The temporary storage, in this State, of tangible personal property that is acquired outside this State and that, after being brought into this State and stored here temporarily, is used solely outside this State or is physically attached to or incorporated into other tangible personal property that is used solely outside this State, or is altered by converting, fabricating, manufacturing, printing, processing, or shaping, and, as altered, is used solely outside this State.

(f) The temporary storage in this State of building materials and fixtures that are acquired either in this State or outside this State by an Illinois registered combination retailer and construction contractor, and that the purchaser thereafter uses outside this State by incorporating that property into real estate located outside this State.

(g) The use or purchase of tangible personal property by a common carrier by rail or motor that receives the physical possession of the property in Illinois, and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(h) Except as provided in subsection (h-1), the use, in this State, of a motor vehicle that was sold in this State to a nonresident, even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred shall be prima facie evidence that the motor vehicle will not be titled in this State.

(h-1) The exemption under subsection (h) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for the use in that state of a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this subsection shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this subsection (h-1) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(i) Beginning July 1, 1999, the use, in this State, of fuel acquired outside this State and brought into this State in the fuel supply tanks of locomotives engaged in freight hauling and passenger service for interstate commerce. This subsection is exempt from the provisions of Section 3-90.

(j) Beginning on January 1, 2002, the use of tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this subsection (j). The permit issued under this subsection (j) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(Source: P.A. 92-16, eff. 6-28-01; 92-488, eff. 8-23-01; 92-680, eff. 7-16-02; 92-23, eff. 6-20-03.)

Section 10. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5) (from Ch. 120, par. 441-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing,

serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person

receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(Source: P.A. 92-16, eff. 6-28-01; 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-488, eff. 8-23-01; 92-651, eff. 7-11-02; 92-680, eff. 7-16-02; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 93-1033, eff. 9-3-04; revised 9-14-04.)

Section 12. The Uniform Penalty and Interest Act is amended by changing Section 3-3 as follows:

(35 ILCS 735/3-3) (from Ch. 120, par. 2603-3)

Sec. 3-3. Penalty for failure to file or pay.

(a) This subsection (a) is applicable before January 1, 1996. A penalty of 5% of the tax required to be shown due on a return shall be imposed for failure to file the tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing (penalty for late filing or nonfiling). If any unprocessable return is corrected and filed within 21 days after notice by the Department, the late filing or nonfiling penalty shall not apply. If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum of the late filing penalty and the applicable late payment penalty. Beginning on the effective date of this amendatory Act of 1995, in the case of any type of tax return required to be filed more frequently than annually, when the failure to file the tax return on or before the date prescribed for filing (including any extensions) is shown to be nonfraudulent and has not occurred in the 2 years immediately preceding the failure to file on the prescribed due date, the penalty imposed by Section 3-3(a) shall be abated.

(a-5) This subsection (a-5) is applicable to returns due on and after January 1, 1996 and on or before December 31, 2000. A penalty equal to 2% of the tax required to be shown due on a return, up to a maximum amount of \$250, determined without regard to any part of the tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed, shall be imposed for failure to file the tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing. However, if any return is not filed within 30 days after notice of nonfiling mailed by the Department to the last known address of the taxpayer contained in Department records, an additional penalty amount shall be imposed equal to the greater of \$250 or 2% of the tax shown on the return. However, the additional penalty amount may not exceed \$5,000 and is determined without regard to any part of the tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed (penalty for late filing or nonfiling). If any unprocessable return is corrected and filed within 30 days after notice by the Department, the late filing or nonfiling penalty shall not apply. If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum of the late filing penalty and the applicable late payment penalty. In the case of any type of tax return required to be filed more frequently than annually, when the failure to file the tax return on or before the date prescribed for filing (including any extensions) is

shown to be nonfraudulent and has not occurred in the 2 years immediately preceding the failure to file on the prescribed due date, the penalty imposed by Section 3-3(a-5) shall be abated.

(a-10) This subsection (a-10) is applicable to returns due on and after January 1, 2001. A penalty equal to 2% of the tax required to be shown due on a return, up to a maximum amount of \$250, reduced by any tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed, shall be imposed for failure to file the tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing. However, if any return is not filed within 30 days after notice of nonfiling mailed by the Department to the last known address of the taxpayer contained in Department records, an additional penalty amount shall be imposed equal to the greater of \$250 or 2% of the tax shown on the return. However, the additional penalty amount may not exceed \$5,000 and is determined without regard to any part of the tax that is paid on time or by any credit that was properly allowable on the date the return was required to be filed (penalty for late filing or nonfiling). If any unprocessable return is corrected and filed within 30 days after notice by the Department, the late filing or nonfiling penalty shall not apply. If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum of the late filing penalty and the applicable late payment penalty. In the case of any type of tax return required to be filed more frequently than annually, when the failure to file the tax return on or before the date prescribed for filing (including any extensions) is shown to be nonfraudulent and has not occurred in the 2 years immediately preceding the failure to file on the prescribed due date, the penalty imposed by Section 3-3(a-10) shall be abated.

(b) This subsection is applicable before January 1, 1998. A penalty of 15% of the tax shown on the return or the tax required to be shown due on the return shall be imposed for failure to pay:

- (1) the tax shown due on the return on or before the due date prescribed for payment of

that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability); or

- (2) the full amount of any tax required to be shown due on a return and which is not

shown (penalty for late payment or nonpayment of additional liability), within 30 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising following a protest and hearing, the 30-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this paragraph (2) shall be imposed at the expiration of the period provided for the filing of a protest.

(b-5) This subsection is applicable to returns due on and after January 1, 1998 and on or before December 31, 2000. A penalty of 20% of the tax shown on the return or the tax required to be shown due on the return shall be imposed for failure to pay:

- (1) the tax shown due on the return on or before the due date prescribed for payment of

that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability); or

- (2) the full amount of any tax required to be shown due on a return and which is not

shown (penalty for late payment or nonpayment of additional liability), within 30 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising following a protest and hearing, the 30-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this paragraph (2) shall be imposed at the expiration of the period provided for the filing of a protest.

(b-10) This subsection (b-10) is applicable to returns due on and after January 1, 2001 and on or before December 31, 2003. A penalty shall be imposed for failure to pay:

[January 10, 2005]

- (1) the tax shown due on a return on or before the due date prescribed for payment of

that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability). The amount of penalty imposed under this subsection (b-10)(1) shall be 2% of any amount that is paid no later than 30 days after the due date, 5% of any amount that is paid later than 30 days after the due date and not later than 90 days after the due date, 10% of any amount that is paid later than 90 days after the due date and not later than 180 days after the due date, and 15% of any amount that is paid later than 180 days after the due date. If notice and demand is made for the payment of any amount of tax due and if the amount due is paid within 30 days after the date of the notice and demand, then the penalty for late payment or nonpayment of admitted liability under this subsection (b-10)(1) on the amount so paid shall not accrue for the period after the date of the notice and demand.

- (2) the full amount of any tax required to be shown due on a return and that is not

shown (penalty for late payment or nonpayment of additional liability), within 30 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising following a protest and hearing, the 30-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. The amount of penalty imposed under this subsection (b-10)(2) shall be 20% of any amount that is not paid within the 30-day period. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this subsection (b-10)(2) shall be imposed at the expiration of the period provided for the filing of a protest.

(b-15) This subsection (b-15) is applicable to returns due on and after January 1, 2004 and on or before December 31, 2004. ~~(+) A penalty shall be imposed for failure to pay the tax shown due or required to be shown due on a return on or before the due date prescribed for payment of that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability). The amount of penalty imposed under this subsection (b-15)(1) shall be 2% of any amount that is paid no later than 30 days after the due date, 10% of any amount that is paid later than 30 days after the due date and not later than 90 days after the due date, 15% of any amount that is paid later than 90 days after the due date and not later than 180 days after the due date, and 20% of any amount that is paid later than 180 days after the due date. If notice and demand is made for the payment of any amount of tax due and if the amount due is paid within 30 days after the date of this notice and demand, then the penalty for late payment or nonpayment of admitted liability under this subsection (b-15)(1) on the amount so paid shall not accrue for the period after the date of the notice and demand.~~

~~(2) A penalty shall be imposed for failure to file a return or to show on a timely return the full amount of any tax required to be shown due. The amount of penalty imposed under this subsection (b-15)(2) shall be:~~

~~(A) 5% of any amount of tax (other than an amount properly reported on an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act) that is shown on a return or amended return filed prior to the date the Department has initiated an audit or investigation of the taxpayer;~~

~~(B) 10% of any amount of tax (other than an amount properly reported on an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act) that is shown on a return or amended return filed on or after the date the Department has initiated an audit or investigation of the taxpayer, but prior to the date any notice of deficiency, notice of tax liability, notice of assessment or notice of final assessment is issued by the Department with respect to any portion of such underreported amount; or~~

~~(C) 20% of any amount that is not reported on a return or amended return filed prior to the date any notice of deficiency, notice of tax liability, notice of assessment or notice of final assessment is issued by the Department with respect to any portion of such underreported amount.~~

(b-20) This subsection (b-20) is applicable to returns due on and after January 1, 2005.

(1) A penalty shall be imposed for failure to pay, prior to the due date for payment, any amount of tax the payment of which is required to be made prior to the filing of a return or without a return (penalty

for late payment or nonpayment of estimated or accelerated tax). The amount of penalty imposed under this paragraph (1) shall be 2% of any amount that is paid no later than 30 days after the due date and 10% of any amount that is paid later than 30 days after the due date.

(2) A penalty shall be imposed for failure to pay the tax shown due or required to be shown due on a return on or before the due date prescribed for payment of that tax or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of tax). The amount of penalty imposed under this paragraph (2) shall be 2% of any amount that is paid no later than 30 days after the due date, 10% of any amount that is paid later than 30 days after the due date and prior to the date the Department has initiated an audit or investigation of the taxpayer, and 20% of any amount that is paid after the date the Department has initiated an audit or investigation of the taxpayer; provided that the penalty shall be reduced to 15% if the entire amount due is paid not later than 30 days after the Department has provided the taxpayer with an amended return (following completion of an occupation, use, or excise tax audit) or a form for waiver of restrictions on assessment (following completion of an income tax audit); provided further that the reduction to 15% shall be rescinded if the taxpayer makes any claim for refund or credit of the tax, penalties, or interest determined to be due upon audit, except in the case of a claim filed pursuant to subsection (b) of Section 506 of the Illinois Income Tax Act or to claim a carryover of a loss or credit, the availability of which was not determined in the audit. For purposes of this paragraph (2), any overpayment reported on an original return that has been allowed as a refund or credit to the taxpayer shall be deemed to have not been paid on or before the due date for payment and any amount paid under protest pursuant to the provisions of the State Officers and Employees Money Disposition Act shall be deemed to have been paid after the Department has initiated an audit and more than 30 days after the Department has provided the taxpayer with an amended return (following completion of an occupation, use, or excise tax audit) or a form for waiver of restrictions on assessment (following completion of an income tax audit).

(3) The penalty imposed under this subsection (b-20) shall be deemed assessed at the time the tax upon which the penalty is computed is assessed, except that, if the reduction of the penalty imposed under paragraph (2) of this section (b-20) to 15% is rescinded because a claim for refund or credit has been filed, the increase in penalty shall be deemed assessed at the time the claim for refund or credit is filed.

(c) For purposes of the late payment penalties, the basis of the penalty shall be the tax shown or required to be shown on a return, whichever is applicable, reduced by any part of the tax which is paid on time and by any credit which was properly allowable on the date the return was required to be filed.

(d) A penalty shall be applied to the tax required to be shown even if that amount is less than the tax shown on the return.

(e) This subsection (e) is applicable to returns due before January 1, 2001. If both a subsection (b)(1) or (b-5)(1) penalty and a subsection (b)(2) or (b-5)(2) penalty are assessed against the same return, the subsection (b)(2) or (b-5)(2) penalty shall be assessed against only the additional tax found to be due.

(e-5) This subsection (e-5) is applicable to returns due on and after January 1, 2001. If both a subsection (b-10)(1) penalty and a subsection (b-10)(2) penalty are assessed against the same return, the subsection (b-10)(2) penalty shall be assessed against only the additional tax found to be due.

(f) If the taxpayer has failed to file the return, the Department shall determine the correct tax according to its best judgment and information, which amount shall be prima facie evidence of the correctness of the tax due.

(g) The time within which to file a return or pay an amount of tax due without imposition of a penalty does not extend the time within which to file a protest to a notice of tax liability or a notice of deficiency.

(h) No return shall be determined to be unprocessable because of the omission of any information requested on the return pursuant to Section 2505-575 of the Department of Revenue Law (20 ILCS 2505/2505-575).

(i) If a taxpayer has a tax liability that is eligible for amnesty under the Tax Delinquency Amnesty Act and the taxpayer fails to satisfy the tax liability during the amnesty period provided for in that Act, then the penalty imposed by the Department under this Section shall be imposed in an amount that is 200% of the amount that would otherwise be imposed under this Section.

(Source: P.A. 92-742, eff. 7-25-02; 93-26, eff. 6-20-03; 93-32, eff. 6-20-03; revised 8-1-03.)

Section 15. The Local Mass Transit District Act is amended by changing Section 5.01 as follows:
(70 ILCS 3610/5.01) (from Ch. 111 2/3, par. 355.01)

Sec. 5.01. Metro East Mass Transit District; use and occupation taxes.

(a) The Board of Trustees of any Metro East Mass Transit District may, by ordinance adopted with the concurrence of two-thirds of the then trustees, impose throughout the District any or all of the taxes and fees provided in this Section. All taxes and fees imposed under this Section shall be used only for public mass transportation systems, and the amount used to provide mass transit service to unserved areas of the District shall be in the same proportion to the total proceeds as the number of persons residing in the unserved areas is to the total population of the District. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

(b) The Board may impose a Metro East Mass Transit District Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the district at a rate of 1/4 of 1%, or as authorized under subsection (d-5) of this Section, of the gross receipts from the sales made in the course of such business within the district. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13, and 14 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (g) of this Section.

If a tax is imposed under this subsection (b), a tax shall also be imposed under subsections (c) and (d) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale, by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

No tax shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

Nothing in this Section shall be construed to authorize the Metro East Mass Transit District to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

(c) If a tax has been imposed under subsection (b), a Metro East Mass Transit District Service Occupation Tax shall also be imposed upon all persons engaged, in the district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax rate shall be 1/4%, or as authorized under subsection (d-5) of this Section, of the selling price of tangible personal property so transferred within the district. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be

subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure as are prescribed in Sections 1a-1, 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the Authority), 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the District), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the District), the first paragraph of Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (g) of this Section.

Nothing in this paragraph shall be construed to authorize the District to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(d) If a tax has been imposed under subsection (b), a Metro East Mass Transit District Use Tax shall also be imposed upon the privilege of using, in the district, any item of tangible personal property that is purchased outside the district at retail from a retailer, and that is titled or registered with an agency of this State's government, at a rate of 1/4%, or as authorized under subsection (d-5) of this Section, of the selling price of the tangible personal property within the District, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the District. The tax shall be collected by the Department of Revenue for the Metro East Mass Transit District. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, that are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Metro East Mass Transit District tax fund established under paragraph (g) of this Section.

(d-5) (A) The county board of any county participating in the Metro East Mass Transit District may authorize, by ordinance, a referendum on the question of whether the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax for the District should be increased from 0.25% to

0.75%. Upon adopting the ordinance, the county board shall certify the proposition to the proper election officials who shall submit the proposition to the voters of the District at the next election, in accordance with the general election law.

The proposition shall be in substantially the following form:

Shall the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax,

the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax be increased from 0.25% to 0.75%?

(B) Two thousand five hundred electors of any Metro East Mass Transit District may petition the Chief Judge of the Circuit Court, or any judge of that Circuit designated by the Chief Judge, in which that District is located to cause to be submitted to a vote of the electors the question whether the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax, the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax for the District should be increased from 0.25% to 0.75%.

Upon submission of such petition the court shall set a date not less than 10 nor more than 30 days thereafter for a hearing on the sufficiency thereof. Notice of the filing of such petition and of such date shall be given in writing to the District and the County Clerk at least 7 days before the date of such hearing.

If such petition is found sufficient, the court shall enter an order to submit that proposition at the next election, in accordance with general election law.

The form of the petition shall be in substantially the following form: To the Circuit Court of the County of (name of county):

We, the undersigned electors of the (name of transit district), respectfully petition

your honor to submit to a vote of the electors of (name of transit district) the following proposition:

Shall the tax rates for the Metro East Mass Transit District Retailers' Occupation Tax,

the Metro East Mass Transit District Service Occupation Tax, and the Metro East Mass Transit District Use Tax be increased from 0.25% to 0.75%?

Name	Address, with Street and Number.
.....
.....

(C) The votes shall be recorded as "YES" or "NO". If a majority of all votes cast on the proposition are for the increase in the tax rates, the Metro East Mass Transit District shall begin imposing the increased rates in the District, and the Department of Revenue shall begin collecting the increased amounts, as provided under this Section. An ordinance imposing or discontinuing a tax hereunder or effecting a change in the rate thereof shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing.

(D) If the voters have approved a referendum under this subsection, before November 1, 1994, to increase the tax rate under this subsection, the Metro East Mass Transit District Board of Trustees may adopt by a majority vote an ordinance at any time before January 1, 1995 that excludes from the rate increase tangible personal property that is titled or registered with an agency of this State's government. The ordinance excluding titled or registered tangible personal property from the rate increase must be filed with the Department at least 15 days before its effective date. At any time after adopting an ordinance excluding from the rate increase tangible personal property that is titled or registered with an agency of this State's government, the Metro East Mass Transit District Board of Trustees may adopt an ordinance applying the rate increase to that tangible personal property. The ordinance shall be adopted, and a certified copy of that ordinance shall be filed with the Department, on or before October 1, whereupon the Department shall proceed to administer and enforce the rate increase against tangible personal property titled or registered with an agency of this State's government as of the following January 1. After December 31, 1995, any reimposed rate increase in effect under this subsection shall no longer apply to tangible personal property titled or registered with an agency of this State's government. Beginning January 1, 1996, the Board of Trustees of any Metro East Mass Transit District may never

reimpose a previously excluded tax rate increase on tangible personal property titled or registered with an agency of this State's government.

(d-6) If the Board of Trustees of any Metro East Mass Transit District has imposed a rate increase under subsection (d-5) and filed an ordinance with the Department of Revenue excluding titled property from the higher rate, then that Board may, by ordinance adopted with the concurrence of two-thirds of the then trustees, impose throughout the District a fee. The fee on the excluded property shall not exceed \$20 per retail transaction or an amount equal to the amount of tax excluded, whichever is less, on tangible personal property that is titled or registered with an agency of this State's government. No fee shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

(d-7) If a fee has been imposed under subsection (d-6), a fee shall also be imposed upon the privilege of using, in the district, any item of tangible personal property that is titled or registered with any agency of this State's government, in an amount equal to the amount of the fee imposed under subsection (d-6).

(d-8) No item of titled property shall be subject to both the higher rate approved by referendum, as authorized under subsection (d-5), and any fee imposed under subsection (d-6) or (d-7).

(d-9) If fees have been imposed under subsections (d-6) and (d-7), the Board shall forward a copy of the ordinance adopting such fees, which shall include all zip codes in whole or in part within the boundaries of the district, to the Secretary of State within thirty days. By the 25th of each month, the Secretary of State shall subsequently provide the Illinois Department of Revenue with a list of identifiable retail transactions subject to the .25% rate occurring within the zip codes which are in whole or in part within the boundaries of the district and a list of title applications for addresses within the boundaries of the district for the previous month.

(d-10) In the event that a retailer fails to pay applicable fees within 30 days of the date of the transaction, a penalty shall be assessed at the rate of 25% of the amount of fees. Interest on both late fees and penalties shall be assessed at the rate of 1% per month. All fees, penalties, and attorney fees shall constitute a lien on the personal and real property of the retailer.

(e) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (c) or (d) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(f) The Board may impose a replacement vehicle tax of \$50 on any passenger car, as defined in Section 1-157 of the Illinois Vehicle Code, purchased within the district area by or on behalf of an insurance company to replace a passenger car of an insured person in settlement of a total loss claim. The tax imposed may not become effective before the first day of the month following the passage of the ordinance imposing the tax and receipt of a certified copy of the ordinance by the Department of Revenue. The Department of Revenue shall collect the tax for the district in accordance with Sections 3-2002 and 3-2003 of the Illinois Vehicle Code.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes collected hereunder. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to named districts, the districts to be those from which retailers have paid taxes or penalties hereunder to the Department during the second preceding calendar month. The amount to be paid to each district shall be the amount collected hereunder during the second preceding calendar month by the Department, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the disbursement certification to the districts, provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with the directions contained in the certification.

(g) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the Metro East Mass Transit District as of September 1 next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, except as provided in subsection (d-5) of this Section, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department

shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing.

(h) The State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the District. The taxes shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the District, which shall be the then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the District, the Comptroller shall cause an order to be drawn for payment for the amount in accordance with the direction in the certification.

(Source: P.A. 93-590; eff. 1-1-04.)

Section 20. The Regional Transportation Authority Act is amended by changing Section 4.03 as follows:

(70 ILCS 3615/4.03) (from Ch. 111 2/3, par. 704.03)

Sec. 4.03. Taxes.

(a) In order to carry out any of the powers or purposes of the Authority, the Board may by ordinance adopted with the concurrence of 9 of the then Directors, impose throughout the metropolitan region any or all of the taxes provided in this Section. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

(b) The Board may impose a public transportation tax upon all persons engaged in the metropolitan region in the business of selling at retail motor fuel for operation of motor vehicles upon public highways. The tax shall be at a rate not to exceed 5% of the gross receipts from the sales of motor fuel in the course of the business. As used in this Act, the term "motor fuel" shall have the same meaning as in the Motor Fuel Tax Law. The Board may provide for details of the tax. The provisions of any tax shall conform, as closely as may be practicable, to the provisions of the Municipal Retailers Occupation Tax Act, including without limitation, conformity to penalties with respect to the tax imposed and as to the powers of the State Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed, except that reference in the Act to any municipality shall refer to the Authority and the tax shall be imposed only with regard to receipts from sales of motor fuel in the metropolitan region, at rates as limited by this Section.

(c) In connection with the tax imposed under paragraph (b) of this Section the Board may impose a tax upon the privilege of using in the metropolitan region motor fuel for the operation of a motor vehicle upon public highways, the tax to be at a rate not in excess of the rate of tax imposed under paragraph (b) of this Section. The Board may provide for details of the tax.

(d) The Board may impose a motor vehicle parking tax upon the privilege of parking motor vehicles at off-street parking facilities in the metropolitan region at which a fee is charged, and may provide for reasonable classifications in and exemptions to the tax, for administration and enforcement thereof and for civil penalties and refunds thereunder and may provide criminal penalties thereunder, the maximum penalties not to exceed the maximum criminal penalties provided in the Retailers' Occupation Tax Act. The Authority may collect and enforce the tax itself or by contract with any unit of local government. The State Department of Revenue shall have no responsibility for the collection and enforcement unless the Department agrees with the Authority to undertake the collection and enforcement. As used in this paragraph, the term "parking facility" means a parking area or structure having parking spaces for more than 2 vehicles at which motor vehicles are permitted to park in return for an hourly, daily, or other periodic fee, whether publicly or privately owned, but does not include parking spaces on a public street, the use of which is regulated by parking meters.

(e) The Board may impose a Regional Transportation Authority Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the metropolitan region. In Cook County the tax rate shall be 1% of the gross receipts from sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics, and 3/4% of the gross receipts from other taxable sales made in the course of that business. In DuPage, Kane, Lake, McHenry, and Will Counties, the tax rate shall be 1/4% of the gross receipts from all taxable sales made in the course of that business. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State

Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination in a single amount with State taxes that sellers are required to collect under the Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

If a tax is imposed under this subsection (e), a tax shall also be imposed under subsections (f) and (g) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

No tax shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

Nothing in this Section shall be construed to authorize the Regional Transportation Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(f) If a tax has been imposed under paragraph (e), a Regional Transportation Authority Service Occupation Tax shall also be imposed upon all persons engaged, in the metropolitan region in the business of making sales of service, who as an incident to making the sales of service, transfer tangible personal property within the metropolitan region, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. In Cook County, the tax rate shall be: (1) 1% of the serviceman's cost price of food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity licensed under the Hospital Licensing Act or the Nursing Home Care Act that is located in the metropolitan region; (2) 1% of the selling price of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics; and (3) 3/4% of the selling price from other taxable sales of tangible personal property transferred. In DuPage, Kane, Lake, McHenry and Will Counties the rate shall be 1/4% of the selling price of all tangible personal property transferred.

The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the Authority), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against

any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the Authority), the first paragraph of Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, that charge may be stated in combination in a single amount with State tax that servicemen are authorized to collect under the Service Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

Nothing in this paragraph shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by the State.

(g) If a tax has been imposed under paragraph (e), a tax shall also be imposed upon the privilege of using in the metropolitan region, any item of tangible personal property that is purchased outside the metropolitan region at retail from a retailer, and that is titled or registered with an agency of this State's government. In Cook County the tax rate shall be 3/4% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. In DuPage, Kane, Lake, McHenry and Will counties the tax rate shall be 1/4% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan region. The tax shall be collected by the Department of Revenue for the Regional Transportation Authority. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act, and are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Regional Transportation Authority tax fund established under paragraph (n) of this Section.

(h) The Authority may impose a replacement vehicle tax of \$50 on any passenger car as defined in Section 1-157 of the Illinois Vehicle Code purchased within the metropolitan region by or on behalf of an insurance company to replace a passenger car of an insured person in settlement of a total loss claim. The tax imposed may not become effective before the first day of the month following the passage of the ordinance imposing the tax and receipt of a certified copy of the ordinance by the Department of Revenue. The Department of Revenue shall collect the tax for the Authority in accordance with Sections 3-2002 and 3-2003 of the Illinois Vehicle Code.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes collected hereunder. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the Authority. The amount to be

paid to the Authority shall be the amount collected hereunder during the second preceding calendar month by the Department, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the disbursement certification to the Authority provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for that amount in accordance with the directions contained in the certification.

(i) The Board may not impose any other taxes except as it may from time to time be authorized by law to impose.

(j) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (e), (f) or (g) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(k) The provisions of any tax imposed under paragraph (c) of this Section shall conform as closely as may be practicable to the provisions of the Use Tax Act, including without limitation conformity as to penalties with respect to the tax imposed and as to the powers of the State Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed. The taxes shall be imposed only on use within the metropolitan region and at rates as provided in the paragraph.

(l) The Board in imposing any tax as provided in paragraphs (b) and (c) of this Section, shall, after seeking the advice of the State Department of Revenue, provide means for retailers, users or purchasers of motor fuel for purposes other than those with regard to which the taxes may be imposed as provided in those paragraphs to receive refunds of taxes improperly paid, which provisions may be at variance with the refund provisions as applicable under the Municipal Retailers Occupation Tax Act. The State Department of Revenue may provide for certificates of registration for users or purchasers of motor fuel for purposes other than those with regard to which taxes may be imposed as provided in paragraphs (b) and (c) of this Section to facilitate the reporting and nontaxability of the exempt sales or uses.

(m) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the Regional Transportation Authority as of September 1 next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing.

(n) The State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the Authority. The taxes shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the Authority, which shall be the then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds. The State Department of Revenue shall also certify to the Authority the amount of taxes collected in each County other than Cook County in the metropolitan region less the amount necessary for the payment of refunds to taxpayers in the County. With regard to the County of Cook, the certification shall specify the amount of taxes collected within the City of Chicago less the amount necessary for the payment of refunds to taxpayers in the City of Chicago and the amount collected in that portion of Cook County outside of Chicago less the amount necessary for the payment of refunds to taxpayers in that portion of Cook County outside of Chicago. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the Authority, the Comptroller shall cause an order to be drawn for the payment for the amount in accordance with the direction in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in July 1991 and each year thereafter to the Regional Transportation Authority. The allocation shall be made in an amount equal to the average monthly distribution during the preceding calendar year (excluding the 2 months of lowest receipts) and the allocation shall include the amount of average monthly distribution from the Regional Transportation Authority Occupation and Use Tax Replacement

Fund. The distribution made in July 1992 and each year thereafter under this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department of Revenue shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(o) Failure to adopt a budget ordinance or otherwise to comply with Section 4.01 of this Act or to adopt a Five-year Program or otherwise to comply with paragraph (b) of Section 2.01 of this Act shall not affect the validity of any tax imposed by the Authority otherwise in conformity with law.

(p) At no time shall a public transportation tax or motor vehicle parking tax authorized under paragraphs (b), (c) and (d) of this Section be in effect at the same time as any retailers' occupation, use or service occupation tax authorized under paragraphs (e), (f) and (g) of this Section is in effect.

Any taxes imposed under the authority provided in paragraphs (b), (c) and (d) shall remain in effect only until the time as any tax authorized by paragraphs (e), (f) or (g) of this Section are imposed and becomes effective. Once any tax authorized by paragraphs (e), (f) or (g) is imposed the Board may not reimpose taxes as authorized in paragraphs (b), (c) and (d) of the Section unless any tax authorized by paragraphs (e), (f) or (g) of this Section becomes ineffective by means other than an ordinance of the Board.

(q) Any existing rights, remedies and obligations (including enforcement by the Regional Transportation Authority) arising under any tax imposed under paragraphs (b), (c) or (d) of this Section shall not be affected by the imposition of a tax under paragraphs (e), (f) or (g) of this Section.

(Source: P.A. 91-51, eff. 6-30-99; 92-221, eff. 8-2-01; 92-651, eff. 7-11-02.)

Section 25. The Water Commission Act of 1985 is amended by changing Section 4 as follows:
(70 ILCS 3720/4) (from Ch. 111 2/3, par. 254)

Sec. 4. (a) The board of commissioners of any county water commission may, by ordinance, impose throughout the territory of the commission any or all of the taxes provided in this Section for its corporate purposes. However, no county water commission may impose any such tax unless the commission certifies the proposition of imposing the tax to the proper election officials, who shall submit the proposition to the voters residing in the territory at an election in accordance with the general election law, and the proposition has been approved by a majority of those voting on the proposition.

The proposition shall be in the form provided in Section 5 or shall be substantially in the following form:

 Shall the (insert corporate
 name of county water commission) YES
 impose (state type of tax or -----

 taxes to be imposed) at the NO
 rate of 1/4%?

Taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the State Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes.

(b) The board of commissioners may impose a County Water Commission Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the territory of the commission at a rate of 1/4% of the gross receipts from the sales made in the course of such business within the territory. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for

immediate consumption) and prescription and nonprescription medicine, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 2c, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12 and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State taxes that sellers are required to collect under the Use Tax Act and under subsection (e) of Section 4.03 of the Regional Transportation Authority Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

For the purpose of determining whether a tax authorized under this paragraph is applicable, a retail sale by a producer of coal or other mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

If a tax is imposed under this subsection (b) a tax shall also be imposed under subsections (c) and (d) of this Section.

No tax shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

Nothing in this paragraph shall be construed to authorize a county water commission to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by this State.

(c) If a tax has been imposed under subsection (b), a County Water Commission Service Occupation Tax shall also be imposed upon all persons engaged, in the territory of the commission, in the business of making sales of service, who, as an incident to making the sales of service, transfer tangible personal property within the territory. The tax rate shall be 1/4% of the selling price of tangible personal property so transferred within the territory. The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1a-1, 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the territory of the commission), 2a, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 4 (except that the reference to the State shall be to the territory of the commission), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the commission), 9 (except as to the disposition of taxes and penalties collected and except that the returned merchandise credit for this tax may not be taken against any State tax), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the territory of the commission), the first paragraph of Section 15, 15.5, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, and any tax for which servicemen may be liable

under subsection (f) of Sec. 4.03 of the Regional Transportation Authority Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

Nothing in this paragraph shall be construed to authorize a county water commission to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(d) If a tax has been imposed under subsection (b), a tax shall also imposed upon the privilege of using, in the territory of the commission, any item of tangible personal property that is purchased outside the territory at retail from a retailer, and that is titled or registered with an agency of this State's government, at a rate of 1/4% of the selling price of the tangible personal property within the territory, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the territory. The tax shall be collected by the Department of Revenue for a county water commission. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers, and except that food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, shall not be subject to tax hereunder), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21 and 22 of the Use Tax Act and Section 3-7 of the Uniform Penalty and Interest Act that are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of a county water commission tax fund established under paragraph (g) of this Section.

(e) A certificate of registration issued by the State Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (c) or (d) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(f) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the county water commission as of September 1 next following the adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first

day of October, whereupon the Department shall proceed to administer and enforce this Section as of the first day of January next following such adoption and filing.

(g) The State Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the commission. The taxes shall be held in a trust fund outside the State Treasury. On or before the 25th day of each calendar month, the State Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois the amount to be paid to the commission, which shall be the then balance in the fund, less any amount determined by the Department to be necessary for the payment of refunds. Within 10 days after receipt by the Comptroller of the certification of the amount to be paid to the commission, the Comptroller shall cause an order to be drawn for the payment for the amount in accordance with the direction in the certification. (Source: P.A. 91-51, eff. 6-30-99; 92-221, eff. 8-2-01.)

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

Under the rules, the foregoing **Senate Bill No. 3196**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3362

A bill for AN ACT making appropriations.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3362

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 3362 by replacing everything after the enacting clause with the following:

“ARTICLE 1

Section 5. “AN ACT making appropriations”, Public Act 93-842, approved July 30, 2004, is amended by changing Sections 5, 30 and 60 of Article 76 as follows:

(P.A. 93-842, Art. 76, Sec. 5)

Sec. 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

MANAGEMENT AND ADMINISTRATIVE SUPPORT

Payable from General Revenue Fund:

For Personal Services	590,000
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System.....	95,000
For State Contributions to	
Social Security	45,250
For Contractual Services.....	368,600
For Travel.....	3,800
For Commodities	3,500
For Printing	7,600
For Equipment	6,900
For Electronic Data Processing	19,600
For Telecommunications	15,200
For Operation of Auto Equipment.....	5,300
For Training and Education	<u>206,300</u>

[January 10, 2005]

Total	\$1,367,050
Payable from Radiation Protection Fund:	
For Personal Services	186,900
For Employee Retirement Contributions	
Paid by Employer	5,600
For State Contributions to State	
Employees' Retirement System.....	30,100
For State Contributions to	
Social Security	14,300
For Group Insurance	48,000
For Contractual Services.....	220,800
For Travel.....	10,000
For Commodities	5,400
For Printing	51,500
For Electronic Data Processing	42,700
For Telecommunications Services.....	11,700
For Operation of Auto Equipment.....	<u>16,100</u>
Total	\$643,100
Payable from Nuclear Safety Emergency	
Preparedness Fund:	
For Personal Services	2,406,650
For Employee Retirement Contributions	
Paid by Employer	72,200
For State Contributions to State	
Employees' Retirement System.....	387,600
For State Contributions to	
Social Security	184,150
For Group Insurance	540,000
For Contractual Services.....	762,200
For Travel.....	18,300
For Commodities	54,500
For Printing	2,000
For Equipment	61,500
For Electronic Data Processing	32,300
For Telecommunications Services.....	26,200
For Operation of Auto Equipment.....	<u>31,250</u>
Total	\$4,578,850
Payable from Nuclear Civil Protection Planning Fund:	
For Federal Projects	300,000
Payable from the Emergency Management	
Preparedness Fund:	
For an Emergency Management	
Preparedness Program	5,675,000
Payable from Federal Civil Preparedness	
Administrative Fund:	
For Training and Education	717,300
For Terrorism Preparedness and	
Training costs in the current	
and prior years	<u>281,093,000</u>
Total	\$287,785,300

Whenever it becomes necessary for the State or any governmental unit to furnish in a disaster area emergency services directly related to or required by a disaster and existing funds are insufficient to provide such services, the Governor may, when he considers such action in the best interest of the State, release funds from the General Revenue disaster relief appropriation in order to provide such services or to reimburse local governmental bodies furnishing such services. Such appropriation may be used for payment of the Illinois National Guard when called to active duty in case of disaster, and for the emergency purchase or renting of equipment and commodities. Such appropriation shall be used for emergency services and relief to the disaster area as a whole and shall not be used to provide private relief to persons sustaining property damages or personal injury as a

result of a disaster.

Payable from General Revenue Fund:

For disaster relief costs incurred	
<u>in current and prior years</u>	894,500
<u>in current and prior years</u>	839,500
(P.A. 93-842, Art. 76, Sec. 30)	

Sec. 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

OPERATIONS

Payable from General Revenue Fund:

For Personal Services	1,137,400
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees'	
Retirement System.....	183,200
For State Contributions to Social Security	87,000
For Contractual Services.....	84,700
For Travel.....	6,000
For Commodities	2,800
For Printing.....	4,500
For Equipment	38,400
For Electronic Data Processing	10,600
For Telecommunications	190,600
For Operation of Auto Equipment.....	<u>22,300</u>
Total.....	\$1,767,500

Payable from Nuclear Safety Emergency

Preparedness Fund:

For Personal Services	810,300
For Employee Retirement Contributions	
Paid by Employer	24,300
For State Contributions to State Employees'	
Retirement System.....	130,500
For State Contributions to Social Security	62,000
For Group Insurance.....	240,000
For Contractual Services.....	373,900
For Travel.....	39,500
For Commodities	54,300
For Printing.....	4,000
For Equipment	84,500
For Electronic Data Processing	7,000
For Telecommunications	383,500
For Operation of Auto Equipment.....	<u>18,000</u>
Total.....	\$2,231,800

Payable from the Emergency Management

Preparedness Fund:

For an Emergency Management	
<u>Preparedness Program</u>	3,000,000
<u>Preparedness Program</u>	1,500,000

Payable from Federal Civil Preparedness

Administrative Fund:

For Training and Education	350,000
(P.A. 93-842, Art. 76, Sec. 60)	

Sec. 60. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

DISASTER ASSISTANCE AND PREPAREDNESS

Payable from General Revenue Fund:

For Personal Services	394,000
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For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	63,500
For State Contributions to Social	
Security	30,100
For Commodities	1,000
For Printing	1,300
For Electronic Data Processing	5,100
For Telecommunications Services.....	8,200
For Operation of Automotive Equipment	6,500
State Share of Individual and Household	
Grant Program for Disaster	
Declarations:	
In current year.....	299,700
In prior years.....	<u>192,000</u>
Total.....	\$1,001,400
Payable from Nuclear Safety Emergency Preparedness Fund:	
For Personal Services	437,050
For Employee Retirement Contributions	
Paid by Employer	13,100
For State Contributions to State	
Employees' Retirement System	70,400
For State Contributions to Social	
Security	33,450
For Group Insurance.....	108,000
For Contractual Services.....	82,250
For Travel.....	38,000
For Commodities	11,850
For Printing	6,000
For Equipment	20,800
For Electronic Data Processing	5,000
For Telecommunications Services.....	7,500
For Operation of Automotive Equipment	14,000
For compensation to local governments	
for expenses attributable to implementation	
and maintenance of plans and programs	
authorized by the Nuclear Safety	
Preparedness Act including expenses	
incurred prior to July 1, 1997	650,000
Total	\$1,497,400
Payable from the Federal Aid Disaster Fund:	
Federal Share of Individual and Household	
Program for Disaster Declarations:	
In Current Year	21,000,000
In prior years.....	1,500,000
For State administration of the	
Individual and Household Grant Program	1,000,000
For Federal Disaster Declarations:	
In Prior Years.....	45,000,000
In Current Year	30,000,000
For State administration of the	
Federal Disaster Relief Program	1,000,000
Disaster Relief - Hazard Mitigation	
in Current Year	8,000,000
in Prior Years.....	35,000,000
For State administration of the	
Hazard Mitigation Program.....	<u>1,000,000</u>
Total	\$143,500,000

Payable from the Emergency Planning and Training Fund:	
For Activities as a Result of the Illinois Emergency Planning and Community Right To Know Act	150,000
Payable from the Nuclear Civil Protection Planning Fund:	
For Federal Projects	500,000
For Flood Mitigation Assistance	<u>3,000,000</u>
Total	\$3,650,000
Payable from the Federal Civil Preparedness Administrative Fund:	
For Training and Education	<u>2,994,000</u>
For Training and Education	<u>1,194,000</u>
Payable from the Emergency Management Preparedness Fund:	
For Emergency Management Preparedness	3,025,000

ARTICLE 2

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Section 115 and 120 of Article 54 as follows:

(P.A. 93-842, Art. 54, Sec. 115)

Sec. 115. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION PREVENTION
GRANTS-IN-AID

For Addiction Prevention and Related Services:	
Payable from General Revenue Fund	5,268,000
Payable from the Youth Alcoholism and Substance Abuse Fund	1,050,000
Payable from Alcoholism and Substance Abuse Fund	<u>6,009,300</u>
Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund	<u>16,000,000</u>
Total	\$25,327,300

(P.A. 93-842, Art. 54, Sec. 120)

Sec. 120. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT
GRANTS-IN-AID

Payable from the General Revenue Fund:	
For Costs Associated with Addiction Treatment Services For Special Populations	8,793,600
For Costs Associated with Community Based Addiction Treatment to Medicaid Eligible and KidCare clients, Including Prior Year Costs	50,713,500
For Costs Associated with Community Based Addiction Treatment Services	81,483,700
For Addiction Treatment Services for DCFS clients	11,688,300
For Grants and Administrative Expenses Related to the Welfare Reform Pilot Project	<u>2,787,200</u>
Total	\$155,466,300
Payable from Illinois State Gaming Fund	
For Costs Associated with Treatment of Individuals who are Compulsive Gamblers	<u>960,000</u>

Total	\$960,000
For Addiction Treatment and Related Services:	
Payable from Prevention and Treatment of Alcoholism and Substance Abuse	
Block Grant Fund	57,500,000
Payable from Drug Treatment Fund.....	5,000,000
Payable from Youth Drug Abuse Prevention Fund.....	530,000
Total	\$63,030,000
For underwriting the cost of housing for groups of recovering individuals:	
Payable from Group Home Loan Revolving Fund	100,000
For Grants and Administrative Expenses Related to the Domestic Violence and Substance Abuse Demonstration Project:	
Payable from General Revenue Fund.....	641,800
For Grants and Administrative Expenses Related to Addiction Treatment and Related Services:	
Payable from Drunk and Drugged Driving Prevention Fund.....	3,082,900
Payable from Alcoholism and Substance Abuse Fund.....	22,102,900
Abuse Fund.....	10,102,900

The Department, with the consent in writing from the Governor, may reappropriation not more than two percent of the total appropriation of General Revenue Funds in Section 15 above "Addiction Treatment" among the purposes therein enumerated.

ARTICLE 3

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Section 30 of Article 53 as follows:

(P.A. 93-842, Art. 53, Sec. 30)

Sec. 30. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE
AND THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT

Payable from Care Provider Fund for Persons With A Developmental Disability:	
For Administrative Expenditures.....	94,200
Payable from Long Term Care Provider Fund:	
For Skilled, Intermediate, and Other Related Long Term Care Services.....	821,328,300
For Administrative Expenditures.....	1,233,000
Total	\$822,655,500
Payable from Hospital Provider Fund:	
For Hospitals.....	984,037,200
For Hospitals.....	860,000,000
For Medical Assistance Providers	36,000,000
Total.....	\$1,020,037,200
Total.....	\$896,000,000

ARTICLE 4

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by adding new Section 60 to Article 21 as follows:

(P.A. 93-842, Art. 21, Sec. 60, new)

Sec. 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses to the Illinois Commerce Commission to administer the Police Program:

Payable from Transportation Regulatory Fund:

For Personal Services	681,950
For Employee Retirement Contributions	
Paid by Employer	20,500
For State Contributions to State	
Employees' Retirement System	109,900
For State Contributions to	
Social Security	52,050
For Group Insurance	132,000
For Contractual Services	27,600
For Travel	16,500
For Commodities	7,200
For Equipment	0
For Telecommunications Services	100,000
For Operation of Auto Equipment	44,000
Total	\$1,191,700

Section 10. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Section 5, 20, 25, 65, and 75 of Article 77 as follows:

(P.A. 93-842, Art. 77, Sec. 5)

Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF ADMINISTRATION

Payable from General Revenue Fund:

For Personal Services	6,581,700
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	1,060,100
For State Contributions to	
Social Security	436,800
For Contractual Services	3,717,500 4,067,500
For Travel	40,500 64,500
For Commodities	494,500 525,800
For Printing	93,200 94,300
For Equipment	35,600 85,200
For Telecommunications Services	164,200 185,200
For Operation of Auto Equipment	223,100
For Expenses of Apprehension of	
Fugitives	0
For Contractual Services:	
For Payment of Tort Claims	58,000
For Refunds	7,100
For Expenses regarding implementation	
of the Juvenile Justice Reform	
provisions	174,700
For Expenses associated with the	
Videotaping of Interrogations	0
For deposit into the General	
Obligation Bond Retirement and	
Interest Fund for costs associated	
with the debt service payments	
of rolling stock and capital	
equipment	0
Total	\$13,087,000 \$13,564,000

Payable from Missing and Exploited Children

Trust Fund:

For the Administration and fulfillment
of its responsibilities under the
Intergovernmental Missing Child

Recovery Act of 1984	0
Payable from the State Police Wireless Service Emergency Fund:	
For costs associated with the administration and fulfillment of its responsibilities under the Wireless Emergency Telephone Safety Act	2,000,000
Payable from the State Police Vehicle Fund:	
For equipment	150,000
(P.A. 93-842, Art. 77, Sec. 20)	
Sec. 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:	

INFORMATION SERVICES BUREAU

Payable from General Revenue Fund:	
For Personal Services	4,856,900
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	782,300
For State Contributions to Social Security	363,500
For Contractual Services.....	905,700 <u>948,200</u>
For Travel.....	28,000 <u>38,000</u>
For Commodities	34,000
For Printing	35,200
For Equipment	3,100
For Electronic Data Processing	2,165,200 <u>2,222,700</u>
For Telecommunications Services.....	625,500
Total	\$9,799,400 <u>\$9,909,400</u>

Payable from LEADS Maintenance Fund:	
For Expenses Related to LEADS System.....	3,500,000
(P.A. 93-842, Art. 77, Sec. 25)	

Sec. 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF OPERATIONS

Payable from General Revenue Fund:	
For Personal Services	60,908,200 <u>53,346,900</u>
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	9,048,600 <u>8,592,100</u>
For State Contributions to Social Security	1,996,200 <u>2,256,200</u>
For Contractual Services.....	4,343,800 <u>5,597,900</u>
For Travel.....	538,400 <u>600,900</u>
For Commodities	556,900 <u>678,900</u>
For Printing	106,000 <u>122,400</u>
For Equipment	84,900 <u>1,058,800</u>
For Electronic Data Processing	5,900 <u>88,000</u>
For Telecommunications Services.....	2,041,900 <u>2,263,000</u>
For Expenses Regarding Implementation of the Statewide Radio Communication System.....	0
For Operation of Auto Equipment.....	7,874,900 <u>7,074,900</u>
For Expenses Associated with Project X	0
Total	\$87,505,700 <u>\$81,680,000</u>
Payable from the Road Fund:	

For Personal Services	87,487,000	
For Employee Retirement Contributions		
Paid by Employer	0	
For State Contributions to State		
Employees' Retirement System	9,036,300	
For State Contributions to		
Social Security	786,700	
Total	\$97,310,000	
Payable from Transportation Regulatory Fund:		
For Personal Services	681,950	
For Employee Retirement Contributions		
Paid by Employer	20,500	
For State Contributions to State		
Employees' Retirement System	109,900	
For State Contributions to		
Social Security	52,050	
For Group Insurance	132,000	
For Contractual Services	27,600	
For Travel	16,500	
For Commodities	7,200	
For Equipment	0	
For Telecommunications Services	100,000	
For Operation of Auto Equipment	44,000	
Total	1,191,700	
Payable from the Traffic and Criminal		
Conviction Surcharge Fund:		
For Personal Services	3,024,500	2,938,500
For Employee Retirement Contributions		
Paid by Employer	0	
For State Contributions to State		
Employees' Retirement System	486,300	473,300
For State Contributions to		
Social Security	81,100	
For Group Insurance	612,000	
For Contractual Services	386,600	480,300
For Travel	63,500	68,800
For Commodities	166,600	
For Printing	22,000	
For Telecommunications Services	108,200	
For Operation of Auto Equipment	186,800	
Total	\$5,137,600	
Payable from the State Police Services Fund:		
For Payment of Expenses:		
Fingerprint Program	8,000,000	
For Payment of Expenses:		
Federal & IDOT Programs	3,780,000	
For Payment of Expenses:		
Riverboat Gambling	9,300,000	
For Payment of Expenses:		
Miscellaneous Programs	3,270,000	
Total	\$24,350,000	
Payable from the Illinois State Police		
Federal Projects Fund:		
For Payment of Expenses	15,350,000	
Payable from the Motor Carrier Safety Inspection Fund:		
For expenses associated with the		
enforcement of Federal Motor Carrier		
Safety Regulations and related		
Illinois Motor Carrier		

Safety Laws2,400,000

(P.A. 93-842, Art. 77, Sec. 65)

Sec. 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF FORENSIC SERVICES AND IDENTIFICATION

Payable from the General Revenue Fund:

For Personal Services	33,628,900	
For Employee Retirement Contributions		
Paid by Employer	0	
For State Contributions to State		
Employees' Retirement System	5,416,300	
For State Contributions to		
Social Security	2,289,100	2,379,100
For Contractual Services.....	5,554,300	7,660,800
For Travel.....	56,000	116,200
For Commodities	1,580,600	1,810,600
For Printing	67,900	77,900
For Equipment	1,136,600	1,981,400
For Electronic Data Processing	8,300	179,300
For Telecommunications Services.....	570,300	571,000
For Operation of Auto Equipment.....		164,200
For Administration of a Statewide Sexual		
Assault Evidence Collection Program.....		97,200
For Operational Expenses Related to the		
Combined DNA Index System.....	4,102,100	
Total	\$54,671,800	\$58,185,000

For Administration and Operation

of State Crime Laboratories:

Payable from State Crime Laboratory Fund.....	650,000
Payable from State Police	
DUI Fund.....	650,000
Payable from State Offender DNA	
Identification System Fund.....	1,300,000

(P.A. 93-842, Art. 77, Sec. 75)

Sec. 75. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for Internal Investigation expenses as follows:

DIVISION OF INTERNAL INVESTIGATION

Payable from the General Revenue Fund:

For Personal Services	1,484,000
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	239,000
For State Contributions to	
Social Security	40,700
For Contractual Services.....	123,600
For Travel.....	5,000
For Commodities	17,600
For Printing	3,600
For Equipment	7,800
For Telecommunications Services.....	86,400
For Operation of Auto Equipment.....	90,800
Total.....	\$2,098,500

ARTICLE 5

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by adding new Sections 140 to Article 25 as follows:

(P.A. 93-842, Art. 25, Sec. 140, new)

Sec. 140. The amount of \$1,310,371, or so much thereof as may be necessary, is

appropriated from the General Revenue Fund to the Department of Financial and Professional Regulation to pay for the judgment and related costs arising from Harvey et al vs. State of Illinois, Office of Banks and Real Estate suit.

ARTICLE 6

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by adding Section 212 to Article 44 as follows:

(P.A. 93-842, Art. 44, Sec. 212, new)

Sec. 212. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitation, new construction, and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Secretary of State to enhance security measures in the Capitol Complex:

From General Revenue Fund \$4,979,175

ARTICLE 7

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Sections 5 and 7 and adding new Section 8 of Article 2 as follows:

(P.A. 93-842, Art. 2, Sec. 5)

Sec. 5. The following amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2004:

ANALYSIS AND REPORTING DIVISION

From the General Revenue Fund:

For Personal Services	678,800
For Personal Services	653,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	40,400
For Social Security Contributions	29,900
For Social Security Contributions	49,900
Total	\$744,100

From the State Board of Education Federal Department of Education Fund:

For Personal Services	349,400
For Employee Retirement Contributions	
Paid by Employer	11,700
For Retirement Contributions	43,500
For Social Security Contributions	26,600
For Group Insurance	60,000
Total	\$491,200

BUDGET DIVISION

From the General Revenue Fund:

For Personal Services	343,700
For Personal Services	339,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	8,000
For Social Security Contributions	12,000
For Social Security Contributions	26,000
Total	\$373,700

From the State Board of Education Federal Department of Agriculture Fund:

For Personal Services	37,700
For Employee Retirement Contributions	
Paid by Employer	700
For Retirement Contributions	4,200
For Social Security Contributions	2,900
For Group Insurance	6,000
Total	\$51,500

From the State Board of Education Federal Department of Education Fund:

For Personal Services	194,000
For Employee Retirement Contributions	

Paid by Employer	7,500
For Retirement Contributions	25,300
For Social Security Contributions	14,800
For Group Insurance	<u>33,000</u>
Total	\$274,600

DATA SYSTEMS DIVISION

From the General Revenue Fund:

For Personal Services	1,686,600
For Personal Services	1,636,600
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	34,700
For Social Security Contributions	65,100
For Social Security Contributions	125,100
Total	\$1,796,400

From the Teacher Certificate Fee Revolving Fund:

For Personal Services	75,000
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	8,300
For Social Security Contributions	5,700
For Group Insurance	12,000
Total	\$104,000

From the State Board of Education Federal Department of Agriculture Fund:

For Personal Services	260,600
For Employee Retirement Contributions	
Paid by Employer	10,400
For Retirement Contributions	28,900
For Social Security Contributions	19,900
For Group Insurance	48,000
Total	\$367,800

From the State Board of Education Federal Department of Education Fund:

For Personal Services	212,900
For Employee Retirement Contributions	
Paid by Employer	8,400
For Retirement Contributions	23,600
For Social Security Contributions	16,300
For Group Insurance	36,000
Total	\$297,200

EXTERNAL ASSURANCE DIVISION

From the General Revenue Fund:

For Personal Services	404,900
For Personal Services	399,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	33,000
For Social Security Contributions	25,600
For Social Security Contributions	20,600
Total	\$463,500

From the State Board of Education Federal Department of Education Fund:

For Personal Services	2,011,400
For Employee Retirement Contributions	
Paid by Employer	70,700
For Retirement Contributions	245,300
For Social Security Contributions	153,900
For Group Insurance	348,000
Total	\$2,829,300

FINANCE AND ADMINISTRATION DIVISION

From the General Revenue Fund:

For Personal Services	136,700
For Personal Services	130,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	800
For Social Security Contributions	3,800
For Social Security Contributions	9,800
Total	\$141,300
FISCAL AND ADMINISTRATIVE SERVICES DIVISION	
From the General Revenue Fund:	
For Personal Services	1,765,400
For Personal Services	1,740,400
For Employee Retirement Contributions	
Paid by Employer	3,200
For Retirement Contributions	128,700
For Social Security Contributions	82,400
For Social Security Contributions	132,400
Total	\$2,001,500
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	162,700
For Employee Retirement Contributions	
Paid by Employer	3,200
For Retirement Contributions	22,000
For Social Security Contributions	12,400
For Group Insurance	48,000
Total	\$248,300
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	111,500
For Employee Retirement Contributions	
Paid by Employer	4,700
For Retirement Contributions	18,900
For Social Security Contributions	8,500
For Group Insurance	36,000
Total	\$179,600
FUNDING AND DISBURSEMENT DIVISION	
From the General Revenue Fund:	
For Personal Services	827,800
For Personal Services	797,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	36,800
For Social Security Contributions	31,000
For Social Security Contributions	61,000
Total	\$895,600
From the Drivers Education Fund:	
For Personal Services	57,300
For Employee Retirement Contributions	
Paid by Employer	1,700
For Retirement Contributions	2,300
For Social Security Contributions	4,400
For Group Insurance	15,000
Total	\$80,700
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	222,600
For Employee Retirement Contributions	
Paid by Employer	7,300
For Retirement Contributions	30,800
For Social Security Contributions	17,000
For Group Insurance	60,000

Total	\$337,700
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	756,200
For Employee Retirement Contributions	
Paid by Employer	23,900
For Retirement Contributions	102,900
For Social Security Contributions	57,900
For Group Insurance	186,000
Total	\$1,126,900

GENERAL COUNSEL DIVISION

From the General Revenue Fund:	
For Personal Services	840,400
For Personal Services	890,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	90,200
For Social Security Contributions	50,600
For Social Security Contributions	65,600
Total	\$1,046,200

From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	60,000
For Employee Retirement Contributions	
Paid by Employer	2,400
For Retirement Contributions	6,600
For Social Security Contributions	4,600
For Group Insurance	12,000
Total	\$85,600

From the State Board of Education Federal Department of Education Fund:	
For Personal Services	244,200
For Employee Retirement Contributions	
Paid by Employer	8,500
For Retirement Contributions	27,100
For Social Security Contributions	17,400
For Group Insurance	36,000
Total	\$333,200

GOVERNMENTAL RELATIONS DIVISION

From the General Revenue Fund:	
For Personal Services	204,800
For Personal Services	219,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	8,100
For Social Security Contributions	15,900
Total	\$243,800

From the State Board of Education Federal Department of Education Fund:	
For Personal Services	113,600
For Employee Retirement Contributions	
Paid by Employer	2,600
For Retirement Contributions	12,600
For Social Security Contributions	7,100
For Group Insurance	12,000
Total	\$147,900

HUMAN RESOURCES DIVISION

From the General Revenue Fund:	
For Personal Services	764,100
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	59,200
For Social Security Contributions	57,600

Total	\$880,900
INFORMATION TECHNOLOGY DIVISION	
From the General Revenue Fund:	
For Personal Services	146,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	900
For Social Security Contributions	10,200
Total	\$157,800
INTERNAL AUDIT DIVISION	
From the General Revenue Fund:	
For Personal Services	200,400
For Personal Services	325,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	19,800
For Social Security Contributions	19,900
For Social Security Contributions	24,900
Total	\$370,100
OPERATIONS ADMINISTRATION DIVISION	
From the General Revenue Fund:	
For Personal Services	171,300
For Personal Services	166,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	8,200
For Social Security Contributions	5,700
For Social Security Contributions	10,700
For Contractual Services	14,876,800
For Contractual Services	16,981,800
For Travel	313,700
For Commodities	62,000
For Commodities	69,000
For Printing	85,200
For Printing	105,200
For Equipment	70,900
For Equipment	78,900
For Telecommunications	476,800
For Telecommunications	576,800
For Operation of Automotive Equipment	11,800
Total	\$16,082,400
Total	\$18,322,400
From the State Board of Education Federal Agency Services Fund:	
For Contractual Services	847,000
For Travel	122,000
For Commodities	22,500
For Printing	13,000
For Equipment	11,000
For Telecommunications	18,000
Total	\$1,033,500
From the State Board of Education Federal Department of Agriculture Fund:	
For Contractual Services	2,900,000
For Travel	370,000
For Commodities	75,000
For Printing	150,000
For Equipment	75,000
For Telecommunications	75,000
Total	\$3,645,000
From the State Board of Education Federal Department of Education Fund:	

For Contractual Services.....	43,012,400
For Travel.....	1,387,500
For Commodities	440,600
For Printing.....	609,000
For Equipment	383,500
For Telecommunications	<u>612,500</u>
Total	\$46,445,500
PUBLIC INFORMATION DIVISION	
From the General Revenue Fund:	
For Personal Services	708,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions.....	59,000
For Social Security Contributions	39,200
For Social Security Contributions	54,200
Total	\$822,100
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	15,900
For Employee Retirement Contributions	
Paid by Employer	600
For Retirement Contributions.....	1,800
For Social Security Contributions	1,200
For Group Insurance	<u>3,000</u>
Total	\$22,500
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	47,700
For Employee Retirement Contributions	
Paid by Employer	2,000
For Retirement Contributions.....	5,300
For Social Security Contributions	3,600
For Group Insurance	<u>9,000</u>
Total	\$67,600
SPECIAL EDUCATION ADMINISTRATION DIVISION	
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	158,700
For Employee Retirement Contributions	
Paid by Employer	5,900
For Retirement Contributions.....	19,700
For Social Security Contributions	11,000
For Group Insurance	<u>24,000</u>
Total	\$219,300
STATE SUPERINTENDENT DIVISION	
From the General Revenue Fund:	
For Personal Services	332,500
For Personal Services	317,500
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions.....	14,800
For Social Security Contributions	<u>15,800</u>
Total	\$348,100
ACCOUNTABILITY DIVISION	
From the General Revenue Fund:	
For Personal Services	1,173,900
For Personal Services	823,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions.....	56,800
For Social Security Contributions	<u>37,700</u>
For Social Security Contributions	62,700

Total	\$943,400
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	42,100
For Employee Retirement Contributions	
Paid by Employer	1,700
For Retirement Contributions	4,700
For Social Security Contributions	3,200
For Group Insurance	<u>12,000</u>
Total	\$63,700
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	186,100
For Employee Retirement Contributions	
Paid by Employer	6,900
For Retirement Contributions	21,800
For Social Security Contributions	14,200
For Group Insurance	<u>30,000</u>
Total	\$259,000
BUSINESS AND SUPPORT SERVICES DIVISION	
From the General Revenue Fund:	
For Personal Services	961,700
For Personal Services	<u>926,700</u>
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	65,800
For Social Security Contributions	45,900
For Social Security Contributions	<u>70,900</u>
Total	\$1,063,400
From the School Infrastructure Fund:	
For Personal Services	69,900
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	2,800
For Social Security Contributions	5,300
For Group Insurance	<u>12,000</u>
Total	\$93,000
CAREER DEVELOPMENT DIVISION	
From the General Revenue Fund:	
For Personal Services	247,900
For Personal Services	<u>235,900</u>
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,400
For Social Security Contributions	6,000
For Social Security Contributions	<u>18,000</u>
Total	\$255,300
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	485,900
For Employee Retirement Contributions	
Paid by Employer	16,800
For Retirement Contributions	63,900
For Social Security Contributions	37,200
For Group Insurance	<u>96,000</u>
Total	\$699,800
CURRICULUM AND INSTRUCTION DIVISION	
From the General Revenue Fund:	
For Personal Services	190,700
For Personal Services	<u>185,700</u>
For Employee Retirement Contributions	
Paid by Employer	0

For Retirement Contributions	8,100
For Social Security Contributions	9,200
For Social Security Contributions	14,200
Total	\$208,000
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	37,200
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	4,100
For Social Security Contributions	2,800
For Group Insurance	6,000
Total	\$53,100
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	69,900
For Employee Retirement Contributions	
Paid by Employer	2,900
For Retirement Contributions	7,700
For Social Security Contributions	5,300
For Group Insurance	12,000
Total	\$97,800
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	862,700
For Employee Retirement Contributions	
Paid by Employer	27,600
For Retirement Contributions	100,100
For Social Security Contributions	66,000
For Group Insurance	159,000
Total	\$1,215,400

EARLY CHILDHOOD DIVISION

From the General Revenue Fund:	
For Personal Services	133,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	13,000
For Social Security Contributions	10,200
Total	\$156,900
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	601,900
For Employee Retirement Contributions	
Paid by Employer	24,000
For Retirement Contributions	78,300
For Social Security Contributions	46,000
For Group Insurance	108,000
Total	\$858,200

E-LEARNING DIVISION

From the General Revenue Fund:	
For Personal Services	90,300
For Personal Services	190,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,100
For Social Security Contributions	9,600
For Social Security Contributions	14,600
Total	\$206,000
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	77,100
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	8,500

For Social Security Contributions	5,900
For Group Insurance	<u>12,000</u>
Total	\$106,500
ENGLISH LANGUAGE DIVISION	
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	72,800
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	8,000
For Social Security Contributions	5,600
For Group Insurance	<u>15,000</u>
Total	\$104,400
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	785,400
For Employee Retirement Contributions	
Paid by Employer	30,200
For Retirement Contributions	119,100
For Social Security Contributions	59,700
For Group Insurance	<u>129,000</u>
Total	\$1,123,400
NUTRITION PROGRAMS DIVISION	
From the General Revenue Fund:	
For Personal Services	21,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	100
For Social Security Contributions	<u>1,700</u>
Total	\$23,500
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	2,820,400
For Employee Retirement Contributions	
Paid by Employer	117,000
For Retirement Contributions	344,200
For Social Security Contributions	139,300
For Group Insurance	<u>416,000</u>
Total	\$3,836,900
PLANNING AND PERFORMANCE DIVISION	
From the General Revenue Fund:	
For Personal Services	103,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	7,600
For Social Security Contributions	<u>7,000</u>
Total	\$118,000
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	58,200
For Employee Retirement Contributions	
Paid by Employer	3,500
For Retirement Contributions	6,400
For Social Security Contributions	3,600
For Group Insurance	<u>6,000</u>
Total	\$77,700
SCHOOL FINANCE DIVISION	
From the General Revenue Fund:	
For Personal Services	132,500
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	6,400
For Social Security Contributions	<u>10,000</u>

Total	\$148,900
SPECIAL EDUCATION – CHICAGO DIVISION	
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	1,600,600
For Employee Retirement Contributions	
Paid by Employer	68,100
For Retirement Contributions	180,300
For Social Security Contributions	122,700
For Group Insurance	296,500
Total	\$2,267,800
SPECIAL EDUCATION – SPRINGFIELD DIVISION	
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	1,960,900
For Employee Retirement Contributions	
Paid by Employer	76,100
For Retirement Contributions	234,900
For Social Security Contributions	150,000
For Group Insurance	372,000
Total	\$2,793,900
STUDENT ASSESSMENT DIVISION	
From the General Revenue Fund:	
For Personal Services	687,400
For Personal Services	607,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	15,800
For Social Security Contributions	21,500
For Social Security Contributions	46,500
Total	\$669,700
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	65,600
For Employee Retirement Contributions	
Paid by Employer	2,800
For Retirement Contributions	7,200
For Social Security Contributions	5,000
For Group Insurance	12,000
Total	\$92,600
SYSTEM OF SUPPORT DIVISION	
From the General Revenue Fund:	
For Personal Services	89,300
For Personal Services	87,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	500
For Social Security Contributions	4,700
For Social Security Contributions	6,700
Total	\$94,500
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	1,437,800
For Employee Retirement Contributions	
Paid by Employer	55,200
For Retirement Contributions	159,300
For Social Security Contributions	110,000
For Group Insurance	264,000
Total	\$2,026,300
TEACHER CERTIFICATION AND PROFESSIONAL DEVELOPMENT DIVISION	
From the General Revenue Fund:	
For Personal Services	1,462,100
For Employee Retirement Contributions	

Paid by Employer	0
For Retirement Contributions.....	70,600
For Social Security Contributions.....	75,500
For Social Security Contributions.....	<u>110,500</u>
Total.....	\$1,643,200
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	182,700
For Employee Retirement Contributions	
Paid by Employer	8,300
For Retirement Contributions.....	20,200
For Social Security Contributions	14,000
For Group Insurance.....	<u>36,000</u>
Total.....	\$261,200

TECHNOLOGY SUPPORT DIVISION

From the General Revenue Fund:	
For Personal Services	1,059,400
For Personal Services	<u>1,024,400</u>
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions.....	56,100
For Social Security Contributions.....	42,700
For Social Security Contributions.....	<u>77,700</u>
Total.....	\$1,158,200
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	48,700
For Employee Retirement Contributions	
Paid by Employer	1,900
For Retirement Contributions.....	5,400
For Social Security Contributions	3,700
For Group Insurance.....	<u>12,000</u>
Total.....	\$71,700
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	81,700
For Employee Retirement Contributions	
Paid by Employer	2,800
For Retirement Contributions.....	9,100
For Social Security Contributions	6,200
For Group Insurance.....	<u>21,000</u>
Total.....	\$120,800

(P.A. 93-842, Art. 2, Sec. 7)

Sec. 7. The following amounts or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2004:

From the General Revenue Fund:	
For Bilingual Education (over 500,000 population),34-18.2 of the School Code	35,896,600
For Bilingual Education (under 500,000 population), 10-22.38a of the School Code.....	28,655,400
For Blind/Dyslexic Persons	168,800
For Career and Technical Education	36,062,100
For Charter Schools	3,421,500
For Disabled Student Services/Materials	360,000,000
For Disabled Student Transportation Reimbursement.....	317,100,000
For Disabled Student Tuition, Private Tuition	66,811,500
For District Consolidation Costs/	

Supplemental Payments to School Districts, 18-8.2, 18-18.3, 18-8.5, 18-8.05(l) of the School Code.....	3,518,800 4,678,800
For the Early Childhood Block Grant	243,254,500
For Extraordinary Special Education, 14-7.02 of the School Code.....	243,048,000
For Fast Growth Grants	10,000,000
For General State Aid – Hold Harmless.....	30,129,800
For the Illinois Governmental Internship Program	129,900
For Jobs for Illinois Graduates	3,000,000
For the Metro East Consortium for Child Advocacy.....	217,100
For Parental Guardian Programs/ Transportation Reimbursement	14,454,700
For the Philip J. Rock Center and School	2,855,500
For the Reading Improvement Block Grant	76,139,800
For Reimbursement for the Free Breakfast/ Lunch Program	20,500,000
For the School Breakfast Incentive Program.....	723,500
For the School Safety and Educational Improvement Block Grant.....	54,841,000
For Standards, Assessments and Accountability	3,552,700
For the Summer Bridges Program.....	22,238,100
For Summer School Payments, 18-4.3 of the School Code	6,762,000
For Tax-Equivalent Grants, 18-4.4 of the School Code.....	222,600
For Teacher Education.....	4,740,000
For Technology for Success	4,134,700
For Textbook Loans, 18-17 of the School Code.....	29,126,500
For Transitional Assistance	7,700,000
For Transition of Minority Students.....	578,800
For Transportation-Regular/Vocational, Common School Transportation Reimbursement, 29-5 of the School Code	261,630,000
For Visually Impaired/Educational Materials Coordinating Unit, 14-11.01 of the School Code	1,121,000
For Regular Education Reimbursement Per 18-3 of the School Code.....	17,400,000
For Special Education Reimbursement Per 14-7.03 of the School Code	106,100,000
For all costs associated with Alternative Education/Regional Safe Schools	17,035,500
For South Cook Intermediate Service Center.....	300,000
For Truant Alternative and Optional Education Program	15,578,100
For costs associated with Teach for America.....	450,000
For grants to Local Education Agencies to conduct Agriculture Education Programs.....	1,881,200
For deposit into the Temporary Relocation	

Expenses Revolving Fund for use by the State Board of Education as provided in Section 2-3.77 of the School Code.....	400,000	0
Total.....	\$2,051,879,700	\$2,046,639,700
From the Education Assistance Fund:		
For General State Aid.....	731,900,000	
From the Common School Fund:		
For General State Aid.....	2,950,301,200	
From the Common School Fund:		
For Regional Superintendents' and Assistants' Compensation.....	8,150,000	
From the General Revenue Fund		
For Regional Superintendent's Services.....	5,470,000	
For all costs associated with the Teachers' Academy of Math and Science.....	500,000	
From the School District Emergency Financial Assistance Fund:		
For Emergency Financial Assistance, 1B-8 of the School Code.....	5,333,000	
From the Drivers Education Fund:		
For Drivers Education.....	15,750,000	
From the School Technology Revolving Fund:		
For the Statewide Educational Network.....	125,000	
From the Charter Schools Revolving Loan Fund:		
For Charter Schools Loans.....	20,000	
From the ISBE GED Testing Fund:		
For all costs associated with administering GED tests.....	800,000	
From the School Technology Revolving Loan Fund:		
For School Technology Loans, 2-3.117a of the School Code.....	7,000,000	
From the Temporary Relocation Expenses Revolving Grant Fund:		
For Temporary Relocation Expenses, 2-3.77 of the School Code.....	1,000,000	600,000
From the State Board of Education Federal Agency Services Fund:		
For Learn and Serve America.....	2,500,000	
From the State Board of Education Federal Agency Services Fund:		
For Refugee Services.....	2,500,000	
From the State Board of Education Federal Agency Services Fund:		
For the School-to-Work Program.....	3,000,000	
From the State Board of Education Federal Department of Agriculture Fund:		
For Child Nutrition.....	450,000,000	
From the State Board of Education Federal Department of Education Fund:		
For Title I.....	650,200,000	
For Title I, Reading First.....	50,000,000	
For Title II, Teacher/Principal Training.....	150,000,000	
For Title III, English Language Acquisition.....	40,000,000	
For Title IV, 21st Century/Community Service Programs.....	45,000,000	
For Title IV, Safe and Drug Free Schools.....	25,000,000	
For Title V, Innovation Programs.....	21,000,000	
For Title VI, Renovation/Special Education/Technology.....	10,000,000	
For Title VI, Rural and Low Income Students.....	1,500,000	
For Title X, McKinney Homeless Assistance.....	3,000,000	
For Enhancing Education through Technology.....	35,000,000	
For Individuals with Disabilities Act,		

Deaf/Blind	380,000
For Individuals with Disabilities Act, IDEA	550,000,000
For Individuals with Disabilities Act, Improvement Program	2,500,000
For Individuals with Disabilities Act, Model Outreach Program Grants	400,000
For Individuals with Disabilities Act, Pre-School	25,000,000
For Grants for Vocational Education – Basic	50,000,000
For Grants for Vocational Education – Technical Preparation	5,000,000
For Charter Schools	2,500,000
For Transition to Teaching	500,000
For Advanced Placement Fee	2,000,000
For Math/Science Partnerships	8,000,000
For Special Federal Congressional Projects	<u>10,000,000</u>
Total	\$1,688,080,000

ARTICLE 8

Section 5. “AN ACT making appropriations”, Public Act 93-842, approved July 30, 2004, is amended by changing Section 5 of Article 15 as follows:

(P.A. 93-842, Art. 15, Sec. 5)

Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Chicago State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	34,861,700
For State Contributions to Social Security, for Medicare	369,100
For Contractual Services.....	<u>2,026,200</u> 1,209,600
For Travel.....	16,000
For Commodities	16,000
For Equipment	313,700
For Telecommunications Services.....	304,400
For Operation of Automotive Equipment	1,000
For Awards and Grants	<u>102,200</u> 102,200
For Permanent Improvements	816,600
Total	\$38,010,300

ARTICLE 9

Section 5. “AN ACT making appropriations”, Public Act 93-842, approved July 30, 2004, is amended by changing Section 43 of Article 33 as follows:

(P.A. 93-842, Art. 33, Sec. 43)

Sec. 43. The amount of \$250,000 is appropriated from the General Revenue Fund to the Illinois Historic Preservation Agency for a grant for the establishment of ~~the Vernon Jarret Museum of Civil Rights~~ a civil rights museum.

ARTICLE 10

Section 5. “AN ACT making appropriations”, Public Act 93-842, approved July 30, 2004, is amended by changing Section 5 and adding Section 6 to Article 39 as follows:

(P.A. 93-842, Art. 39, Sec. 5)

Sec. 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Economic and Fiscal Commission:

For Personal Services	727,450	674,950
For Employee Retirement Contributions		
Paid by Employer	31,481	25,038
For State Contributions to State Employees'		
Retirement System.....	110,307	108,707
For State Contribution to Social		
Security	50,945	47,885
For Contractual Services.....	71,636	46,636
For Travel.....	3,100	2,100
For Commodities		2,363
For Printing		4,283
For Equipment		900
For Electronic Data Processing		1,500
For Telecommunications Services.....	8,550	8,300
For additional costs associated with		
the assumption of duties of the		
Pension Laws Commission		158,000
Total	\$1,170,515	\$1,080,662

(P.A. 93-842, Art. 39, Sec. 6, new)

Sec. 6. The sum of \$300,000, or so much of this amount as may be necessary, is appropriated from the General Revenue Fund to the Illinois Economic and Fiscal Commission in order to conduct an independent review of proposals presented to the Medicaid Managed Care Task Force.

ARTICLE 11

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Section 25 of Article 14 as follows:

(P.A. 93-842, Art. 14, Sec. 25)

Sec. 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the following purposes:

Grants and Scholarships

For payment of matching grants to Illinois		
institutions to supplement scholarship		
programs, as provided by law.....		950,000
For payment of Merit Recognition Scholarships		
to undergraduate students under the Merit		
Recognition Scholarship Program provided		
for in Section 31 of the Higher Education		
Student Assistance Act		5,400,000
For the payment of scholarships to students		
who are children of policemen or firemen		
killed in the line of duty, or who are		
dependents of correctional officers killed		
or permanently disabled in the line of		
duty, as provided by law		350,000
For payment of Illinois National Guard and		
Naval Militia Scholarships at		
State-controlled universities and public		
community colleges in Illinois to students		
eligible to receive such awards, as		
provided by law		4,500,000
For payment of military Veterans' scholarships		
at State-controlled universities and at		
public community colleges for students		
eligible, as provided by law.....		19,230,000
For payment of Minority Teacher Scholarships.....		3,100,000
For payment of Illinois Scholars Scholarships.....		3,020,000
For payment of Illinois Incentive for Access		
grants, as provided by law		7,200,000
<u>For college savings bond grants to students</u>		

<u>eligible to receive such awards</u>	650,000
Total.....	\$44,400,000

ARTICLE 12

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Section 65 of Article 52 as follows:
(P.A. 93-842, Art. 52, Sec. 65)

Sec. 65. The following named amounts, or so much thereof as may be necessary, respectively, for payments for care of children served by the Department of Children and Family Services:

GRANTS-IN-AID
REGIONAL OFFICES
PAYABLE FROM GENERAL REVENUE FUND

For Foster Homes and Specialized Foster Care and Prevention	161,733,000
For Counseling and Auxiliary Services.....	8,425,300
For Counseling and Auxiliary Services.....	8,435,300
<u>For Institution and Group Home Care and Prevention.....</u>	<u>92,635,700</u>
For Institution and Group Home Care and Prevention.....	92,620,700
For Services Associated with the Foster Care Initiative	7,613,800
For Purchase of Adoption and Guardianship Services	175,745,500
For Health Care Network.....	4,328,300
For Cash Assistance and Housing Locator Service to Families in the Class Defined in the Norman Consent Order	3,632,000
For Youth in Transition Program	878,400
For Youth in Transition Program	858,400
For Children's Personal and Physical Maintenance	4,625,800
For MCO Technical Assistance and Program Development.....	1,663,500
For Pre Admission/Post Discharge Psychiatric Screening	8,071,800
For Assisting in the Development of Children's Advocacy Centers	2,169,500
For Psychological Assessments including Operations and Administrative Expenses.....	3,211,900
<u>Total.....</u>	<u>\$474,734,500</u>
<u>Total.....</u>	<u>\$474,709,500</u>

PAYABLE FROM DCFS CHILDREN'S SERVICES FUND

For Foster Homes and Specialized Foster Care and Prevention	137,972,200
For Counseling and Auxiliary Services.....	19,263,600
For Institution and Group Home Care and Prevention	92,143,300
For Assisting in the development of Children's Advocacy Centers	1,505,400
For Services Associated with the Foster Care Initiative	1,620,700
For Purchase of Adoption and Guardianship Services	121,754,000
For Family Preservation Services.....	20,462,500
For Purchase of Children's Services.....	710,000
Federal Compliance/Program Improvement Plan Implementation.....	19,550,000

For Family Centered Services Initiative.....	17,476,800
Total.....	\$432,458,500

ARTICLE 13

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Section 55 of Article 75 as follows:

(P.A. 93-842, Art. 75, Sec. 55)

Sec. 55. The sum of ~~\$296,000~~ \$0, or so much thereof as may be necessary, and remains unexpended at the close of business of June 30, 2004, ~~1004~~, from the appropriation and reappropriation heretofore made in Article 8, Section 1b and Article 8A, Section 1b2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants to Illinois Universities for applied research on Transportation.

Section 10. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by adding new Section 321 of Article 98 as follows:

(P.A. 93-842, Art. 98, Sec. 321, new)

Sec. 321. The sum of \$5,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning Public Transportation heretofore made in Article 8A, Section 8b3 of Public Act 93-91 as amended, is reappropriated from the General Revenue Fund to the Department of Transportation for the same purposes.

Section 15. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Sections 5, 20, 25, 55, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 155, 230, 235 and 240 of Article 74 as follows:

(P.A. 93-842, Art. 74, Sec. 5)

Sec. 5. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

CENTRAL OFFICES, ADMINISTRATION AND PLANNING
OPERATIONS

For Personal Services	21,965,500
For Personal Services	21,800,500
For Employee Retirement Contribution	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	3,511,200
For State Contributions to Social Security	1,620,000
For Contractual Services.....	4,774,800
For Travel.....	657,200
For Commodities	471,100
For Printing.....	800,400
For Equipment	116,400
For Equipment:	
Purchase of Cars & Trucks.....	0
For Telecommunications Services.....	399,300
For Operation of Automotive Equipment	159,400
Total.....	\$34,475,300
Total.....	\$34,310,300

(P.A. 93-842, Art. 74, Sec. 20)

Sec. 20. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

BUREAU OF INFORMATION PROCESSING
OPERATIONS

For Personal Services	5,434,400
For Personal Services	5,342,400
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	872,500

Employees' Retirement System	860,500
For State Contributions to Social Security	402,000
For Contractual Services.....	5,500,300
For Travel.....	53,200
For Commodities	23,100
For Equipment	6,200
For Electronic Data Processing	106,600
For Telecommunications	1,043,200
<u>Total.....</u>	<u>\$13,441,500</u>
<u>Total.....</u>	<u>\$13,337,500</u>

(P.A. 93-842, Art. 74, Sec. 25)

Sec. 25. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

CENTRAL OFFICES, DIVISION OF HIGHWAYS
OPERATIONS

For Personal Services	27,076,700
For Personal Services	26,746,700
For Extra Help	976,000
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	4,503,000
Employees' Retirement System	4,465,000
For State Contributions to Social Security	2,043,300
For Contractual Services.....	4,856,100
For Travel.....	498,400
For Commodities	357,300
For Equipment	243,600
For Equipment:	
Purchase of Cars and Trucks	0
For Telecommunications Services.....	2,473,000
For Operation of Automotive Equipment	267,600
<u>Total.....</u>	<u>\$43,295,000</u>
<u>Total.....</u>	<u>\$42,937,000</u>

(P.A. 93-842, Art. 74, Sec. 55)

Sec. 55. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses of the Division of Traffic Safety:

TRAFFIC SAFETY
OPERATIONS

For Personal Services	5,187,000
For Personal Services	5,102,000
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	821,700
For State Contributions to Social Security	363,400
For Contractual Services.....	1,269,300
For Travel.....	51,600
For Commodities	92,200
For Printing	273,600
For Equipment	11,000
For Equipment:	
Purchase of Cars and Trucks	0
For Telecommunications Services.....	102,300
For Operation of Automotive Equipment	70,400
<u>Total.....</u>	<u>\$8,242,500</u>
<u>Total.....</u>	<u>\$8,157,500</u>

(P.A. 93-842, Art. 74, Sec. 80)

Sec. 80. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DAY LABOR
OPERATIONS

For Personal Services	4,315,900
For Personal Services	4,260,900
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	781,300
Employees' Retirement System	686,300
For State Contributions to Social Security	325,300
For Contractual Services.....	912,700
For Travel.....	226,800
For Commodities	95,400
For Equipment	186,600
For Equipment:	
Purchase of Cars and Trucks	71,400
For Telecommunications Services.....	22,300
For Operation of Automotive Equipment	248,300
<u>Total</u>	<u>\$7,186,000</u>
Total	\$7,036,000

(P.A. 93-842, Art. 74, Sec. 85)

Sec. 85. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 1, SCHAUMBURG OFFICE
OPERATIONS

For Personal Services	79,728,800
For Personal Services	75,479,600
For Extra Help	5,704,770
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	13,705,600
Employees' Retirement System	13,075,600
For State Contributions to Social Security	6,292,000
For State Contributions to Social Security	6,102,000
For Contractual Services.....	14,351,300
For Travel.....	207,500
For Commodities	5,303,300
For Equipment	1,657,500
For Equipment:	
Purchase of Cars and Trucks	2,817,900
For Telecommunications Services.....	1,568,400
For Operation of Automotive Equipment	6,168,800
<u>Total</u>	<u>\$137,505,870</u>
Total	\$132,436,670

(P.A. 93-842, Art. 74, Sec. 90)

Sec. 90. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 2, DIXON OFFICE
OPERATIONS

For Personal Services	26,439,700
For Personal Services	24,479,700
For Extra Help	2,069,400

For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	4,526,000
Employees' Retirement System	4,276,000
For State Contributions to Social Security	2,026,100
For State Contributions to Social Security	1,976,100
For Contractual Services.....	3,268,700
For Travel.....	207,800
For Commodities	2,838,000
For Equipment	1,090,500
For Equipment:	
Purchase of Cars and Trucks.....	1,019,100
For Telecommunications Services.....	354,000
For Operation of Automotive Equipment	2,040,100
<u>Total</u>	<u>\$45,879,400</u>
<u>Total</u>	<u>\$43,619,400</u>

(P.A. 93-842, Art. 74, Sec. 95)

Sec. 95. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 3, OTTAWA OFFICE
OPERATIONS

For Personal Services	24,100,100
For Personal Services	22,360,100
For Extra Help	2,276,900
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	4,168,100
Employees' Retirement System	3,968,100
For State Contributions to Social Security	1,898,400
For State Contributions to Social Security	1,848,400
For Contractual Services.....	2,668,200
For Travel.....	101,100
For Commodities	2,493,800
For Equipment	1,172,000
For Equipment:	
Purchase of Cars and Trucks.....	1,030,200
For Telecommunications Services.....	220,100
For Operation of Automotive Equipment	2,175,600
<u>Total</u>	<u>\$42,304,500</u>
<u>Total</u>	<u>\$40,314,500</u>

(P.A. 93-842, Art. 74, Sec. 100)

Sec. 100. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 4, PEORIA OFFICE
OPERATIONS

For Personal Services	21,155,400
For Personal Services	19,485,400
For Extra Help	2,141,800
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	3,633,300
Employees' Retirement System	3,483,300
For State Contributions to Social Security	1,644,300
For State Contributions to Social Security	1,614,300

For Contractual Services.....	3,595,300
For Travel.....	120,000
For Commodities	1,155,000
For Equipment	903,600
For Equipment:	
Purchase of Cars and Trucks	750,200
For Telecommunications Services.....	227,800
For Operation of Automotive Equipment	1,462,800
<u>Total.....</u>	<u>\$36,789,500</u>
Total.....	\$34,939,500

(P.A. 93-842, Art. 74, Sec. 105)

Sec. 105. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 5, PARIS OFFICE
OPERATIONS

For Personal Services	22,554,200
For Personal Services	20,939,200
For Extra Help	1,652,300
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
<u>Employees' Retirement System.....</u>	<u>3,808,600</u>
Employees' Retirement System.....	3,638,600
For State Contributions to Social Security	1,723,400
For State Contributions to Social Security	1,693,400
For Contractual Services.....	2,599,800
For Travel.....	76,900
For Commodities	1,538,100
For Equipment	978,600
For Equipment:	
Purchase of Cars and Trucks	782,200
For Telecommunications Services.....	137,200
For Operation of Automotive Equipment	1,765,100
<u>Total.....</u>	<u>\$37,616,400</u>
Total.....	\$35,801,400

(P.A. 93-842, Art. 74, Sec. 110)

Sec. 110. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 6, SPRINGFIELD OFFICE
OPERATIONS

For Personal Services	24,507,400
For Personal Services	22,722,400
For Extra Help	1,500,000
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
<u>Employees' Retirement System.....</u>	<u>4,116,300</u>
Employees' Retirement System.....	3,901,300
For State Contributions to Social Security	1,858,000
For State Contributions to Social Security	1,808,000
For Contractual Services.....	2,973,600
For Travel.....	114,200
For Commodities	1,689,800
For Equipment	808,900
For Equipment:	
Purchase of Cars and Trucks	711,100
For Telecommunications Services.....	225,300

For Operation of Automotive Equipment	2,219,700
<u>Total</u>	<u>\$40,724,300</u>
Total	\$38,674,300

(P.A. 93-842, Art. 74, Sec. 115)

Sec. 115. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 7, EFFINGHAM OFFICE
OPERATIONS

For Personal Services	16,580,800
For Personal Services	15,165,800
For Extra Help	1,113,700
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
<u>Employees' Retirement System</u>	<u>2,797,000</u>
Employees' Retirement System	2,622,000
For State Contributions to Social Security	1,260,000
For State Contributions to Social Security	1,210,000
For Contractual Services.....	1,811,300
For Travel.....	139,900
For Commodities	1,101,700
For Equipment	753,300
For Equipment:	
Purchase of Cars and Trucks	522,600
For Telecommunications Services.....	134,300
For Operation of Automotive Equipment	913,100
<u>Total</u>	<u>\$27,127,700</u>
Total	\$25,487,700

(P.A. 93-842, Art. 74, Sec. 120)

Sec. 120. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 8, COLLINSVILLE OFFICE
OPERATIONS

For Personal Services	31,049,800
For Personal Services	28,439,800
For Extra Help	1,849,300
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
<u>Employees' Retirement System</u>	<u>5,268,400</u>
Employees' Retirement System	4,878,400
For State Contributions to Social Security	2,375,800
For State Contributions to Social Security	2,260,800
For Contractual Services.....	5,169,100
For Travel.....	184,800
For Commodities	1,615,100
For Equipment	1,296,600
For Equipment:	
Purchase of Cars and Trucks	1,292,400
For Telecommunications Services.....	703,100
For Operation of Automotive Equipment	1,831,500
<u>Total</u>	<u>\$52,635,900</u>
Total	\$49,520,900

(P.A. 93-842, Art. 74, Sec. 125)

Sec. 125. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 9, CARBONDALE OFFICE
OPERATIONS

For Personal Services	15,714,800
For Personal Services	15,039,800
For Extra Help	1,265,600
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	2,736,200
Employees' Retirement System	2,626,200
For State Contributions to Social Security	1,206,100
For State Contributions to Social Security	1,191,100
For Contractual Services.....	2,068,800
For Travel.....	63,600
For Commodities	795,600
For Equipment	718,800
For Equipment:	
Purchase of Cars and Trucks	597,900
For Telecommunications Services.....	100,300
For Operation of Automotive Equipment	1,053,700
<u>Total.....</u>	<u>\$26,321,400</u>
<u>Total.....</u>	<u>\$25,521,400</u>

(P.A. 93-842, Art. 74, Sec. 130)

Sec. 130. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated to the Department of Transportation for the ordinary and contingent expenses of Aeronautics Operations:

AERONAUTICS DIVISION
OPERATIONS

For Personal Services:	
Payable from the Road Fund	4,423,500
 Payable from the Road Fund	4,235,500
For Employee Retirement Contributions	
Paid by State:	
Payable from the Road Fund	0
For State Contributions to State	
Employees' Retirement System:	
Payable from the Road Fund	717,200
Payable from the Road Fund	682,200
For State Contributions to Social Security:	
Payable from the Road Fund	329,700
Payable from the Road Fund	319,700
For Contractual Services:	
Payable from the Road Fund	2,905,800
Payable from Air Transportation	
Revolving Fund	800,000
For Travel:	
Payable from the Road Fund	109,300
For Travel: Executive Air Transportation	
Expenses of the General Assembly:	
Payable from the General Revenue Fund	190,100
For Travel: Executive Air Transportation	
Expenses of the Governor's Office:	
Payable from the General Revenue Fund	181,600
For Commodities:	
Payable from Aeronautics Fund	149,500
Payable from the Road Fund	454,000
For Equipment:	
Payable from the General Revenue Fund	2,104,900
Payable from the Road Fund	269,800

For Equipment: Purchase of Cars and Trucks:	
Payable from the Road Fund	0
For Telecommunications Services:	
Payable from the Road Fund	95,000
For Operation of Automotive Equipment:	
Payable from the Road Fund	20,100
<u>Total</u>	<u>\$12,750,500</u>
<u>Total</u>	<u>\$12,517,500</u>

(P.A. 93-842, Art. 74, Sec. 155)

Sec. 155. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses incident to Public Transportation and Railroads Operations:

PUBLIC TRANSPORTATION DIVISION
OPERATIONS

For Personal Services	1,519,300
For Personal Services	1,500,800
For Employee Retirement Contributions	0
For State Contributions to State Employees' Retirement System	241,700
For State Contributions to Social Security	111,800
For Contractual Services.....	21,400
For Travel.....	16,500
For Commodities	2,400
For Equipment	11,600
For Equipment: Purchase of Cars and Trucks.....	18,000
For Telecommunications Services.....	20,300
For Operation of Automotive Equipment	11,100
<u>Total</u>	<u>\$1,974,100</u>
<u>Total</u>	<u>\$1,955,600</u>

(P.A. 93-842, Art. 74, Sec. 230)

Sec. 230. The following named sums, or so much thereof as may be necessary for the agencies hereinafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Commercial Motor Vehicle Safety Program under provisions of Title IV of the Surface Transportation Assistance Act of 1982, as amended by the Transportation Equity Act for the 21st Century:

FOR THE DIVISION OF TRAFFIC SAFETY

For Personal Services	661,600
For Employee Retirement Contributions Paid by the State	0
For State Contributions to State Employees' Retirement System	106,600
For State Contributions to Social Security	49,500
For Contractual Services.....	331,500
For Travel.....	73,900
For Commodities	24,000
For Printing	34,300
For Equipment	47,600
For Telecommunications Services.....	1,900
For Operation of Automotive Equipment	4,900
Total	\$1,335,800

FOR THE DEPARTMENT OF STATE POLICE

For Personal Services	4,592,400
For Personal Services	4,377,600
For Employee Retirement Contributions Paid by the State	0
For State Contributions to State	

Employees' Retirement System	714,400
Employees' Retirement System	705,100
For State Contributions to Social Security	68,500
For Contractual Services.....	457,100
For Travel.....	325,800
For Commodities	249,700
For Printing	89,800
For Equipment	618,300
For Equipment:	
Purchase of Cars and Trucks	595,100
For Telecommunications Services.....	243,300
For Operation of Automotive Equipment	309,100
<u>Total.....</u>	<u>\$8,263,500</u>
Total.....	\$8,039,400

(P.A. 93-842, Art. 74, Sec. 235)

Sec. 235. The following named sums, or so much thereof as may be necessary for the agencies hereinafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Illinois Highway Safety Program under provisions of the National Highway Safety Act of 1966, as amended:

FOR THE SECRETARY OF STATE

For Personal Services	173,900
For Personal Services	165,300
For Employee Retirement Contributions	
Paid by the State	0
For State Contributions to State	
Employees' Retirement System	26,600
For State Contributions to Social Security	20,300
For Contractual Services.....	76,000
For Travel.....	12,000
For Commodities	18,500
For Printing	47,700
For Equipment	28,500
For Operation of Automotive Equipment	26,000
<u>Total.....</u>	<u>\$429,500</u>
Total.....	\$420,900

FOR THE DEPARTMENT OF STATE POLICE

For Personal Services	2,363,800
For Personal Services	2,267,300
For Employee Retirement Contributions	
Paid by the State	0
For State Contributions to State	
Employees' Retirement System	365,200
For State Contributions to Social Security	32,200
For Contractual Services.....	17,700
For Travel.....	10,200
For Commodities	12,600
For Equipment	14,000
For Operation of Auto Equipment.....	150,500
<u>Total.....</u>	<u>\$2,966,200</u>
Total.....	\$2,869,700

FOR THE DIVISION OF TRAFFIC SAFETY

For Personal Services	501,500
For Personal Services	497,500
For Employee Retirement Contributions	
Paid by the State	0
For State Contributions to State Employees'	
Retirement System.....	80,100
For State Contributions to Social Security	39,900
For Contractual Services.....	3,034,500

For Travel.....	79,900
For Commodities.....	192,300
For Printing.....	174,000
For Equipment.....	15,500
For Telecommunications Services.....	2,200
<u>Total.....</u>	<u>\$4,119,900</u>
<u>Total.....</u>	<u>\$4,115,900</u>

FOR THE DEPARTMENT OF PUBLIC HEALTH

For Contractual Services.....	108,900
For Travel.....	1,000
For Commodities.....	1,600
Total.....	\$111,500

FOR THE ILLINOIS LAW ENFORCEMENT
STANDARDS TRAINING BOARD

For Contractual Services.....	120,000
For Printing.....	5,000
Total.....	\$125,000

FOR LOCAL GOVERNMENTS

For local highway safety projects
by county and municipal governments,
state and private universities and other
other private entities..... 5,269,200
(P.A. 93-842, Art. 74, Sec. 240)

Sec. 240. The following named sums, or so much thereof as may be necessary for the agencies hereafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Alcohol Traffic Safety Programs of Title XXIII of the Surface Transportation Assistance Act of 1982, as amended by the Transportation Equity Act for the 21st Century:

FOR THE ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS (410)

For Contractual Services.....	13,000
For Travel.....	19,000
Total.....	\$32,000

FOR THE DIVISION OF TRAFFIC SAFETY (410)

For Contractual Services.....	0
For Travel.....	3,100
For Commodities.....	142,300
For Printing.....	108,900
For Equipment.....	424,000
Total.....	\$678,300

FOR THE SECRETARY OF STATE (410)

For Personal Services.....	33,900
For Personal Services.....	32,000

For Employee Retirement Contributions
Paid by the State..... 0

For the State Contribution to State
Employees' Retirement System..... 5,200
For the State Contribution to Social

Security.....	500
For Contractual Services.....	28,100
For Travel.....	3,000
For Commodities.....	70,100
For Printing.....	59,500
For Equipment.....	42,400
For Telecommunication Services.....	1,000
For Operation of Auto Equipment.....	1,800
<u>Total.....</u>	<u>\$245,500</u>
<u>Total.....</u>	<u>\$243,600</u>

FOR THE DEPARTMENT OF STATE POLICE (410)

For Personal Services.....	879,200
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For Personal Services	841,500
For Employee Retirement Contributions	
Paid by the State	0
For the State Contribution to State	
Employees' Retirement System	135,500
For the State Contribution to Social	
Security	10,900
For Commodities	3,500
For Equipment	0
For Operation of Auto Equipment	58,200
Total	<u>\$1,087,300</u>
Total	<u>\$1,049,600</u>

ARTICLE 14

Section 1. "AN ACT making appropriations", Public Act 93-0842, approved July 30, 2004, is amended by changing Section 20 of Article 19 as follows:

(P.A. 93-0842, Art. 19, Sec. 20)

Sec. 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

BUREAU OF STRATEGIC SOURCING AND PROCUREMENT
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	1,815,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	292,400
For State Contributions to Social	
Security	127,100
For Contractual Services	104,700
For Travel	31,100
For Commodities	25,500
For Printing	28,100
For Equipment	11,800
For Telecommunications Services	35,900
For Operation of Auto Equipment	3,200
Total	<u>\$2,475,000</u>

PAYABLE FROM STATE GARAGE REVOLVING FUND

For Personal Services	8,548,100
For Personal Services	7,570,000
For Employee Retirement Contributions	
Paid by Employer	227,100
For State Contributions to State	
Employees' Retirement System	1,354,600
Employees' Retirement System	1,219,200
For State Contributions to Social	
Security	653,500
Security	579,000
For Group Insurance	2,419,400
For Group Insurance	1,752,000
For Contractual Services	1,107,000
For Travel	39,900
For Commodities	135,100
For Printing	34,500
For Equipment	750,500
For Telecommunications Services	151,600
For Operation of Auto Equipment	19,361,700
For Operation of Auto Equipment	21,217,100
For Refunds	10,000
Total	<u>\$34,793,000</u>

[January 10, 2005]

PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND

For Personal Services	1,405,000
For Employee Retirement Contributions	
Paid by Employer	42,100
For State Contributions to State	
Employees' Retirement System	226,300
For State Contributions to	
Social Security	107,500
For Group Insurance	336,000
For Contractual Services	520,200
For Travel	31,600
For Commodities	13,600
For Printing	5,400
For Equipment	19,000
For Electronic Data Processing	9,200
For Telecommunications Services	<u>21,000</u>
Total	\$2,736,900

PAYABLE FROM PAPER AND PRINTING REVOLVING FUND

For Personal Services	128,500
For Employee Retirement Contributions	
Paid by Employer	3,900
For State Contributions to State	
Employees' Retirement System	20,700
For State Contributions to Social	
Security	9,900
For Group Insurance	36,000
For Contractual Services	113,300
For Travel	6,600
For Commodities	25,000
For Printing	5,000
For Equipment	70,000
For Telecommunications Services	3,700
For Operation of Auto Equipment	4,500
For Warehouse Stock for all State	
Agencies and for printing and	
distribution of wall certificates	1,971,100
For Refunds	<u>5,000</u>
Total	\$2,403,200

PAYABLE FROM COMMUNICATIONS REVOLVING FUND

For Personal Services	460,000
For Employee Retirement Contributions	
Paid by Employer	13,800
For State Contributions to State	
Employees' Retirement System	74,100
For State Contributions to Social	
Security	35,200
For Group Insurance	108,000
For Contractual Services	9,000
For Travel	8,000
For Commodities	2,700
For Printing	900
For Equipment	9,700
For Electronic Data Processing	13,300
For Telecommunications Services	<u>7,800</u>
Total	\$742,500

PAYABLE FROM HEALTH INSURANCE RESERVE FUND

For Personal Services	411,400
For Employee Retirement Contributions	
Paid by Employer	12,300

For State Contributions to State Employees' Retirement System	66,300
For State Contributions to Social Security	31,500
For Group Insurance	84,000
For Contractual Services	7,000
For Travel	21,500
For Commodities	2,100
For Printing	700
For Equipment	8,100
For Electronic Data Processing	12,300
For Telecommunications Services	<u>6,800</u>
Total	\$664,000

ARTICLE 15

Section 5. "AN ACT making appropriations", Public Act 93-0842, approved July 30, 2004, is amended by changing Sections 95 and 100 of Article 18 as follows:

(P.A. 93-0842, Art. 18, Sec. 95)

Sec. 95. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

DUQUOIN BUILDINGS AND GROUNDS

Payable from General Revenue Fund:

For Personal Services	1,011,100
For Personal Services	930,400
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	162,900
Employees' Retirement System	149,900
For State Contributions to Social Security	77,900
Social Security	71,700
For Contractual Services	475,700
For Contractual Services	325,700
For Travel	6,900
For Commodities	60,500
For Equipment	90,200
For Telecommunications Services	16,900
For Operation of Auto Equipment	7,100
Total	\$1,909,200
Total	\$1,659,300

(P.A. 93-842, Art. 18, Sec. 100)

Sec. 100. The sum of ~~\$450,000~~ \$346,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture to conduct activities at the Illinois State Fairgrounds at DuQuoin other than the Illinois State Fair, including administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairgrounds uses sufficient to offset such expenditures have been collected and deposited into the Agricultural Premium Fund.

ARTICLE 16

Section 5. "AN ACT making appropriations", Public Act 93-842, approved July 30, 2004, is amended by changing Section 45 of Article 59 as follows:

(P.A. 93-842, Art. 59, Sec. 45)

Section 45. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROMOTION

Payable from the General Revenue Fund:

For Grants for Vision and Hearing Screening Programs	674,800
For Grants Associated with Donated Dental Services	73,300

For a grant to the Amyotrophic Lateral Sclerosis (ALS) Association for Research into discovering the cause and cure for Amyotrophic Lateral Sclerosis	1,000,000
Total	\$1,748,100
<u>Payable from the Public Health Special State Projects Fund:</u>	
<u>For Grants Associated with Donated Dental Services.....</u>	
	75,000
Payable from the Alzheimer’s Disease Research Fund:	
For Grants Pursuant to the Alzheimer’s Disease Research Act	200,000
Payable from the Public Health Services Fund:	
For Grants for Public Health Programs, Including Operational Expenses.....	6,000,000
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:	
For Grants for the Lead Poisoning Screening and Prevention Program	2,000,000
Payable from the Maternal and Child Health Services Block Grant Fund:	
For Grants for Maternal and Child Health Programs	495,000
Payable from the Preventive Health and Health Services Block Grant Fund:	
For Grants for Prevention Programs including operational expenses.....	2,000,000
Payable from the Metabolic Screening and Treatment Fund:	
For Grants for Metabolic Screening Follow-up Services	2,200,000
For Grants for Free Distribution of Medical Preparations and Food Supplies	1,250,000
Total	\$3,450,000
Payable from the General Revenue Fund:	
For Grants to the University of Chicago Transplant Section for Juvenile Diabetes Research.....	2,500,000
Payable from the Tobacco Settlement Recovery Fund:	
For Certified Local Health Department Grants for Anti-Smoking Programs	5,000,000
For Grants and Administrative Expenses for the Tobacco Use Prevention Program.....	5,000,000
Total	\$10,000,000

ARTICLE 17

Section 5. “AN ACT making appropriations,” Public Act 93-842, approved July 30, 2004, is amended by adding new Section 105 to Article 28, as follows:

(P.A. 93-842, Art. 28, Sec. 105, new)

Sec. 105. The amount of \$3,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Natural Resources for contributions of funds to park districts and other entities as provided by the “Illinois Horse Racing Act of 1975” and to public museums and aquariums located in park districts, as provided by “AN ACT concerning aquariums and museums in public parks” and the “Illinois Horse Racing Act of 1975” as now or hereafter amended.

ARTICLE 98

Section 1. The sum of \$20,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Court of Claims for payment of line of duty awards.

Section 2. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Court of Claims to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 98-CC-4105, Theresa A. Werneth. Personal Injury, against the Illinois State Police.....	\$40,000.00
No. 00-CC-1731, Vicki Norris. Personal Injury, against Northern Illinois University.....	\$80,000.00
No. 02-CC-0046, Lynn Martin, as father and next friend of Jeffery and Bradley Martin. Personal Injury, against the Illinois State Police.....	\$8,750.00
No. 03-CC-0191, Tyrone Robinson. Personal Injury, against the Department of Corrections.....	\$75,000.00
No. 04-CC-4511, Addus Healthcare Inc. Debt, against the Department of Corrections.....	\$112,829.58

Section 3. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from Road Fund 011, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 01-CC-4187, Allstate Insurance Company a/s/o Edward Bonkowski. Property Damage, against the Department of Transportation.....	\$5,200.12
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Section 4. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from Federal Fund 063, Public Health Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000.....	\$17,373.58
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Section 5. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from Federal Fund 081, Vocational Rehabilitation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000.....	\$22,419.72
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Section 6. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from State Fund 304, Statistical Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000.....	\$36,527.00
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Section 7. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from State Fund 344, Care Provider Fund for Persons with Developmental Disability, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000.....	\$39,374.06
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Section 8. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from Federal Fund 408, Special Purposes Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 04-CC-2073, TIA/Chicago Connections. Debt, against the Department of Human Services.....	\$58,229.18
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Section 9. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from Federal Fund 065, US Environmental Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 97-CC-4339, Kimmins Corporation. Debt, against the Illinois Environmental Protection Agency.....	\$632,342.70
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Section 10. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from State Fund 581, Juvenile Accountability Incentive Block

Grant Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 04-CC-4346, Bloom Township Government.

Debt, against the Criminal Justice

Information Authority..... \$67,500.00

Section 11. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from State Fund 757, Child Support Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation

claims less than \$50,000. \$38,799.76

Section 12. The following named amount, or so much thereof as may be necessary, is appropriated to the Court of Claims from Federal Fund 911, Juvenile Justice Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation

claims less than \$50,000..... \$12,891.46

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

Under the rules, the foregoing **Senate Bill No. 3362**, with House Amendment No. 2, was referred to the Secretary’s Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3195

A bill for AN ACT in relation to budget implementation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3195

Passed the House, as amended, January 10, 2005.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 3195 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 3 as follows:

(5 ILCS 375/3) (from Ch. 127, par. 523)

Sec. 3. Definitions. Unless the context otherwise requires, the following words and phrases as used in this Act shall have the following meanings. The Department may define these and other words and phrases separately for the purpose of implementing specific programs providing benefits under this Act.

(a) "Administrative service organization" means any person, firm or corporation experienced in the handling of claims which is fully qualified, financially sound and capable of meeting the service requirements of a contract of administration executed with the Department.

(b) "Annuitant" means (1) an employee who retires, or has retired, on or after January 1, 1966 on an immediate annuity under the provisions of Articles 2, 14 (including an employee who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity), 15 (including an employee who has retired under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code; (2) any person who was receiving group insurance coverage under this Act as of March 31, 1978 by reason of his status as an annuitant, even though the annuity in relation to which such coverage was provided is a proportional annuity based on less than the minimum period of service required for a retirement annuity in the system involved; (3) any person not otherwise covered by this Act who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code; (4) the spouse of any person who is receiving a retirement annuity under Article 18 of the Illinois Pension Code and who

[January 10, 2005]

is covered under a group health insurance program sponsored by a governmental employer other than the State of Illinois and who has irrevocably elected to waive his or her coverage under this Act and to have his or her spouse considered as the "annuitant" under this Act and not as a "dependent"; or (5) an employee who retires, or has retired, from a qualified position, as determined according to rules promulgated by the Director, under a qualified local government or a qualified rehabilitation facility or a qualified domestic violence shelter or service. (For definition of "retired employee", see (p) post).

(b-5) "New SERS annuitant" means a person who, on or after January 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 14 of the Illinois Pension Code (including an employee who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of that Code in lieu of an annuity), and is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(b-6) "New SERS annuitant" means a person who (1) on or after January 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 15 of the Illinois Pension Code, (2) has not made the election authorized under Section 15-135.1 of the Illinois Pension Code, and (3) is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(b-7) "New TRS State annuitant" means a person who, on or after July 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 16 of the Illinois Pension Code based on service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of that Code, and is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(c) "Carrier" means (1) an insurance company, a corporation organized under the Limited Health Service Organization Act or the Voluntary Health Services Plan Act, a partnership, or other nongovernmental organization, which is authorized to do group life or group health insurance business in Illinois, or (2) the State of Illinois as a self-insurer.

(d) "Compensation" means salary or wages payable on a regular payroll by the State Treasurer on a warrant of the State Comptroller out of any State, trust or federal fund, or by the Governor of the State through a disbursing officer of the State out of a trust or out of federal funds, or by any Department out of State, trust, federal or other funds held by the State Treasurer or the Department, to any person for personal services currently performed, and ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, or benefits payable under the Workers' Compensation or Occupational Diseases Act or benefits payable under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Compensation" also means salary or wages paid to an employee of any qualified local government or qualified rehabilitation facility or a qualified domestic violence shelter or service.

(e) "Commission" means the State Employees Group Insurance Advisory Commission authorized by this Act. Commencing July 1, 1984, "Commission" as used in this Act means the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability as established by the Legislative Commission Reorganization Act of 1984.

(f) "Contributory", when referred to as contributory coverage, shall mean optional coverages or benefits elected by the member toward the cost of which such member makes contribution, or which are funded in whole or in part through the acceptance of a reduction in earnings or the foregoing of an increase in earnings by an employee, as distinguished from noncontributory coverage or benefits which are paid entirely by the State of Illinois without reduction of the member's salary.

(g) "Department" means any department, institution, board, commission, officer, court or any agency of the State government receiving appropriations and having power to certify payrolls to the Comptroller authorizing payments of salary and wages against such appropriations as are made by the General Assembly from any State fund, or against trust funds held by the State Treasurer and includes boards of trustees of the retirement systems created by Articles 2, 14, 15, 16 and 18 of the Illinois Pension Code. "Department" also includes the Illinois Comprehensive Health Insurance Board, the Board of Examiners established under the Illinois Public Accounting Act, and the Illinois Finance Authority.

(h) "Dependent", when the term is used in the context of the health and life plan, means a member's spouse and any unmarried child (1) from birth to age 19 including an adopted child, a child who lives with the member from the time of the filing of a petition for adoption until entry of an order of adoption, a stepchild or recognized child who lives with the member in a parent-child relationship, or a child who lives with the member if such member is a court appointed guardian of the child, or (2) age 19 to 23 enrolled as a full-time student in any accredited school, financially dependent upon the member, and

eligible to be claimed as a dependent for income tax purposes, or (3) age 19 or over who is mentally or physically handicapped. For the health plan only, the term "dependent" also includes any person enrolled prior to the effective date of this Section who is dependent upon the member to the extent that the member may claim such person as a dependent for income tax deduction purposes; no other such person may be enrolled. For the health plan only, the term "dependent" also includes any person who has received after June 30, 2000 an organ transplant and who is financially dependent upon the member and eligible to be claimed as a dependent for income tax purposes.

(i) "Director" means the Director of the Illinois Department of Central Management Services.

(j) "Eligibility period" means the period of time a member has to elect enrollment in programs or to select benefits without regard to age, sex or health.

(k) "Employee" means and includes each officer or employee in the service of a department who (1) receives his compensation for service rendered to the department on a warrant issued pursuant to a payroll certified by a department or on a warrant or check issued and drawn by a department upon a trust, federal or other fund or on a warrant issued pursuant to a payroll certified by an elected or duly appointed officer of the State or who receives payment of the performance of personal services on a warrant issued pursuant to a payroll certified by a Department and drawn by the Comptroller upon the State Treasurer against appropriations made by the General Assembly from any fund or against trust funds held by the State Treasurer, and (2) is employed full-time or part-time in a position normally requiring actual performance of duty during not less than 1/2 of a normal work period, as established by the Director in cooperation with each department, except that persons elected by popular vote will be considered employees during the entire term for which they are elected regardless of hours devoted to the service of the State, and (3) except that "employee" does not include any person who is not eligible by reason of such person's employment to participate in one of the State retirement systems under Articles 2, 14, 15 (either the regular Article 15 system or the optional retirement program established under Section 15-158.2) or 18, or under paragraph (2), (3), or (5) of Section 16-106, of the Illinois Pension Code, but such term does include persons who are employed during the 6 month qualifying period under Article 14 of the Illinois Pension Code. Such term also includes any person who (1) after January 1, 1966, is receiving ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, (2) receives total permanent or total temporary disability under the Workers' Compensation Act or Occupational Disease Act as a result of injuries sustained or illness contracted in the course of employment with the State of Illinois, or (3) is not otherwise covered under this Act and has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code. However, a person who satisfies the criteria of the foregoing definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code is also an "employee" for the purposes of this Act. "Employee" also includes any person receiving or eligible for benefits under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Employee" also includes each officer or employee in the service of a qualified local government, including persons appointed as trustees of sanitary districts regardless of hours devoted to the service of the sanitary district, and each employee in the service of a qualified rehabilitation facility and each full-time employee in the service of a qualified domestic violence shelter or service, as determined according to rules promulgated by the Director.

(l) "Member" means an employee, annuitant, retired employee or survivor.

(m) "Optional coverages or benefits" means those coverages or benefits available to the member on his or her voluntary election, and at his or her own expense.

(n) "Program" means the group life insurance, health benefits and other employee benefits designed and contracted for by the Director under this Act.

(o) "Health plan" means a health benefits program offered by the State of Illinois for persons eligible for the plan.

(p) "Retired employee" means any person who would be an annuitant as that term is defined herein but for the fact that such person retired prior to January 1, 1966. Such term also includes any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant but for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code.

(q) "Survivor" means a person receiving an annuity as a survivor of an employee or of an annuitant. "Survivor" also includes: (1) the surviving dependent of a person who satisfies the definition of

"employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; (2) the surviving dependent of any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant except for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; and (3) the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-2) "SERS" means the State Employees' Retirement System of Illinois, created under Article 14 of the Illinois Pension Code.

(q-3) "SURS" means the State Universities Retirement System, created under Article 15 of the Illinois Pension Code.

(q-4) "TRS" means the Teachers' Retirement System of the State of Illinois, created under Article 16 of the Illinois Pension Code.

(q-5) "New SERS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 14 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SERS annuitant as defined in subsection (b-5). "New SERS survivor" includes the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-6) "New SURS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 15 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SURS annuitant as defined in subsection (b-6).

(q-7) "New TRS State survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 16 of the Illinois Pension Code and is based on the death of (i) an employee who is a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of that Code and whose death occurs on or after July 1, 1998, or (ii) a new TRS State annuitant as defined in subsection (b-7).

(r) "Medical services" means the services provided within the scope of their licenses by practitioners in all categories licensed under the Medical Practice Act of 1987.

(s) "Unit of local government" means any county, municipality, township, school district (including a combination of school districts under the Intergovernmental Cooperation Act), special district or other unit, designated as a unit of local government by law, which exercises limited governmental powers or powers in respect to limited governmental subjects, any not-for-profit association with a membership that primarily includes townships and township officials, that has duties that include provision of research service, dissemination of information, and other acts for the purpose of improving township government, and that is funded wholly or partly in accordance with Section 85-15 of the Township Code; any not-for-profit corporation or association, with a membership consisting primarily of municipalities, that operates its own utility system, and provides research, training, dissemination of information, or other acts to promote cooperation between and among municipalities that provide utility services and for the advancement of the goals and purposes of its membership; the Southern Illinois Collegiate Common Market, which is a consortium of higher education institutions in Southern Illinois; and the Illinois Association of Park Districts. "Qualified local government" means a unit of local government approved by the Director and participating in a program created under subsection (i) of Section 10 of this Act.

(t) "Qualified rehabilitation facility" means any not-for-profit organization that is accredited by the Commission on Accreditation of Rehabilitation Facilities or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services to persons with disabilities and which receives funds from the State of Illinois for providing those services, approved by the Director and participating in a program created under subsection (j) of Section 10 of this Act.

(u) "Qualified domestic violence shelter or service" means any Illinois domestic violence shelter or service and its administrative offices funded by the Department of Human Services (as successor to the Illinois Department of Public Aid), approved by the Director and participating in a program created under subsection (k) of Section 10.

(v) "TRS benefit recipient" means a person who:

- (1) is not a "member" as defined in this Section; and
- (2) is receiving a monthly benefit or retirement annuity under Article 16 of the Illinois Pension Code; and
- (3) either (i) has at least 8 years of creditable service under Article 16 of the

Illinois Pension Code, or (ii) was enrolled in the health insurance program offered under that Article on January 1, 1996, or (iii) is the survivor of a benefit recipient who had at least 8 years of creditable service under Article 16 of the Illinois Pension Code or was enrolled in the health insurance program offered under that Article on the effective date of this amendatory Act of 1995, or (iv) is a recipient or survivor of a recipient of a disability benefit under Article 16 of the Illinois Pension Code.

(w) "TRS dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a TRS benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the TRS benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the TRS benefit recipient, eligible to be claimed as a dependent for income tax purposes, and either is under age 24 or was, on January 1, 1996, participating as a dependent beneficiary in the health insurance program offered under Article 16 of the Illinois Pension Code, or (iii) age 19 or over who is mentally or physically handicapped.

(x) "Military leave with pay and benefits" refers to individuals in basic training for reserves, special/advanced training, annual training, emergency call up, or activation by the President of the United States with approved pay and benefits.

(y) "Military leave without pay and benefits" refers to individuals who enlist for active duty in a regular component of the U.S. Armed Forces or other duty not specified or authorized under military leave with pay and benefits.

(z) "Community college benefit recipient" means a person who:

(1) is not a "member" as defined in this Section; and

(2) is receiving a monthly survivor's annuity or retirement annuity under Article 15 of the Illinois Pension Code; and

(3) either (i) was a full-time employee of a community college district or an association of community college boards created under the Public Community College Act (other than an employee whose last employer under Article 15 of the Illinois Pension Code was a community college district subject to Article VII of the Public Community College Act) and was eligible to participate in a group health benefit plan as an employee during the time of employment with a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards, or (ii) is the survivor of a person described in item (i).

(aa) "Community college dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a community college benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the community college benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the community college benefit recipient, eligible to be claimed as a dependent for income tax purposes and under age 23, or (iii) age 19 or over and mentally or physically handicapped.

(Source: P.A. 92-16, eff. 6-28-01; 92-186, eff. 1-1-02; 92-204, eff. 8-1-01; 92-651, eff. 7-11-02; 93-205, eff. 1-1-04; 93-839, eff. 7-30-04.)

Section 10. The State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-5 as follows:

(15 ILCS 20/50-5) (was 15 ILCS 20/38)

Sec. 50-5. Governor to submit State budget. The Governor shall, as soon as possible and not later than the second Wednesday in April in 2003 and the third Wednesday in February of each year beginning in 2004, except as otherwise provided in this Section, submit a State budget, embracing therein the amounts recommended by the Governor to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, the estimated revenues from sources other than taxation, and an estimate of the amount required to be raised by taxation. In 2004 only, the Governor shall submit the capital development section of the State budget not later than the fourth Tuesday of March (March 23, 2004). The amounts recommended by the Governor for appropriation to the respective departments, offices and institutions shall be formulated according to the various functions and activities for which the respective department, office or institution of the State government (including the elective officers in the executive department and including the University of Illinois and the judicial department) is responsible. The amounts relating to particular functions and activities shall be further formulated in accordance with the object classification specified in Section 13

of the State Finance Act.

The Governor shall not propose expenditures and the General Assembly shall not enact appropriations that exceed the resources estimated to be available, as provided in this Section.

For the purposes of Article VIII, Section 2 of the 1970 Illinois Constitution, the State budget for the following funds shall be prepared on the basis of revenue and expenditure measurement concepts that are in concert with generally accepted accounting principles for governments:

- (1) General Revenue Fund.
- (2) Common School Fund.
- (3) Educational Assistance Fund.
- (4) Road Fund.
- (5) Motor Fuel Tax Fund.
- (6) Agricultural Premium Fund.

These funds shall be known as the "budgeted funds". The revenue estimates used in the State budget for the budgeted funds shall include the estimated beginning fund balance, plus revenues estimated to be received during the budgeted year, plus the estimated receipts due the State as of June 30 of the budgeted year that are expected to be collected during the lapse period following the budgeted year, minus the receipts collected during the first 2 months of the budgeted year that became due to the State in the year before the budgeted year. Revenues shall also include estimated federal reimbursements associated with the recognition of Section 25 of the State Finance Act liabilities. For any budgeted fund for which current year revenues are anticipated to exceed expenditures, the surplus shall be considered to be a resource available for expenditure in the budgeted fiscal year.

Expenditure estimates for the budgeted funds included in the State budget shall include the costs to be incurred by the State for the budgeted year, to be paid in the next fiscal year, excluding costs paid in the budgeted year which were carried over from the prior year, where the payment is authorized by Section 25 of the State Finance Act. For any budgeted fund for which expenditures are expected to exceed revenues in the current fiscal year, the deficit shall be considered as a use of funds in the budgeted fiscal year.

Revenues and expenditures shall also include transfers between funds that are based on revenues received or costs incurred during the budget year.

By March 15 of each year, the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability shall prepare revenue and fund transfer estimates in accordance with the requirements of this Section and report those estimates to the General Assembly and the Governor.

For all funds other than the budgeted funds, the proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget. Appropriation for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

(Source: P.A. 93-1, eff. 2-6-03; 93-662, eff. 2-11-04.)

Section 13. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-410 as follows:

(20 ILCS 405/405-410)

Sec. 405-410. Transfer of Information Technology functions.

(a) Notwithstanding any other law to the contrary, the Director of Central Management Services, working in cooperation with the Director of any other agency, department, board, or commission directly responsible to the Governor, may direct the transfer, to the Department of Central Management Services, of those information technology functions at that agency, department, board, or commission that are suitable for centralization.

Upon receipt of the written direction to transfer information technology functions to the Department of Central Management Services, the personnel, equipment, and property (both real and personal) directly relating to the transferred functions shall be transferred to the Department of Central Management Services, and the relevant documents, records, and correspondence shall be transferred or copied, as the Director may prescribe.

(b) Upon receiving written direction from the Director of Central Management Services, the Comptroller and Treasurer are authorized to transfer the unexpended balance of any appropriations related to the information technology functions transferred to the Department of Central Management Services and shall make the necessary fund transfers from any special fund in the State Treasury or from any other federal or State trust fund held by the Treasurer to the General Revenue Fund, the Statistical Services Revolving Fund, or the Communications Revolving Fund, as designated by the Director of Central Management Services, for use by the Department of Central Management Services in support of information technology functions or any other related costs or expenses of the Department of Central

Management Services.

(c) The rights of employees and the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement, or annuity plan shall not be affected by any transfer under this Section.

(d) The functions transferred to the Department of Central Management Services by this Section shall be vested in and shall be exercised by the Department of Central Management Services. Each act done in the exercise of those functions shall have the same legal effect as if done by the agencies, offices, divisions, departments, bureaus, boards and commissions from which they were transferred.

Every person or other entity shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers, and duties as had been exercised by the agencies, offices, divisions, departments, bureaus, boards, and commissions from which they were transferred.

Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person in regards to the functions transferred to or upon the agencies, offices, divisions, departments, bureaus, boards, and commissions from which the functions were transferred, the same shall be made, given, furnished or served in the same manner to or upon the Department of Central Management Services.

This Section does not affect any act done, ratified, or cancelled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding the functions transferred, but those proceedings may be continued by the Department of Central Management Services.

This Section does not affect the legality of any rules in the Illinois Administrative Code regarding the functions transferred in this Section that are in force on the effective date of this Section. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Section.

(Source: P.A. 93-25, eff. 6-20-03; 93-839, eff. 7-30-04.)

Section 15. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-335 as follows:

(20 ILCS 605/605-335) (was 20 ILCS 605/46.4a)

Sec. 605-335. Incentives to foreign firms.

(a) For purposes of this Section:

"Foreign firm" means any industrial or manufacturing enterprise that is domiciled in a nation other than the United States.

"Incentives" means a loan or grant or offering, abatement, reduction, or deferral of any tax or regulation imposed by the State of Illinois or a unit of local government when the aggregate total of all those incentives will exceed \$10,000.

(b) Whenever the Department offers incentives to a foreign firm designed to result in the location or relocation of a facility in this State that will result in the creation of more than 25 new jobs, the Department shall prepare an economic impact study prior to the consummation of an agreement with the foreign firm. An economic impact study pursuant to this Section shall, if practical, include but not be limited to the following:

(1) An analysis of the number of direct jobs to be created, the number of indirect jobs to be created, and the net gain in employment in relation to jobs to be potentially lost by other similar and competing firms within the industry located within this State.

(2) The effect on local and regional competition within the industry from the industry or business to be located or relocated.

(3) The degree of economic benefits of awarding the same incentives to similar and existing industries or businesses located within the State.

(4) An examination of how the location or relocation of the foreign firm complements existing industries or businesses located within this State.

(5) The relationship of the fiscal costs to the State or unit of local government resulting from the incentives relative to the fiscal return to the State or units of local government derived from the location or relocation of the firm.

(c) A report of any economic impact studies prepared by the Department in the previous 3 months pursuant to this Section shall be transmitted to the Governor, members of the General Assembly, and the ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability quarterly. In addition to the report, the Department shall include a statement of incentives subject to the agreement with the foreign firm, the name and type of foreign firm involved and a description of its business or

industrial activity, the proposed location of the foreign firm, and a statement describing the rationale for the location relative to other locations within the State. The Illinois Economic and Fiscal Commission on Government Forecasting and Accountability shall evaluate each report received from the Department and present the evaluation and report to the Commission members and legislative leaders within 30 days upon receipt of each report from the Department.
(Source: P.A. 91-239, eff. 1-1-00.)

Section 20. The Illinois Enterprise Zone Act is amended by changing Section 5.5 as follows:
(20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

Sec. 5.5. High Impact Business.

(a) In order to respond to unique opportunities to assist in the encouragement, development, growth and expansion of the private sector through large scale investment and development projects, the Department is authorized to receive and approve applications for the designation of "High Impact Businesses" in Illinois subject to the following conditions:

(1) such applications may be submitted at any time during the year;

(2) such business is not located, at the time of designation, in an enterprise zone designated pursuant to this Act;

(3) (A) the business intends to make a minimum investment of \$12,000,000 which will be placed in service in qualified property and intends to create 500 full-time equivalent jobs at a designated location in Illinois or intends to make a minimum investment of \$30,000,000 which will be placed in service in qualified property and intends to retain 1,500 full-time jobs at a designated location in Illinois. The business must certify in writing that the investments would not be placed in service in qualified property and the job creation or job retention would not occur without the tax credits and exemptions set forth in subsection (b) of this Section. The terms "placed in service" and "qualified property" have the same meanings as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B) the business intends to establish a new electric generating facility at a designated location in Illinois. "New electric generating facility", for purposes of this Section, means a newly-constructed electric generation plant or a newly-constructed generation capacity expansion at an existing electric generation plant, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which such new foundation construction commenced not sooner than July 1, 2001. Such facility shall be designed to provide baseload electric generation and shall operate on a continuous basis throughout the year; and shall have an aggregate rated generating capacity of at least 1,000 megawatts for all new units at one site if it uses natural gas as its primary fuel and foundation construction of the facility is commenced on or before December 31, 2004, or shall have an aggregate rated generating capacity of at least 400 megawatts for all new units at one site if it uses coal or gases derived from coal as its primary fuel and shall support the creation of at least 150 new Illinois coal mining jobs. The business must certify in writing that the investments necessary to establish a new electric generating facility would not be placed in service and the job creation in the case of a coal-fueled plant would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(C) the business intends to establish production operations at a new coal mine, re-establish production operations at a closed coal mine, or expand production at an existing coal mine at a designated location in Illinois not sooner than July 1, 2001; provided that the production operations result in the creation of 150 new Illinois coal mining jobs as described in subdivision (a)(3)(B) of this Section, and further provided that the coal extracted from such mine is utilized as the predominant source for a new electric generating facility. The business must certify in writing that the investments necessary to establish a new, expanded, or reopened coal mine would not be placed in service and the job creation would not occur without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(D) the business intends to construct new transmission facilities or upgrade existing transmission facilities at designated locations in Illinois, for which construction commenced not sooner than July 1, 2001. For the purposes of this Section, "transmission facilities" means transmission lines with a voltage rating of 115 kilovolts or above, including associated equipment, that transfer electricity from points of supply to points of delivery and that transmit a majority of the electricity generated by a new electric generating facility designated as a High

Impact Business in accordance with this Section. The business must certify in writing that the investments necessary to construct new transmission facilities or upgrade existing transmission facilities would not be placed in service without the tax credits and exemptions set forth in subsection (b-5) of this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; and

(4) no later than 90 days after an application is submitted, the Department shall notify the applicant of the Department's determination of the qualification of the proposed High Impact Business under this Section.

(b) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(A) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 9-222 and Section 9-222.1A of the Public Utilities Act, subsection (h) of Section 201 of the Illinois Income Tax Act, and Section 1d of the Retailers' Occupation Tax Act, provided that these credits and exemptions described in these Acts shall not be authorized until the minimum investments set forth in subdivision (a)(3)(A) of this Section have been placed in service in qualified properties and, in the case of the exemptions described in the Public Utilities Act and Section 1d of the Retailers' Occupation Tax Act, the minimum full-time equivalent jobs or full-time jobs set forth in subdivision (a)(3)(A) of this Section have been created or retained. Businesses designated as High Impact Businesses under this Section shall also qualify for the exemption described in Section 5l of the Retailers' Occupation Tax Act. The credit provided in subsection (h) of Section 201 of the Illinois Income Tax Act shall be applicable to investments in qualified property as set forth in subdivision (a)(3)(A) of this Section.

(b-5) Businesses designated as High Impact Businesses pursuant to subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 5l of the Retailers' Occupation Tax Act, Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act; however, the credits and exemptions authorized under Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act shall not be authorized until the new electric generating facility, the new transmission facility, or the new, expanded, or reopened coal mine is operational, except that a new electric generating facility whose primary fuel source is natural gas is eligible only for the exemption under Section 5l of the Retailers' Occupation Tax Act.

(c) High Impact Businesses located in federally designated foreign trade zones or sub-zones are also eligible for additional credits, exemptions and deductions as described in the following Acts: Section 9-221 and Section 9-222.1 of the Public Utilities Act; and subsection (g) of Section 201, and Section 203 of the Illinois Income Tax Act.

(d) Existing Illinois businesses which apply for designation as a High Impact Business must provide the Department with the prospective plan for which 1,500 full-time jobs would be eliminated in the event that the business is not designated.

(e) New proposed facilities which apply for designation as High Impact Business must provide the Department with proof of alternative non-Illinois sites which would receive the proposed investment and job creation in the event that the business is not designated as a High Impact Business.

(f) In the event that a business is designated a High Impact Business and it is later determined after reasonable notice and an opportunity for a hearing as provided under the Illinois Administrative Procedure Act, that the business would have placed in service in qualified property the investments and created or retained the requisite number of jobs without the benefits of the High Impact Business designation, the Department shall be required to immediately revoke the designation and notify the Director of the Department of Revenue who shall begin proceedings to recover all wrongfully exempted State taxes with interest. The business shall also be ineligible for all State funded Department programs for a period of 10 years.

(g) The Department shall revoke a High Impact Business designation if the participating business fails to comply with the terms and conditions of the designation.

(h) Prior to designating a business, the Department shall provide the members of the General Assembly and ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability with a report setting forth the terms and conditions of the designation and guarantees that have been received by the Department in relation to the proposed business being designated.

(Source: P.A. 91-914, eff. 7-7-00; 92-12, eff. 7-1-01; revised 3-7-02.)

Section 25. The State and Regional Development Strategy Act is amended by changing Section 20-10 as follows:

(20 ILCS 695/20-10)

Sec. 20-10. Strategic Planning. The Department of Commerce and Economic Opportunity Community

[January 10, 2005]

Affairs may prepare an economic development strategy for Illinois. By no later than February 1, 2001 and biennially thereafter, the Department may make modifications in the economic development strategy as the modifications are warranted by changes in economic conditions or by other factors, including changes in policy. In preparing the strategy and in making modifications to the strategy, the Department may take cognizance of the special economic attributes of the various component areas of the State.

(1) The "component areas" shall be determined by the Department and may group counties that are close in geographical proximity and share common economic traits such as commuting zones, labor market areas, or other economically integrated regions.

(2) The strategy may recommend actions for promoting sustained economic growth at or above national rates of economic growth.

(3) The strategy may include an assessment of historical patterns of economic activity for the State and projections of future economic trends using national economic trends and projections for comparative purposes. All assumptions made in the formulation of the economic projections shall be clearly and explicitly set forth in the strategy.

(4) The strategy may identify those community economic improvement characteristics that will positively influence the rate of overall State economic growth.

(5) The strategy may recommend actions to foster and promote economic growth, taking into account indigenous resources and prevalent economic factors.

(A) The strategy may identify the critical business development approaches being considered or to be considered. The approaches may include, but are not limited to: investment recruitment, such as industry attraction, expansion and retention; trade development efforts including international trade, support for small businesses' efforts to export products and services, tourism attraction and development including cultural tourism; technology development efforts including technology commercialization and manufacturing modernization; and business development efforts, including entrepreneurship and entrepreneurial education, small business management assistance, and business financing.

(B) The strategy may identify for the State and each region the critical workforce training and development approaches being considered or to be considered. The approaches may include, but are not limited to: customized job training, retraining and skill upgrading, economic adjustment, job creation and addressing labor shortages in areas of high demand; the market for and quality of the local labor force; the quality of the education and workforce infrastructure; and related issues.

(C) The strategy may identify the critical community development approaches being considered or to be considered. The approaches may include, but are not limited to: community growth management such as regional planning and smart growth; area revitalization including brownfields redevelopment and facility reuse; and family self-sufficiency such as through housing conservation and economic opportunity.

(D) The strategy may identify the critical public facilities development approaches being considered or to be considered. The approaches may include, but are not limited to: local public services; the local, regional, and State tax and regulatory climate; the physical infrastructure, including communications and transportation systems; the capacity of area utilities; and the quality of public institutions such as schools.

(E) The strategy may identify the other critical marketplace systems, including: the financial marketplace; the competitive advantages of the area in terms of natural resources, capital resources or technology resources; and other factors affecting area development.

(6) In preparing the strategy or modifications to the strategy, the Department may work with State agencies, boards, and commissions whose programs and activities significantly affect economic activity in the State as appropriate. The Directors of the agencies, boards, and commissions shall provide the assistance to the Department as the Governor deems appropriate.

(7) In preparing the strategy or the modifications to the strategy, the Department may consult with local and regional economic development organizations, local elected officials, community-based organizations, service delivery providers, and other organizations whose programs and activities significantly affect economic activity.

(8) In preparing the strategy or the modifications to the strategy, the Department may take into consideration any decisions or recommendations related to programs, services, and government regulations that have been rendered as a result of a Statewide Performance Review.

(9) The strategy shall be presented to the Governor, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, the members of the Illinois Economic Development Board, and the Chair of the ~~Economic and Fiscal~~ Commission on

Government Forecasting and Accountability on February 1, 2001 and biennially thereafter, as warranted by changes in economic conditions or by other factors, including changes in policy.

(10) The strategy shall be published and made available to the public in both paper and electronic media.

(Source: P.A. 91-476, eff. 8-11-99; 92-490, eff. 8-23-01; revised 12-6-03.)

Section 30. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-550 as follows:

(20 ILCS 2505/2505-550) (was 20 ILCS 2505/39b51)

Sec. 2505-550. Jobs Impact Committee and report. With respect to the credits provided for by Sections 209 and 210 of the Illinois Income Tax Act, Section 3-50 of the Use Tax Act, Section 2 of the Service Use Tax Act, Section 2 of the Service Occupation Tax Act, and Section 2-45 of the Retailers' Occupation Tax Act, there is hereby created a Jobs Impact Committee, which shall consist of the Director or the person or persons the Director may designate, and the representative or representatives that shall be designated to serve on the Committee by the Department of Commerce and Economic Opportunity Community Affairs, the Governor's Office of Management and Budget Bureau of the Budget, and the Economic and Fiscal Commission on Government Forecasting and Accountability. The Committee, so assembled, shall invite and appoint 2 members of the businesses that are eligible for the credits provided by those Sections. The Committee shall study the use and effectiveness of these credits with regard to job creation relative to the revenue loss to the State from the provision of these credits. The Director shall, on behalf of the Committee, submit the Committee's report to the General Assembly on or before June 30, 1998.

(Source: P.A. 90-552, eff. 12-12-97; 91-239, eff. 1-1-00; revised 8-23-03.)

Section 35. The Governor's Office of Management and Budget Act is amended by changing Sections 2.5 and 2.6 as follows:

(20 ILCS 3005/2.5) (from Ch. 127, par. 412.5)

Sec. 2.5. Effective January 1, 1980, to require the preparation and submission of an annual long-range capital expenditure plan for all State agencies. Such Capital Plan shall detail each project for each of the following 3 fiscal years, including the project cost in current dollar amounts, the future maintenance costs for the completed project, the anticipated life expectancy of the project and the impact the project will have on the annual operating budget for the agency. Each State agency's annual capital plan shall include energy conservation projects intended to reduce energy costs to the greatest extent possible in those agency's buildings and facilities included in the capital plan. Each State agency's annual capital plan shall be submitted to the Office no later than January 15th of each year. A summary of all capital plans and future needs assessments shall be included in the Governor's Budget Request and the detail of the capital plans shall be delivered to the Chairmen and Minority Spokesmen of the House and Senate Appropriations Committees and the Illinois Economic and Fiscal Commission on Government Forecasting and Accountability on the date of the Governor's Budget Address to the General Assembly; except that, in 2004 only, the summary and detail shall be delivered not later than the fourth Tuesday in March (March 23, 2004).

(Source: P.A. 93-25, eff. 6-20-03; 93-662, eff. 2-11-04.)

(20 ILCS 3005/2.6) (from Ch. 127, par. 412.6)

Sec. 2.6. To provide bond indentures to the Illinois Economic and Fiscal Commission on Government Forecasting and Accountability no later than 7 calendar days following the sale or issuance of any bonds.

(Source: P.A. 81-1094.)

Section 40. The Illinois Capital Budget Act is amended by changing Sections 3 and 6 as follows:

(20 ILCS 3010/3) (from Ch. 127, par. 3103)

Sec. 3. Each capital improvement program shall include, but not be limited to, roads, bridges, buildings, including schools, prisons, recreational facilities and conservation areas, and other infrastructure facilities that are owned by the State of Illinois.

Each capital improvement program shall include a needs assessment of the State's capital facilities. Each needs assessment shall include where possible the inventory, age, condition, use, sources of financing, past investment, maintenance history, trends in condition, financing and investment, and projected dollar amount of need in the next 5 years, 10 years, and until the year 2000. Needs assessment of State facilities shall use, to the fullest extent possible, existing studies and data from other agencies such as the Illinois Department of Transportation, the Illinois Environmental Protection Agency, the Illinois Economic and Fiscal Commission on Government Forecasting and Accountability, the Capital

Development Board, the Governor's Task Force on the Future of Illinois, and relevant federal agencies, so that studies can be completed as efficiently as possible, and so information on needs can be used to seek federal funds as soon as possible.

Each capital improvement program shall include an identification and analysis of factors that affect estimated capital investment needs, including but not limited to, economic assumptions, engineering standards, estimates of spending for operations and maintenance, federal and State regulations, and estimation of demand for services.

Each capital improvement program shall include an identification and analysis of the principal policy issues that affect estimated capital investment needs, including but not limited to, economic development policy, equity considerations, policies regarding alternative technologies, political jurisdiction over different infrastructure systems, and the role of the private sector in planning for and investing in infrastructure.

(Source: P.A. 92-16, eff. 6-28-01.)

(20 ILCS 3010/6) (from Ch. 127, par. 3106)

Sec. 6. The ~~Governor's Office of Management and Budget Bureau of the Budget~~ shall prepare and submit an assessment of the State's capital project needs to the following: the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate and the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability. The assessment shall be included in the Governor's annual State budget and shall discuss the State's needs in the next fiscal year and in the next 5 fiscal years.

(Source: P.A. 86-192; revised 8-23-03.)

Section 45. The Asbestos Abatement Finance Act is amended by changing Section 10 as follows:

(20 ILCS 3510/10) (from Ch. 111 1/2, par. 8110)

Sec. 10. Authority records and reports. The accounts and books of the Authority in connection with this Act shall be set up on and maintained in a manner approved by the Auditor General, and the Authority shall file with the Auditor General a certified annual report of its acts and doings under this Act within 120 days after the close of its fiscal year. The Authority shall also file with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives, and the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability, by March 1 of each year, commencing March 1, 1990, a written report covering its activities under this Act for the previous fiscal year. After such filing, such report shall be a public record and open for inspection at the offices of the Authority during normal business hours.

(Source: P.A. 86-976.)

Section 50. The Illinois Environmental Facilities Financing Act is amended by changing Section 7 as follows:

(20 ILCS 3515/7) (from Ch. 127, par. 727)

Sec. 7. Powers. In addition to the powers otherwise authorized by law, for the purposes of this Act, the State authority shall have the following powers together with all powers incidental thereto or necessary for the performance thereof:

- (1) to have perpetual succession as a body politic and corporate;
- (2) to adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) to sue and be sued and to prosecute and defend actions in the courts;
- (4) to have and to use a corporate seal and to alter the same at pleasure;
- (5) to maintain an office at such place or places as it may designate;
- (6) to determine the location, pursuant to the Environmental Protection Act, and the manner of construction of any environmental or hazardous waste treatment facility to be financed under this Act and to acquire, construct, reconstruct, repair, alter, improve, extend, own, finance, lease, sell and otherwise dispose of the facility, to enter into contracts for any and all of such purposes, to designate a person as its agent to determine the location and manner of construction of an environmental or hazardous waste treatment facility undertaken by such person under the provisions of this Act and as agent of the authority to acquire, construct, reconstruct, repair, alter, improve, extend, own, lease, sell and otherwise dispose of the facility, and to enter into contracts for any and all of such purposes;
- (7) to finance and to lease or sell to a person any or all of the environmental or hazardous waste treatment facilities upon such terms and conditions as the directing body considers proper, and to charge and collect rent or other payments therefor and to terminate any such lease or sales agreement or financing agreement upon the failure of the lessee, purchaser or debtor to comply with any of the obligations thereof; and to include in any such lease or other agreement, if desired, provisions that the

lessee, purchaser or debtor thereunder shall have options to renew the term of the lease, sales or other agreement for such period or periods and at such rent or other consideration as shall be determined by the directing body or to purchase any or all of the environmental or hazardous waste treatment facilities for a nominal amount or otherwise or that at or prior to the payment of all of the indebtedness incurred by the authority for the financing of such environmental or hazardous waste treatment facilities the authority may convey any or all of the environmental or hazardous waste treatment facilities to the lessee or purchaser thereof with or without consideration;

(8) to issue bonds for any of its corporate purposes, including a bond issuance for the purpose of financing a group of projects involving environmental facilities, and to refund those bonds, all as provided for in this Act and subject to Section 13 of this Act;

(9) generally to fix and revise from time to time and charge and collect rates, rents, fees and charges for the use of and services furnished or to be furnished by any environmental or hazardous waste treatment facility or any portion thereof and to contract with any person, firm or corporation or other body public or private in respect thereof;

(10) to employ consulting engineers, architects, attorneys, accountants, construction and financial experts, superintendents, managers and such other employees and agents as may be necessary in its judgment and to fix their compensation;

(11) to receive and accept from any public agency loans or grants for or in aid of the construction of any environmental facility and any portion thereof, or for equipping the facility, and to receive and accept grants, gifts or other contributions from any source;

(12) to refund outstanding obligations incurred by any person to finance the cost of an environmental or hazardous waste treatment facility including obligations incurred for environmental or hazardous waste treatment facilities undertaken and completed prior to or after the enactment of this Act when the authority finds that such financing is in the public interest;

(13) to prohibit the financing of environmental facilities for new coal-fired electric steam generating plants and new coal-fired industrial boilers which do not use Illinois coal as the primary source of fuel;

(14) to set and impose appropriate financial penalties on any person who receives financing from the State authority based on a commitment to use Illinois coal as the primary source of fuel at a new coal-fired electric utility steam generating plant or new coal-fired industrial boiler and later uses non-Illinois coal as the primary source of fuel;

(15) to fix, determine, charge and collect any premiums, fees, charges, costs and expenses, including, without limitation, any application fees, program fees, commitment fees, financing charges or publication fees in connection with its activities under this Act; all expenses of the State authority incurred in carrying out this Act are payable solely from funds provided under the authority of this Act and no liability shall be incurred by any authority beyond the extent to which moneys are provided under this Act. All fees and moneys accumulated by the Authority as provided in this Act or the Illinois Finance Authority Act shall be held outside of the State treasury and in the custody of the Treasurer of the Authority; and

(16) to do all things necessary and convenient to carry out the purposes of this Act.

The State authority may not operate any environmental or hazardous waste treatment facility as a business except for the purpose of protecting or maintaining such facility as security for bonds of the State authority. No environmental or hazardous waste treatment facilities completed prior to January 1, 1970 may be financed by the State authority under this Act, but additions and improvements to such environmental or hazardous waste treatment facilities which are commenced subsequent to January 1, 1970 may be financed by the State authority. Any lease, sales agreement or other financing agreement in connection with an environmental or hazardous waste treatment facility entered into pursuant to this Act must be for a term not shorter than the longest maturity of any bonds issued to finance such environmental or hazardous waste treatment facility or a portion thereof and must provide for rentals or other payments adequate to pay the principal of and interest and premiums, if any, on such bonds as the same fall due and to create and maintain such reserves and accounts for depreciation, if any, as the directing body determines to be necessary.

The Authority shall give priority to providing financing for the establishment of hazardous waste treatment facilities necessary to achieve the goals of Section 22.6 of the Environmental Protection Act.

The Authority shall give special consideration to small businesses in authorizing the issuance of bonds for the financing of environmental facilities pursuant to subsection (c) of Section 2.

The Authority shall make a financial report on all projects financed under this Section to the General Assembly, to the Governor, and to the ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability by April 1 of each year. Such report shall be a public record and open for inspection at the offices of the Authority during normal business hours. The report shall include: (a) all

applications for loans and other financial assistance presented to the members of the Authority during such fiscal year, (b) all projects and owners thereof which have received any form of financial assistance from the Authority during such year, (c) the nature and amount of all such assistance, and (d) projected activities of the Authority for the next fiscal year, including projection of the total amount of loans and other financial assistance anticipated and the amount of revenue bonds or other evidences of indebtedness that will be necessary to provide the projected level of assistance during the next fiscal year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act. (Source: P.A. 93-205, eff. 1-1-04.)

Section 55. The Illinois Housing Development Act is amended by changing Section 5 as follows:
(20 ILCS 3805/5) (from Ch. 67 1/2, par. 305)

Sec. 5. The Governor shall designate the Chairman, from time to time, and the Authority shall annually elect from its membership a vice chairman a treasurer, and a secretary. The Chairman shall be the chief executive officer of the Authority. The secretary shall keep a record of the proceedings of the Authority. The treasurer of the Authority shall be custodian of all Authority funds, and shall be bonded in such amount as the other members of the Authority may designate. The accounts and books of the Authority shall be set up and maintained in a manner approved by the Auditor General, and the Authority shall file with the Auditor General a certified annual report within 120 days after the close of its fiscal year. The Authority shall also file with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives and the ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability, by March 1 of each year, a written report covering its activities, and any activities of any instrumentality corporation established pursuant to this Act, for the previous fiscal year and, when so filed, such report shall be a public record and open for inspection at the offices of the Authority during normal business hours. The report shall include a complete list of (a) all applications for mortgage loans and other financial assistance regarding developments of more than four living units presented to the members of the Authority during such fiscal year, (b) all developments and housing related commercial facilities and the owners thereof which have received any form of financial assistance from the Authority during such fiscal year, (c) the nature and amount of all such financial assistance, (d) the dwelling unit distribution and estimated rent structure for each development financed by the Authority during such fiscal year, (e) projected activities of the Authority for the next fiscal year, including a projection of the total amount of mortgages and other financial assistance anticipated and the amount of revenue bonds or other evidences of indebtedness that will be necessary to provide the projected level of assistance during the next fiscal year, and (f) activities related to allocation of low-income housing credits.

(Source: P.A. 85-612.)

Section 60. The Pension Impact Note Act is amended by changing Section 2 as follows:
(25 ILCS 55/2) (from Ch. 63, par. 42.42)

Sec. 2. Pension impact notes. The ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability, hereafter in this Act referred to as the "Commission", shall prepare a written pension system impact note in relation to any bill introduced in either house of the General Assembly which proposes to amend, revise, or add to any provision of the Illinois Pension Code or the State Pension Funds Continuing Appropriation Act. Upon the introduction of any such bill, the Clerk of the House or the Secretary of the Senate shall forward the bill to the Commission, which shall prepare such a note within 7 calendar days after receiving the request. The bill shall be held on second reading until the note has been received.

Copies of each pension impact note shall be furnished by the Commission to the presiding officer of each house, the minority leader of each house, the Clerk of the House of Representatives, the Secretary of the Senate, the sponsor of the bill which is the subject of the note, the member, if any, who initiated the request for the note, the Chairman of the House Committee on Personnel and Pensions, and the Chairman of the Senate Committee on Insurance, Pensions and Licensed Activities.

(Source: P.A. 93-632, eff. 2-1-04.)

Section 65. The State Debt Impact Note Act is amended by changing the title of the Act and Sections 3, 5, and 7 as follows:

(25 ILCS 65/Act title)

An Act in relation to the providing of information on the State's long-term debt service requirements ~~and to amend in connection therewith Section 3 of "An Act creating the Illinois Economic and Fiscal Commission, defining its powers and duties, making an appropriation therefor, repealing an Act therein named, and providing for the transfer of appropriations in connection therewith", approved July 13, 1972, as amended.~~

(25 ILCS 65/3) (from Ch. 63, par. 42.73)

Sec. 3. The ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability shall prepare a written State Debt Impact Note in relation to any bill introduced in either house of the General Assembly which proposes to increase or add new long term debt authorization or would require, through appropriation, the use of bond financed funds. Upon the assignment of any such bill to Committee, the chairperson of the Committee on Assignments in the House of Representatives or the chairperson of the Committee on Assignment of Bills in the Senate shall forward the bill to the ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability which shall prepare such a note within 7 calendar days after receiving the request and the bill shall be held on second reading until the note has been received, except that whenever, because of the complexity of the measure, additional time is required for preparation of the note, the Commission may so inform the sponsor of the bill, who may approve an extension of the time within which the note is to be furnished for an additional 7 calendar days. Copies of each State Debt Impact Note shall be furnished by the Commission to the presiding officer of each house, the minority leader of each house, the Clerk of the House of Representatives, the Secretary of the Senate, the sponsor of the bill which is the subject of the note, the member, if any, who initiated the request for the note, the Chairperson and Minority Spokespersons of the House and Senate Appropriations and Revenue Committees.

(Source: P.A. 81-615.)

(25 ILCS 65/5) (from Ch. 63, par. 42.75)

Sec. 5. The ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability may include in any State Debt Impact Note any comment or opinion which it deems appropriate with regard to the fiscal and financial impact of the measure for which the note is prepared.

(Source: P.A. 81-615.)

(25 ILCS 65/7) (from Ch. 63, par. 42.77)

Sec. 7. Whenever any committee of either house reports any bill which is required by this Act to have a long-term debt note with an amendment or whenever any bill is amended on the floor of either house in such manner as to substantially affect the impact of the bill on the State's debt service capacity, the ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability shall upon request by any member of the house by which the bill is being considered prepare a new or revised State Debt Impact Note in relation to the amended bill. Copies of each new or revised State Debt Impact Note shall be furnished to the persons named in Section 2.

Whenever any member of either House is of the opinion that a State Debt Impact Note should be prepared on any bill and such note has not been requested, the member may at any time before the bill is moved to third reading request that such a note be obtained, in which case the bill shall be submitted to the ~~Economic and Fiscal~~ Economic and Fiscal Commission on Government Forecasting and Accountability for preparation of the note. If the sponsor is of the opinion that a long-term debt note is not required, the matter shall be decided by majority vote of those present and voting in the House of which he is a member.

(Source: P.A. 81-615.)

Section 70. The Legislative Commission Reorganization Act of 1984 is amended by changing Sections 1-3, 3-1, and 3A-1 as follows:

(25 ILCS 130/1-3) (from Ch. 63, par. 1001-3)

Sec. 1-3. Legislative support services agencies. The Joint Committee on Legislative Support Services is responsible for establishing general policy and coordinating activities among the legislative support services agencies. The legislative support services agencies include the following:

- (1) Joint Committee on Administrative Rules;
- (2) ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability;
- (3) Legislative Information System;
- (4) Legislative Reference Bureau;
- (5) Legislative Audit Commission;
- (6) Legislative Printing Unit;

- (7) Legislative Research Unit; and
 (8) Office of the Architect of the Capitol.

(Source: P.A. 93-632, eff. 2-1-04.)

(25 ILCS 130/3-1) (from Ch. 63, par. 1003-1)

Sec. 3-1. The ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability is hereby established as a legislative support services agency. The Commission is subject to the provisions of this Act and shall perform the powers and duties delegated to it under "An Act creating the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability; ~~defining its powers and duties, making an appropriation therefor, repealing an Act therein named, and providing for the transfer of appropriations in connection therewith~~", approved July 13, 1972, as amended, and such other functions as may be provided by law.

(Source: P.A. 83-1257.)

(25 ILCS 130/3A-1)

Sec. 3A-1. ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability; pension laws.

(a) The ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability shall have the powers, duties, and functions that may be provided by law.

(b) The Commission shall make a continuing study of the laws and practices pertaining to pensions and related retirement and disability benefits for persons in State or local government service and their survivors and dependents, shall evaluate existing laws and practices, and shall review and make recommendations on proposed changes to those laws and practices.

(c) The Commission shall be responsible for the preparation of Pension Impact Notes as provided in the Pension Impact Note Act.

(d) The Commission shall report to the General Assembly annually or as it deems necessary or useful on the results of its studies and the performance of its duties.

(e) The Commission may request assistance from any other entity as necessary or useful for the performance of its duties.

(f) For purposes of the Successor Agency Act and Section 9b of the State Finance Act, the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability is the successor to the Pension Laws Commission. The ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability succeeds to and assumes all powers, duties, rights, responsibilities, personnel, assets, liabilities, and indebtedness of the Pension Laws Commission. Any reference in any law, rule, form, or other document to the Pension Laws Commission is deemed to be a reference to the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability.

(Source: P.A. 93-632, eff. 2-1-04.)

Section 75. The Illinois Economic and Fiscal Commission Act is amended by changing the title of the Act and Sections 2 and 6.2 as follows:

(25 ILCS 155/Act title)

An Act creating the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability; ~~defining its powers and duties, making an appropriation therefor, repealing an Act therein named, and providing for the transfer of appropriations in connection therewith~~.

(25 ILCS 155/2) (from Ch. 63, par. 342)

Sec. 2. The ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability, hereafter in this Act referred to as the Commission, is created and is established as a legislative support services agency subject to the Legislative Commission Reorganization Act of 1984.

On the effective date of this amendatory Act of the 93th General Assembly, the name of the Illinois Economic and Fiscal Commission is changed to the Commission on Government Forecasting and Accountability. References in any law, appropriation, rule, form, or other document to the Illinois Economic and Fiscal Commission are deemed, in appropriate contexts, to be references to the Commission on Government Forecasting and Accountability for all purposes. References in any law, appropriation, rule, form, or other document to the Executive Director of the Illinois Economic and Fiscal Commission are deemed, in appropriate contexts, to be references to the Executive Director of the Commission on Government Forecasting and Accountability for all purposes. For purposes of Section 9b of the State Finance Act, the Commission on Government Forecasting and Accountability is the successor to the Illinois Economic and Fiscal Commission.

(Source: P.A. 83-1257.)

(25 ILCS 155/6.2) (from Ch. 63, par. 346.2)

Sec. 6.2. Short title. This Act may be cited as the ~~Illinois Economic and Fiscal~~ Commission on

Government Forecasting and Accountability Act.

(Source: P.A. 93-632, eff. 2-1-04.)

Section 80. The Fiscal Control and Internal Auditing Act is amended by changing Section 2004 as follows:

(30 ILCS 10/2004) (from Ch. 15, par. 2004)

Sec. 2004. Consultations by internal auditor. Each chief internal auditor may consult with the Auditor General, the Department of Central Management Services, the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability, the appropriations committees of the General Assembly, the Governor's Office of Management and Budget ~~Bureau of the Budget~~, or the Internal Audit Advisory Board on matters affecting the duties or responsibilities of the chief internal auditor under this Act.

(Source: P.A. 86-936; revised 8-23-03.)

Section 83. The State Finance Act is amended by changing Sections 8g, 8h, and 14.1 as follows:

(30 ILCS 105/8g)

Sec. 8g. Fund transfers.

(a) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$10,000,000 from the General Revenue Fund to the Motor Vehicle License Plate Fund created by Senate Bill 1028 of the 91st General Assembly.

(b) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$25,000,000 from the General Revenue Fund to the Fund for Illinois' Future created by Senate Bill 1066 of the 91st General Assembly.

(c) In addition to any other transfers that may be provided for by law, on August 30 of each fiscal year's license period, the Illinois Liquor Control Commission shall direct and the State Comptroller and State Treasurer shall transfer from the General Revenue Fund to the Youth Alcoholism and Substance Abuse Prevention Fund an amount equal to the number of retail liquor licenses issued for that fiscal year multiplied by \$50.

(d) The payments to programs required under subsection (d) of Section 28.1 of the Horse Racing Act of 1975 shall be made, pursuant to appropriation, from the special funds referred to in the statutes cited in that subsection, rather than directly from the General Revenue Fund.

Beginning January 1, 2000, on the first day of each month, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund to each of the special funds from which payments are to be made under Section 28.1(d) of the Horse Racing Act of 1975 an amount equal to 1/12 of the annual amount required for those payments from that special fund, which annual amount shall not exceed the annual amount for those payments from that special fund for the calendar year 1998. The special funds to which transfers shall be made under this subsection (d) include, but are not necessarily limited to, the Agricultural Premium Fund; the Metropolitan Exposition Auditorium and Office Building Fund; the Fair and Exposition Fund; the Standardbred Breeders Fund; the Thoroughbred Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

(e) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$15,000,000 from the General Revenue Fund to the Fund for Illinois' Future.

(f) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$70,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(f-1) In fiscal year 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$160,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(g) In addition to any other transfers that may be provided for by law, on July 1, 2001, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(h) In each of fiscal years 2002 through 2004, but not thereafter, in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer

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\$5,000,000 from the General Revenue Fund to the Tourism Promotion Fund.

(i) On or after July 1, 2001 and until May 1, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2002.

(i-1) On or after July 1, 2002 and until May 1, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2003.

(j) On or after July 1, 2001 and no later than June 30, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

From the General Revenue Fund.....	\$8,450,000
From the Public Utility Fund.....	1,700,000
From the Transportation Regulatory Fund.....	2,650,000
From the Title III Social Security and Employment Fund.....	3,700,000
From the Professions Indirect Cost Fund.....	4,050,000
From the Underground Storage Tank Fund.....	550,000
From the Agricultural Premium Fund.....	750,000
From the State Pensions Fund.....	200,000
From the Road Fund.....	2,000,000
From the Health Facilities Planning Fund.....	1,000,000
From the Savings and Residential Finance Regulatory Fund.....	130,800
From the Appraisal Administration Fund.....	28,600
From the Pawnbroker Regulation Fund.....	3,600
From the Auction Regulation Administration Fund.....	35,800
From the Bank and Trust Company Fund.....	634,800
From the Real Estate License Administration Fund.....	313,600

(k) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 92nd General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-1) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-2) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-3) On or after July 1, 2002 and no later than June 30, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

Appraisal Administration Fund.....	\$150,000
General Revenue Fund.....	10,440,000
Savings and Residential Finance Regulatory Fund.....	200,000
State Pensions Fund.....	100,000

Bank and Trust Company Fund.....	100,000
Professions Indirect Cost Fund.....	3,400,000
Public Utility Fund.....	2,081,200
Real Estate License Administration Fund.....	150,000
Title III Social Security and Employment Fund.....	1,000,000
Transportation Regulatory Fund.....	3,052,100
Underground Storage Tank Fund.....	50,000

(l) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$3,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(m) In addition to any other transfers that may be provided for by law, on July 1, 2002 and on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(n) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$6,800,000 from the General Revenue Fund to the DHS Recoveries Trust Fund.

(o) On or after July 1, 2003, and no later than June 30, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Vehicle Inspection Fund:

From the Underground Storage Tank Fund \$35,000,000.

(p) On or after July 1, 2003 and until May 1, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2004.

(q) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$5,000,000 from the General Revenue Fund to the Illinois Military Family Relief Fund.

(r) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,922,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(s) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$4,800,000 from the Statewide Economic Development Fund to the General Revenue Fund.

(t) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$50,000,000 from the General Revenue Fund to the Budget Stabilization Fund.

(u) On or after July 1, 2004 and until May 1, 2005, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2005.

(v) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(w) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$6,445,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(x) In addition to any other transfers that may be provided for by law, on January 15, 2005, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer to

the General Revenue Fund the following sums:

From the State Crime Laboratory Fund, \$200,000;

From the State Police Wireless Service Emergency Fund, \$200,000;

From the State Offender DNA Identification System Fund, \$800,000; and

From the State Police Whistleblower Reward and Protection Fund, \$500,000.

(Source: P.A. 92-11, eff. 6-11-01; 92-505, eff. 12-20-01; 92-600, eff. 6-28-02; 93-32, eff. 6-20-03; 93-648, eff. 1-8-04; 93-839, eff. 7-30-04.)

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

(a) Except as provided in subsection (b), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 this amendatory Act of the 93rd General Assembly to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Hospital Provider Fund, ~~or~~ the Medicaid Provider Relief Fund, or the Reviewing Court Alternative Dispute Resolution Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, ~~the Wireless Service Emergency Fund the Wireless Carrier Reimbursement Fund,~~ or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

(b) This Section does not apply to any fund established under the Community Senior Services and Resources Act.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; revised 12-1-04.)

(30 ILCS 105/14.1) (from Ch. 127, par. 150.1)

Sec. 14.1. Appropriations for State contributions to the State Employees' Retirement System; payroll requirements.

(a) Appropriations for State contributions to the State Employees' Retirement System of Illinois shall be expended in the manner provided in this Section. Except as otherwise provided in subsection (a-1), at the time of each payment of salary to an employee under the personal services line item, payment shall be made to the State Employees' Retirement System, from the amount appropriated for State contributions to the State Employees' Retirement System, of an amount calculated at the rate certified for the applicable fiscal year by the Board of Trustees of the State Employees' Retirement System under Section 14-135.08 of the Illinois Pension Code. If a line item appropriation to an employer for this purpose is ~~unavailable or exhausted or is unavailable due to any limitation on appropriations that may apply (including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act)~~, the amounts shall be paid under the continuing appropriation for this purpose contained in the State Pension Funds Continuing Appropriation Act.

(a-1) Beginning on the effective date of this amendatory Act of the 93rd General Assembly through the payment of the final payroll from fiscal year 2004 appropriations, appropriations for State contributions to the State Employees' Retirement System of Illinois shall be expended in the manner provided in this subsection (a-1). At the time of each payment of salary to an employee under the personal services line item from a fund other than the General Revenue Fund, payment shall be made for

deposit into the General Revenue Fund from the amount appropriated for State contributions to the State Employees' Retirement System of an amount calculated at the rate certified for fiscal year 2004 by the Board of Trustees of the State Employees' Retirement System under Section 14-135.08 of the Illinois Pension Code. This payment shall be made to the extent that a line item appropriation to an employer for this purpose is available or unexhausted. No payment from appropriations for State contributions shall be made in conjunction with payment of salary to an employee under the personal services line item from the General Revenue Fund.

(b) Except during the period beginning on the effective date of this amendatory Act of the 93rd General Assembly and ending at the time of the payment of the final payroll from fiscal year 2004 appropriations, the State Comptroller shall not approve for payment any payroll voucher that (1) includes payments of salary to eligible employees in the State Employees' Retirement System of Illinois and (2) does not include the corresponding payment of State contributions to that retirement system at the full rate certified under Section 14-135.08 for that fiscal year for eligible employees, unless the balance in the fund on which the payroll voucher is drawn is insufficient to pay the total payroll voucher, or unavailable due to any limitation on appropriations that may apply, including, but not limited to, limitations on appropriations from the Road Fund under Section 8.3 of the State Finance Act. If the State Comptroller approves a payroll voucher under this Section for which the fund balance is insufficient to pay the full amount of the required State contribution to the State Employees' Retirement System, the Comptroller shall promptly so notify the Retirement System.

(Source: P.A. 93-665, eff. 3-5-04.)

Section 85. The General Obligation Bond Act is amended by changing Sections 8 and 21 as follows:
(30 ILCS 330/8) (from Ch. 127, par. 658)

Sec. 8. Bond sale expenses.

(a) An amount not to exceed 0.5 percent of the principal amount of the proceeds of sale of each bond sale is authorized to be used to pay the reasonable costs of issuance and sale, including, without limitation, underwriter's discounts and fees, but excluding bond insurance, of State of Illinois general obligation bonds authorized and sold pursuant to this Act, provided that no salaries of State employees or other State office operating expenses shall be paid out of non-appropriated proceeds. The Governor's Office of Management and Budget shall compile a summary of all costs of issuance on each sale (including both costs paid out of proceeds and those paid out of appropriated funds) and post that summary on its web site within 20 business days after the issuance of the Bonds. The summary shall include, as applicable, the respective percentages of participation and compensation of each underwriter that is a member of the underwriting syndicate, legal counsel, financial advisors, and other professionals for the bond issue and an identification of all costs of issuance paid to minority owned businesses, female owned businesses, and businesses owned by persons with disabilities. The terms "minority owned businesses", "female owned businesses", and "business owned by a person with a disability" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. That posting shall be maintained on the web site for a period of at least 30 days. In addition, the Governor's Office of Management and Budget shall provide a written copy of each summary of costs to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability within 20 business days after each issuance of the Bonds. In addition, the Governor's Office of Management and Budget shall provide copies of all contracts under which any costs of issuance are paid or to be paid to the ~~Illinois Economic and Fiscal~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability within 20 business days after the issuance of Bonds for which those costs are paid or to be paid. Instead of filing a second or subsequent copy of the same contract, the Governor's Office of Management and Budget may file a statement that specified costs are paid under specified contracts filed earlier with the Commission.

(b) The Director of the Governor's Office of Management and Budget shall not, in connection with the issuance of Bonds, contract with any underwriter, financial advisor, or attorney unless that underwriter, financial advisor, or attorney certifies that the underwriter, financial advisor, or attorney has not and will not pay a contingent fee, whether directly or indirectly, to a third party for having promoted the selection of the underwriter, financial advisor, or attorney for that contract. In the event that the Governor's Office of Management and Budget determines that an underwriter, financial advisor, or attorney has filed a false certification with respect to the payment of contingent fees, the Governor's Office of Management and Budget shall not contract with that underwriter, financial advisor, or attorney, or with any firm employing any person who signed false certifications, for a period of 2 calendar years, beginning with the date the determination is made. The validity of Bonds issued under such circumstances of violation

pursuant to this Section shall not be affected.

(Source: P.A. 93-2, eff. 4-7-03; 93-839, eff. 7-30-04.)

(30 ILCS 330/21)

Sec. 21. Truth in borrowing disclosures.

(a) Within 20 business days after the issuance of any Bonds under this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the total principal and interest payments to be paid on the Bonds over the full stated term of the Bonds. The disclosure also shall include principal and interest payments to be made by each fiscal year over the full stated term of the Bonds and total principal and interest payments to be made by each fiscal year on all other outstanding Bonds issued under this Act over the full stated terms of those Bonds.

(b) Within 20 business days after the issuance of any refunding bonds under Section 16 of this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the estimated present-valued savings to be obtained through the refunding, in total and by each fiscal year that the refunding Bonds may be outstanding.

(c) The disclosures required in subsections (a) and (b) shall be published by posting the disclosures for no less than 30 days on the web site of the Governor's Office of Management and Budget and by providing the disclosures in written form to the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability. These disclosures shall be calculated assuming Bonds are not redeemed or refunded prior to their stated maturities. Amounts included in these disclosures as payment of interest on variable rate Bonds shall be computed at an interest rate equal to the rate at which the variable rate Bonds are first set upon issuance, plus 2.5%, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest for each fiscal year. Amounts included in these disclosures as payment of interest on variable rate Bonds shall include the amounts certified by the Director of the Governor's Office of Management and Budget under subsection (b) of Section 9 of this Act.

(Source: P.A. 93-839, eff. 7-30-04.)

Section 90. The Metropolitan Civic Center Support Act is amended by changing Section 6 as follows:

(30 ILCS 355/6) (from Ch. 85, par. 1396)

Sec. 6. Annual statements of assets and expenses and annual audit reports shall be submitted to the Department and to the Legislative Audit Commission by each Authority receiving or having received State financial support. Each Authority receiving or having received State financial support shall prepare an annual operating plan which details income and expenditures for the proposed budget year of the Authority. This plan shall contain the appropriate detail for the proposed budget year and a 3 year plan which will justify the project's ability to meet financial obligations by producing sufficient revenue and detailing depreciation and maintenance requirements. Such annual operating plan shall be submitted to the Department and to the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability no later than January 15th of each year.

(Source: P.A. 84-245.)

Section 95. The Build Illinois Bond Act is amended by changing Sections 5 and 8.5 as follows:

(30 ILCS 425/5) (from Ch. 127, par. 2805)

Sec. 5. Bond Sale Expenses.

(a) An amount not to exceed 0.5% of the principal amount of the proceeds of the sale of each bond sale is authorized to be used to pay reasonable costs of each issuance and sale of Bonds authorized and sold pursuant to this Act, including, without limitation, underwriter's discounts and fees, but excluding bond insurance, advertising, printing, bond rating, travel of outside vendors, security, delivery, legal and financial advisory services, initial fees of trustees, registrars, paying agents and other fiduciaries, initial costs of credit or liquidity enhancement arrangements, initial fees of indexing and remarketing agents, and initial costs of interest rate swaps, guarantees or arrangements to limit interest rate risk, as determined in the related Bond Sale Order, from the proceeds of each Bond sale, provided that no salaries of State employees or other State office operating expenses shall be paid out of non-appropriated proceeds. The Governor's Office of Management and Budget shall compile a summary of all costs of issuance on each sale (including both costs paid out of proceeds and those paid out of appropriated funds) and post that summary on its web site within 20 business days after the issuance of the bonds. That posting shall be maintained on the web site for a period of at least 30 days. In addition, the Governor's Office of Management and Budget shall provide a written copy of each summary of costs to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and

Accountability within 20 business days after each issuance of the bonds. This summary shall include, as applicable, the respective percentage of participation and compensation of each underwriter that is a member of the underwriting syndicate, legal counsel, financial advisors, and other professionals for the Bond issue, and an identification of all costs of issuance paid to minority owned businesses, female owned businesses, and businesses owned by persons with disabilities. The terms "minority owned businesses", "female owned businesses", and "business owned by a person with a disability" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. In addition, the Governor's Office of Management and Budget shall provide copies of all contracts under which any costs of issuance are paid or to be paid to the ~~Illinois Economic and Fiscal Commission~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability within 20 business days after the issuance of Bonds for which those costs are paid or to be paid. Instead of filing a second or subsequent copy of the same contract, the Governor's Office of Management and Budget may file a statement that specified costs are paid under specified contracts filed earlier with the Commission.

(b) The Director of the Governor's Office of Management and Budget shall not, in connection with the issuance of Bonds, contract with any underwriter, financial advisor, or attorney unless that underwriter, financial advisor, or attorney certifies that the underwriter, financial advisor, or attorney has not and will not pay a contingent fee, whether directly or indirectly, to any third party for having promoted the selection of the underwriter, financial advisor, or attorney for that contract. In the event that the Governor's Office of Management and Budget determines that an underwriter, financial advisor, or attorney has filed a false certification with respect to the payment of contingent fees, the Governor's Office of Management and Budget shall not contract with that underwriter, financial advisor, or attorney, or with any firm employing any person who signed false certifications, for a period of 2 calendar years, beginning with the date the determination is made. The validity of Bonds issued under such circumstances of violation pursuant to this Section shall not be affected.

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 425/8.5)

Sec. 8.5. Truth in borrowing disclosures.

(a) Within 20 business days after the issuance of any Bonds under this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the total principal and interest payments to be paid on the Bonds over the full stated term of the Bonds. The disclosure also shall include principal and interest payments to be made by each fiscal year over the full stated term of the Bonds and total principal and interest payments to be made by each fiscal year on all other outstanding Bonds issued under this Act over the full stated terms of those Bonds.

(b) Within 20 business days after the issuance of any refunding bonds under Section 15 of this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the estimated present-valued savings to be obtained through the refunding, in total and by each fiscal year that the refunding Bonds may be outstanding.

(c) The disclosures required in subsections (a) and (b) shall be published by posting the disclosures for no less than 30 days on the web site of the Governor's Office of Management and Budget and by providing the disclosures in written form to the ~~Illinois Economic and Fiscal Commission~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability. These disclosures shall be calculated assuming Bonds are not redeemed or refunded prior to their stated maturities. Amounts included in these disclosures as payment of interest on variable rate Bonds shall be computed at an interest rate equal to the rate at which the variable rate Bonds are first set upon issuance, plus 2.5%, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest for each fiscal year. Amounts included in these disclosures as payments of interest shall include those amounts paid pursuant to arrangements authorized pursuant to subsection (b) of Section 6 of this Act.

(Source: P.A. 93-839, eff. 7-30-04.)

Section 100. The State Facilities Closure Act is amended by changing Sections 5-5 and 99-995 as follows:

(30 ILCS 608/5-5)

Sec. 5-5. Definitions. In this Act:

"Commission" means the ~~Illinois Economic and Fiscal Commission~~ Illinois Economic and Fiscal Commission on Government Forecasting and Accountability.

"State facility" means any facility (i) that is owned and operated by the State or leased and operated by the State and (ii) that is the primary stationary work location for 25 or more State employees. "State facility" does not include any facility under the jurisdiction of the legislative branch, including the Auditor General, or the judicial branch.

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 608/99-995)

Sec. 99-995. Closed meetings; vote requirement. This Act authorizes the ~~Illinois Economic and Fiscal Commission on Government Forecasting and Accountability~~ to hold closed meetings in certain circumstances. In order to meet the requirements of subsection (c) of Section 5 of Article IV of the Illinois Constitution, the General Assembly determines that closed meetings of the ~~Illinois Economic and Fiscal Commission on Government Forecasting and Accountability~~ are required by the public interest. Thus, this Act is enacted by the affirmative vote of two-thirds of the members elected to each house of the General Assembly.

(Source: P.A. 93-839, eff. 7-30-04.)

Section 105. The Illinois Pension Code is amended by changing Sections 1-103.3, 3-109.3, 14-108.3, 14-108.5, 15-158.3, 16-133.3, 22-803, 22-1001, 22-1002, and 22-1003 as follows:

(40 ILCS 5/1-103.3)

Sec. 1-103.3. Application of 1994 amendment; funding standard.

(a) The provisions of this amendatory Act of 1994 that change the method of calculating, certifying, and paying the required State contributions to the retirement systems established under Articles 2, 14, 15, 16, and 18 shall first apply to the State contributions required for State fiscal year 1996.

(b) The General Assembly declares that a funding ratio (the ratio of a retirement system's total assets to its total actuarial liabilities) of 90% is an appropriate goal for State-funded retirement systems in Illinois, and it finds that a funding ratio of 90% is now the generally-recognized norm throughout the nation for public employee retirement systems that are considered to be financially secure and funded in an appropriate and responsible manner.

(c) Every 5 years, beginning in 1999, the ~~Illinois Economic and Fiscal Commission on Government Forecasting and Accountability~~, in consultation with the affected retirement systems and the Governor's Office of Management and Budget (formerly Bureau of the Budget), shall consider and determine whether the 90% funding ratio adopted in subsection (b) continues to represent an appropriate goal for State-funded retirement systems in Illinois, and it shall report its findings and recommendations on this subject to the Governor and the General Assembly.

(Source: P.A. 88-593, eff. 8-22-94; revised 8-23-03.)

(40 ILCS 5/3-109.3)

Sec. 3-109.3. Self-managed plan.

(a) Purpose. The General Assembly finds that it is important for municipalities to be able to attract and retain the most qualified police officers and that in order to attract and retain these police officers, municipalities should have the flexibility to provide a defined contribution plan as an alternative for eligible employees who elect not to participate in a defined benefit retirement program provided under this Article. Accordingly, a self-managed plan shall be provided, which shall offer participating employees the opportunity to accumulate assets for retirement through a combination of employee and employer contributions that may be invested in mutual funds, collective investment funds, or other investment products and used to purchase annuity contracts, either fixed or variable, or a combination thereof. The plan must be qualified under the Internal Revenue Code of 1986.

(b) Study by Commission; Adoption of plan. The Illinois Pension Laws Commission (or its successor, the ~~Economic and Fiscal Commission on Government Forecasting and Accountability~~) shall study and evaluate the creation of a statewide self-managed plan for eligible employees under this Article. The Commission shall report its findings and recommendations to the General Assembly no later than January 1, 2002.

In accordance with the recommendations of the Commission and any action taken by the General Assembly in response to those recommendations, a statewide self-managed plan shall be adopted for eligible employees under this Article. The self-managed plan shall take effect as specified in the plan, but in no event earlier than July 1, 2002 or the date of its approval by the U.S. Internal Revenue Service, whichever occurs later.

The self-managed plan shall include a plan document and shall provide for the adoption of such rules and procedures as are necessary or desirable for the administration of the self-managed plan. Consistent with fiduciary duty to the participants and beneficiaries of the self-managed plan, it may provide for delegation of suitable aspects of plan administration to companies authorized to do business in this State.

(c) Selection of service providers and funding vehicles. The principal administrator of the self-managed plan shall solicit proposals to provide administrative services and funding vehicles for the self-managed plan from insurance and annuity companies and mutual fund companies, banks, trust companies, or other financial institutions authorized to do business in this State. In reviewing the

proposals received and approving and contracting with no fewer than 2 and no more than 7 companies, the principal administrator shall consider, among other things, the following criteria:

- (1) the nature and extent of the benefits that would be provided to the participants;
- (2) the reasonableness of the benefits in relation to the premium charged;
- (3) the suitability of the benefits to the needs and interests of the participating employees and the employer;
- (4) the ability of the company to provide benefits under the contract and the financial stability of the company; and
- (5) the efficacy of the contract in the recruitment and retention of employees.

The principal administrator shall periodically review each approved company. A company may continue to provide administrative services and funding vehicles for the self-managed plan only so long as it continues to be an approved company under contract with the principal administrator.

(d) Employee Direction. Employees who are participating in the program must be allowed to direct the transfer of their account balances among the various investment options offered, subject to applicable contractual provisions. The participant shall not be deemed a fiduciary by reason of providing such investment direction. A person who is a fiduciary shall not be liable for any loss resulting from such investment direction and shall not be deemed to have breached any fiduciary duty by acting in accordance with that direction. The self-managed plan does not guarantee any of the investments in the employee's account balances.

(e) Participation. An eligible employee must make a written election in accordance with the provisions of Section 3-109.2 and the procedures established under the self-managed plan. Participation in the self-managed plan by an eligible employee who elects to participate in the self-managed plan shall begin on the first day of the first pay period following the later of the date the employee's election is filed with the fund or the employer, but in no event sooner than the effective date of the self-managed plan.

A police officer who has elected to participate in the self-managed plan under this Section must continue participation while employed in an eligible position, and may not participate in any other retirement program administered by the municipality while employed as a police officer by that municipality. Participation in the self-managed plan under this Section shall constitute membership in an Article 3 pension fund.

(f) No Duplication of Service Credit. Notwithstanding any other provision of this Article, a police officer may not purchase or receive service or service credit applicable to any other retirement program administered by a fund under this Article for any period during which the police officer was a participant in the self-managed plan established under this Section.

(g) Contributions. The self-managed plan shall be funded by contributions from participants in the self-managed plan and employer contributions as provided in this Section.

The contribution rate for a participant in the self-managed plan under this Section shall be a minimum of 10% of his or her salary. This required contribution shall be made as an "employer pick-up" under Section 414(h) of the Internal Revenue Code of 1986 or any successor Section thereof. An employee may make additional contributions to the self-managed plan in accordance with the terms of the plan.

The self-managed plan shall provide for employer contributions to be credited to each self-managed plan participant at a rate of 10% of the participating employee's salary, less the amount of the employer contribution used to provide disability benefits for the employee. The amounts so credited shall be paid into the participant's self-managed plan accounts in the manner prescribed by the plan.

An amount of employer contribution, not exceeding 1.5% of the participating employee's salary, shall be used for the purpose of providing disability benefits to the participating employee. Prior to the beginning of each plan year under the self-managed plan, the principal administrator shall determine, as a percentage of salary, the amount of employer contributions to be allocated during that plan year for providing disability benefits for employees in the self-managed plan.

(h) Vesting; Withdrawal; Return to Service. A participant in the self-managed plan becomes fully vested in the employer contributions credited to his or her account in the self-managed plan on the earliest to occur of the following:

- (1) completion of 6 years of service with the municipality; or
- (2) the death of the participating employee while employed by the municipality, if the participant has completed at least 1.5 years of service.

A participant in the self-managed plan who receives a distribution of his or her vested amounts from the self-managed plan upon or after termination of employment shall forfeit all service credit and accrued rights in the fund of his or her employer; if subsequently re-employed, the participant shall be considered a new employee. If a former participant again becomes a participating employee and continues as such for at least 2 years, all such rights, service credit, and previous status as a participant

shall be restored upon repayment of the amount of the distribution without interest.

(i) Benefit amounts. If a participating employee who is fully vested in employer contributions terminates employment, the participating employee shall be entitled to a benefit which is based on the account values attributable to both employer and employee contributions and any investment return thereon.

If a participating employee who is not fully vested in employer contributions terminates employment, the employee shall be entitled to a benefit based on the account values attributable to the employee's contributions and any investment return thereon, plus the following percentage of employer contributions and any investment return thereon: 20% after the second year; 40% after the third year; 60% after the fourth year; 80% after the fifth year; and 100% after the sixth year. The remainder of employer contributions and investment return thereon shall be forfeited. Any employer contributions that are forfeited shall be held in escrow by the company investing those contributions and shall be used as directed by the municipality for future allocations of employer contributions or for the restoration of amounts previously forfeited by former participants who again become participating employees.

(Source: P.A. 93-632, eff. 2-1-04.)

(40 ILCS 5/14-108.3)

Sec. 14-108.3. Early retirement incentives.

(a) To be eligible for the benefits provided in this Section, a person must:

(1) be a member of this System who, on any day during June, 2002, is (i) in active payroll status in a position of employment with a department and an active contributor to this System with respect to that employment, and terminates that employment before the retirement annuity under this Article begins, or (ii) on layoff status from such a position with a right of re-employment or recall to service, or (iii) receiving benefits under Section 14-123, 14-123.1 or 14-124, but only if the member has not been receiving those benefits for a continuous period of more than 2 years as of the date of application;

(2) not have received any retirement annuity under this Article beginning earlier than August 1, 2002;

(3) file with the Board on or before December 31, 2002 a written application requesting the benefits provided in this Section;

(4) terminate employment under this Article no later than December 31, 2002 (or the date established under subsection (d), if applicable);

(5) by the date of termination of service, have at least 8 years of creditable service under this Article, without the use of any creditable service established under this Section;

(6) by the date of termination of service, have at least 5 years of membership service earned while an employee under this Article, which may include military service for which credit is established under Section 14-105(b), service during the qualifying period for which credit is established under Section 14-104(a), and service for which credit has been established by repaying a refund under Section 14-130, but shall not include service for which any other optional service credit has been established; and

(7) not receive any early retirement benefit under Section 16-133.3 of this Code.

(b) An eligible person may establish up to 5 years of creditable service under this Article, in increments of one month, by making the contributions specified in subsection (c). In addition, for each month of creditable service established under this Section, a person's age at retirement shall be deemed to be one month older than it actually is.

The creditable service established under this Section may be used for all purposes under this Article and the Retirement Systems Reciprocal Act, except for the computation of final average compensation under Section 14-103.12 or the determination of compensation under this or any other Article of this Code.

The age enhancement established under this Section may not be used to enable any person to begin receiving a retirement annuity calculated under Section 14-110 before actually attaining age 50 (without any age enhancement under this Section). The age enhancement established under this Section may be used for all other purposes under this Article (including calculation of a proportionate annuity payable by this System under the Retirement Systems Reciprocal Act), except for purposes of the level income option in Section 14-112, the reversionary annuity under Section 14-113, and the required distributions under Section 14-121.1.

The age enhancement established under this Section may be used in determining benefits payable under Article 16 of this Code under the Retirement Systems Reciprocal Act, if the person has at least 5 years of service credit in the Article 16 system that was earned while participating in that system as a teacher (as defined in Section 16-106) employed by a department (as defined in Section 14-103.04). Age

enhancement established under this Section shall not otherwise be used in determining benefits payable under other Articles of this Code under the Retirement Systems Reciprocal Act.

(c) For all creditable service established under this Section, a person must pay to the System an employee contribution to be determined by the System, based on the member's rate of compensation on June 1, 2002 (or the last date before June 1, 2002 for which a rate can be determined) and the retirement contribution rate in effect on June 1, 2002 for the member (or for members with the same social security and alternative formula status as the member).

If the member receives a lump sum payment for accumulated vacation, sick leave and personal leave upon withdrawal from service, and the net amount of that lump sum payment is at least as great as the amount of the contribution required under this Section, the entire contribution must be paid by the employee by payroll deduction. If there is no such lump sum payment, or if it is less than the contribution required under this Section, the member shall make an initial payment by payroll deduction, equal to the net amount of the lump sum payment for accumulated vacation, sick leave, and personal leave, and have the remaining amount due treated as a reduction from the retirement annuity in 24 equal monthly installments beginning in the month in which the retirement annuity takes effect. The required contribution may be paid as a pre-tax deduction from earnings. For federal and Illinois tax purposes, the monthly amount by which the annuitant's benefit is reduced shall not be treated as a contribution by the annuitant, but rather as a reduction of the annuitant's monthly benefit.

(c-5) The reduction in retirement annuity provided in subsection (c) of Section 14-108 does not apply to the annuity of a person who retires under this Section. A person who has received any age enhancement or creditable service under this Section may begin to receive an unreduced retirement annuity upon attainment of age 55 with at least 25 years of creditable service (including any age enhancement and creditable service established under this Section).

(d) In order to ensure that the efficient operation of State government is not jeopardized by the simultaneous retirement of large numbers of key personnel, the director or other head of a department may, for key employees of that department, extend the December 31, 2002 deadline for terminating employment under this Article established in subdivision (a)(4) of this Section to a date not later than April 30, 2003 by so notifying the System in writing by December 31, 2002.

(e) Notwithstanding Section 14-111, a person who has received any age enhancement or creditable service under this Section and who reenters service under this Article (or as an employee of a department under Article 16) other than as a temporary employee thereby forfeits that age enhancement and creditable service and is entitled to a refund of the contributions made pursuant to this Section.

(f) The System shall determine the amount of the increase in the present value of future benefits resulting from the granting of early retirement incentives under this Section and shall report that amount to the Governor and the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability on or after the effective date of this amendatory Act of the 93rd General Assembly and on or before November 15, 2004. The increase reported under this subsection (f) shall not be included in the calculation of the required State contribution under Section 14-131.

(g) In addition to the contributions otherwise required under this Article, the State shall appropriate and pay to the System (1) an amount equal to \$70,000,000 in State fiscal years 2004 and 2005 and (2) in each of State fiscal years 2006 through 2015, a level dollar-payment based upon the increase in the present value of future benefits provided by the early retirement incentives provided under this Section amortized at 8.5% interest.

(h) The ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability (i) shall hold one or more hearings on or before the last session day during the fall veto session of 2004 to review recommendations relating to funding of early retirement incentives under this Section and (ii) shall file its report with the General Assembly on or before December 31, 2004 making its recommendations relating to funding of early retirement incentives under this Section; the Commission's report may contain both majority recommendations and minority recommendations. The System shall recalculate and recertify to the Governor by January 31, 2005 the amount of the required State contribution to the System for State fiscal year 2005 with respect to those incentives. The Pension Laws Commission (or its successor, the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability) shall determine and report to the General Assembly, on or before January 1, 2004 and annually thereafter through the year 2013, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early retirement of persons receiving early retirement incentives under this Section and (2) the net annual savings or cost to the State from the program of early retirement incentives created under this Section.

The System, the Department of Central Management Services, the Governor's Office of Management and Budget (formerly Bureau of the Budget), and all other departments shall provide to the Commission

[January 10, 2005]

any assistance that the Commission may request with respect to its reports under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings of former department employees who elected to receive benefits under this Section, (2) the earnings of current department employees holding the positions vacated by persons who elected to receive benefits under this Section, and (3) positions vacated by persons who elected to receive benefits under this Section that have not yet been refilled.

(i) The changes made to this Section by this amendatory Act of the 92nd General Assembly do not apply to persons who retired under this Section on or before May 1, 1992.

(Source: P.A. 92-566, eff. 6-25-02; 93-632, eff. 2-1-04; 93-839, eff. 7-30-04.)

(40 ILCS 5/14-108.5)

Sec. 14-108.5. Alternative retirement cancellation payment.

(a) To be eligible for the alternative retirement cancellation payment provided in this Section, a person must:

(1) be a member of this System who, on any day during June 2004, was (i) in active payroll status as an employee in a position listed in subsection (b) of this Section and continuously employed in a position listed in subsection (b) on and after January 1, 2004 and (ii) an active contributor to this System with respect to that employment;

(2) have not previously received any retirement annuity under this Article;

(3) not accept an incentive payment under Section 14a.5 of the State Finance Act;

(4) in the case of persons employed in a position title listed under paragraph (1) of subsection (b), be among the first 3,000 persons to file with the Board on or before September 30, 2004 a written application requesting the alternative retirement cancellation payment provided in this Section;

(5) in the case of persons employed in a position title listed under paragraph (2) of subsection (b), have received written authorization from the director or other head of his or her department and filed that authorization with the system on or before September 1, 2004;

(6) if there is a QILDRO in effect against the person, file with the Board the written consent of all alternate payees under the QILDRO to the election of an alternative retirement cancellation payment under this Section; and

(7) terminate employment under this Article within 2 weeks after approval of the person's application requesting the alternative retirement cancellation payment, but in no event later than October 31, 2004.

(b)(1) Position titles eligible for the alternative retirement cancellation payment provided in this Section are:

911 Analyst III; Brickmason; Account Clerk I and II; Budget Analyst I and II; Account Technician I and II; Budget Operations Director; Accountant; Budget Principal; Accountant Advanced; Building Services Worker; Accountant Supervisor; Building/Grounds Laborer; Accounting Fiscal Administrative Career Trainee; Building/Grounds Lead 1 and 2; Accounts Payable Processing Analyst; Building/Grounds Maintenance Worker; Accounts Payable Specialist; Building/Grounds Supervisor; Accounts Processing Analyst; Bureau Chief; Actuarial Assistant; Business Administrative Specialist; Administrative and Technology Director; Business Analyst I through IV; Administrative Assistant I through III; Business Manager; Administrative Clerk; Buyer; Administrative Coordinator; Buyer Assistant; Administrator; Capital Budget Analyst I and II; Administrator of Capital Programs; Capital Budget Director; Administrator of Construction Administration; Capital Programs Analyst I and II; Administrator of Contract Administration; Capital Programs Technician; Administrator of Fair Employment Practices; Carpenter; Administrator of Fiscal; Carpenter Foreman; Administrator of Information Management; Cartographer I through III; Administrator of Information Systems; Chief - Police; Administrator of Personnel; Chief Veterans Technician; Administrator of Professional Services; Circuit Provisioning Specialist; Administrator of Public Affairs; Civil Engineer I through IX; Administrator of Quality-Based Selection; Civil Engineer Trainee; Administrator of Strategic Planning and Training; Clerical Trainee; Appeals & Orders Coordinator; Communications Director; Appraisal Specialist 1 through 3; Community Planner 3; Assignment Coordinator; Commander; Assistant Art-in-Architecture Coordinator; Compliance Specialist; Assistant Chief - Police; Conservation Education Representative; Assistant Internal Auditor; Conservation Grant Administrator 1 through 3; Assistant Manager; Construction Supervisor I and II; Assistant Personnel Officer; Consumer Policy Analyst; Assistant Professor Scientist; Consumer Program Coordinator; Assistant

Reimbursement Officer; Contract Executive; Assistant Steward; Coordinator of Administrative Services; Associate Director for Administrative Services; Coordinator of Art-in-Architecture; Associate Museum Director; Corrections Clerk I through III; Associate Professor Scientist; Corrections Maintenance Supervisor; Corrections Caseworker Supervisor; Corrections Food Service Supervisor; Auto Parts Warehouse Specialist; Corrections Maintenance Worker; Auto Parts Warehouse; Curator I through III; Automotive Attendant I and II; Data Processing Administrative Specialist; Automotive Mechanic; Data Processing Assistant; Automotive Shop Supervisor; Data Processing Operator; Baker; Data Processing Specialist; Barber; Data Processing Supervisor I through 3; Beautician; Data Processing Technician; Brickmason; Deputy Chief Counsel; Director of Licensing; Desktop Technician; Director of Security; Human Resources Officer; Division Chief; Human Resources Representative; Division Director; Human Resources Specialist; Economic Analyst I through IV; Human Resources Trainee; Electrical Engineer; Human Services Casework Manager; Electrical Engineer I through V; Human Services Grant Coordinator 2 and 3; Electrical Equipment Installer/Repairer; Iconographer; Electrical Equipment Installer/Repairer Lead Worker; Industry and Commercial Development Representative 1 and 2; Electrician; Industry Services Consultant 1 and 2; Electronics Technician; Information Services Intern; Elevator Operator; Information Services Specialist I and II; Endangered Species Secretary; Information Systems Analyst I through III; Engineering Aide; Information Systems Manager; Engineering Analyst I through IV; Information Systems Planner; Engineering Manager I and II; Institutional Maintenance Worker; Engineering Technician I through V; Instrument Designer; Environmental Scientist I and II; Insurance Analyst I through IV; Executive I through VI; Executive Assistant; Intermittent Clerk; Executive Assistant I through IV; Intermittent Laborer Maintenance; Executive Secretary 1 through 3; Intern; Federal Funding and Public Safety Director; Internal Auditor 1; Financial & Budget Assistant; Internal Communications Officer; Financial & Budget Supervisor; International Marketing Representative 1; Financial Management Director; IT Manager; Fiscal Executive; Janitor I and II; Fiscal Officer; Junior State Veterinarian; Gas Engineer I through IV; Junior Supervisor Scientist; General Counsel and Regulatory Director; Laboratory Manager II; General Services Administrator I; Labor Maintenance Lead Worker; General Services Technician; Laborer; Geographic Information Specialist 1 and 2; Laborer (Building); Geologist I through IV; Laborer (Maintenance); Graphic Arts Design Supervisor; Landscape Architect; Graphic Arts Designer; Landscape Architect I through IV; Graphic Arts Technician; Landscape Planner; Grounds Supervisor; Laundry Manager I; Highway Construction Supervisor I; Legislative Liaison I and II; Historical Research Editor 2; Liability Claims Adjuster 1 and 2; Historical Research Specialist; Librarian 1 and 2; Horse Custodian; Library Aide I through III; Horse Identifier; Library Associate; Hourly Assistant; Library Technical Assistant; Human Resource Coordinator; Licensing Assistant; Human Resources Analyst; Line Technician I through II; Human Resources Assistant; Local History Service Representative; Human Resources Associate; Local Housing Advisor 2 and 3; Human Resources Manager; Local Revenue and Fiscal Advisor 3; Machinist; Locksmith; Maintenance Equipment Operator; Operations Communications Specialist Trainee; Maintenance Worker; Operations Technician; Maintenance Worker Power Plant; Painter; Management Information Technician; Paralegal Assistant; Management Operations Analyst 1 and 2; Performance Management Analyst; Management Secretary I; Personnel Manager; Management Systems Specialist; Photogrammetrist I through IV; Management Technician I through IV; Physician; Manager; Physician Specialist Operations A through D; Manpower Planner 1 through 3; Planning Director; Medical Administrator III and V; Plant Maintenance Engineer 1 and 2; Methods & Processes Advisor 1, 2 and III; Plumber; Methods & Processes Career Associate 1 and 2; Policy Advisor; Microfilm Operator I through III; Policy Analyst I through IV; Military Administrative Assistant I; Power Shovel Operator (Maintenance); Military Administrative Clerk; Principal Economist; Military Administrative Officer-Legal; Principal Scientist; Military Administrative Specialist; Private Secretary 1 and 2; Military Community Relations Specialist; Private Secretary I and II; Military Cooperative Agreement Specialist; Procurement Representative; Military Crash, Fire, Rescue I through III; Professor & Scientist; Military Energy Manager; Program Manager; Military Engineer Technician; Program Specialist; Military Environmental Specialist I through III; Project Coordinator; Military Facilities Engineer; Project Designer; Military Facilities Officer I; Project Manager I through III; Military Maintenance Engineer; Project Manager; Military Museum Director; Project Manager/Technical Specialist I thru III; Military Program Supervisor; Project Specialist I through IV; Military Property Custodian II; Projects Director; Military Real Property Clerk; Property & Supply Clerk I through III; Motorist Assistance Specialist; Property Control Officer; Museum Director; Public Administration Intern; Museum Security Head I through III; Public Information Coordinator; Museum Technician I through III; Public Information Officer; Network Control Center

Specialist; Public Information Officer 2 through 4; Network Control Center Technician 2; Public Service Administrator; Network Engineer I through IV; Race Track Maintenance 1 and 2; Office Administration Specialist; Radio Technician Program Coordinator; Office Administrator 1 through 5; Realty Specialist I through V; Office Aide; Receptionist; Office Assistant; Regional Manager; Office Associate; Regulatory Accountant IV; Office Clerk; Reimbursement Officer 1 and 2; Office Coordinator; Representative I and II; Office Manager; Representative Trainee; Office Occupations Trainee; School Construction Manager; Office Specialist; Secretary I and IV; Operations Communications Specialist I and II; Security Guard; Senior Economic Analyst; Security Supervisor; Senior Editor; Systems Developer I through IV; Senior Electrical Engineer; Systems Developer Trainee; Senior Financial & Budget Assistant; Systems Engineer I through IV; Senior Gas Engineer; Systems Engineer Trainee; Senior Policy Analyst; Tariff & Order Coordinator; Senior Programs Analyst; Tariff Administrator III; Senior Project Consultant; Tariff Analyst IV; Senior Project Manager; Teacher of Barbering; Senior Public Information Officer; Teacher of Beauty Culture; Senior Public Service Administrator; Technical Advisor 2 and 3; Senior Rate Analyst; Technical Advisor I through VII; Senior Technical Assistant; Technical Analyst; Technical Manager I through IX; Senior Technical Supervisor; Technical Assistant; Senior Technology Specialist; Technical Manager 1; Senior Transportation Industry Analyst; Technical Manager I through X; Sewage Plant Operator; Technical Specialist; Sign Hanger; Technical Support Specialist; Sign Hanger Foreman; Technical Specialist I thru III; Sign Painter; Technician Trainee; Sign Shop Foreman; Telecom Systems Analyst; Silk Screen Operator; Telecom Systems Consultant; Senior Administrative Assistant; Telecom Systems Technician 1 and 2; Site Superintendent; Telecommunication Supervisor; Software Architect; Tinsmith; Special Assistant; Trades Tender; Special Assistant to the Executive Director; Training Coordinator; Staff Development Specialist I; Transportation Counsel; Staff Development Technician II; Transportation Industry Analyst III; State Police Captain; Transportation Industry Customer Service; State Police Lieutenant; Transportation Officer; State Police Major; Transportation Policy Analyst III and IV; State Police Master Sergeant; Urban Planner I through VI; Stationary Engineer; Utility Engineer I and II; Stationary Engineer Assistant Chief; Veteran Secretary; Stationary Engineer Chief; Veteran Technician; Stationary Fireman; Water Engineer I through IV; Statistical Research Specialist 1 through 3; Water Plant Operator; Statistical Research Supervisor; Web and Publications Manager; Statistical Research Technician; Steamfitter; Steward; Steward Secretary; Storekeeper I through III; Stores Clerk; Student Intern; Student Worker; Supervisor; Supervisor & Assistant Scientist; Supervisor & Associate Scientist; Switchboard Operator 1 through 3; Administrative Assistant to the Superintendent; Assistant Legal Advisor; Legal Assistant; Senior Human Resources Specialist; Principal Internal Auditor; Division Administrator; Division Supervisor; and Private Secretary I through III.

(2) In addition, any position titles with the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, the Attorney General, the Secretary of State, the Comptroller, the Treasurer, the Auditor General, the Supreme Court, the Court of Claims, and each legislative agency are eligible for the alternative retirement cancellation payment provided in this Section.

(c) In lieu of any retirement annuity or other benefit provided under this Article, a person who qualifies for and elects to receive the alternative retirement cancellation payment under this Section shall be entitled to receive a one-time lump sum retirement cancellation payment equal to the amount of his or her contributions to the System (including any employee contributions for optional service credit and including any employee contributions paid by the employer or credited to the employee during disability) as of the date of termination, with regular interest, multiplied by 2.

(d) Notwithstanding any other provision of this Article, a person who receives an alternative retirement cancellation payment under this Section thereby forfeits the right to any other retirement or disability benefit or refund under this Article, and no widow's, survivor's, or death benefit deriving from that person shall be payable under this Article. Upon accepting an alternative retirement cancellation payment under this Section, the person's creditable service and all other rights in the System are terminated for all purposes, except for the purpose of determining State group life and health benefits for the person and his or her survivors as provided under the State Employees Group Insurance Act of 1971.

(e) To the extent permitted by federal law, a person who receives an alternative retirement cancellation payment under this Section may direct the System to pay all or a portion of that payment as a rollover into another retirement plan or account qualified under the Internal Revenue Code of 1986, as amended.

(f) Notwithstanding Section 14-111, a person who has received an alternative retirement cancellation payment under this Section and who reenters service under this Article other than as a temporary

employee must repay to the System the amount by which that alternative retirement cancellation payment exceeded the amount of his or her refundable employee contributions within 60 days of resuming employment under this System. For the purposes of re-establishing creditable service that was terminated upon election of the alternative retirement cancellation payment, the portion of the alternative retirement cancellation payment representing refundable employee contributions shall be deemed a refund repayable in accordance with Section 14-130.

(g) The ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability shall determine and report to the Governor and the General Assembly, on or before January 1, 2006, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early termination of persons receiving the alternative retirement cancellation payment under this Section and (2) the net annual savings or cost to the State from the program of alternative retirement cancellation payments under this Section.

The System, the Department of Central Management Services, the Governor's Office of Management and Budget, and all other departments shall provide to the Commission any assistance that the Commission may request with respect to its report under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings of former department employees who elected to receive alternative retirement cancellation payments under this Section, (2) the earnings of current department employees holding the positions vacated by persons who elected to receive alternative retirement cancellation payments under this Section, and (3) positions vacated by persons who elected to receive alternative retirement cancellation payments under this Section that have not yet been refilled.

(Source: P.A. 93-839, eff. 7-30-04.)

(40 ILCS 5/15-158.3)

Sec. 15-158.3. Reports on cost reduction; effect on retirement at any age with 30 years of service.

(a) On or before November 15, 2001 and on or before November 15th of each year thereafter, the Board shall have the System's actuary prepare a report showing, on a fiscal year by fiscal year basis, the actual rate of participation in the self-managed plan authorized by Section 15-158.2, (i) by employees of the System's covered higher educational institutions who were hired on or after the implementation date of the self-managed plan and (ii) by other System participants.

The actuary's report must also quantify the extent to which employee optional retirement plan participation has reduced the State's required contributions to the System, expressed both in dollars and as a percentage of covered payroll, in relation to what the State's contributions to the System would have been (1) if the self-managed plan had not been implemented, and (2) if 45% of employees of the System's covered higher educational institutions who were hired on or after the implementation date of the self-managed plan had elected to participate in the self-managed plan and 10% of other System participants had transferred to the self-managed plan following its implementation.

(b) On or before November 15th of 2001 and on or before November 15th of each year thereafter, the Illinois Board of Higher Education, in conjunction with the Bureau of the Budget (now Governor's Office of Management and Budget) shall prepare a report showing, on a fiscal year by fiscal year basis, the amount by which the costs associated with compensable sick leave have been reduced as a result of the termination of compensable sick leave accrual on and after January 1, 1998 by employees of higher education institutions who are participants in the System.

(c) On or before November 15 of 2001 and on or before November 15th of each year thereafter, the Department of Central Management Services shall prepare a report showing, on a fiscal year by fiscal year basis, the amount by which the State's cost for health insurance coverage under the State Employees Group Insurance Act of 1971 for retirees of the State's universities and their survivors has declined as a result of requiring some of those retirees and survivors to contribute to the cost of their basic health insurance. These year-by-year reductions in cost must be quantified both in dollars and as a level percentage of payroll covered by the System.

(d) The reports required under subsections (a), (b), and (c) shall be disseminated to the Board, the Pension Laws Commission (until it ceases to exist), the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability, the Illinois Board of Higher Education, and the Governor.

(e) The reports required under subsections (a), (b), and (c) shall be taken into account by the Pension Laws Commission (or its successor, the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability) in making any recommendation to extend by legislation beyond December 31, 2002 the provision that allows a System participant to retire at any age with 30 or more years of service as authorized in Section 15-135. If that provision is extended beyond December 31, 2002, and if the most recent report under subsection (a) indicates that actual State contributions to the System for the period

during which the self-managed plan has been in operation have exceeded the projected State contributions under the assumptions in clause (2) of subsection (a), then any extension of the provision beyond December 31, 2002 must require that the System's higher educational institutions and agencies cover any funding deficiency through an annual payment to the System out of appropriate resources of their own.

(Source: P.A. 93-632, eff. 2-1-04.)

(40 ILCS 5/16-133.3) (from Ch. 108 1/2, par. 16-133.3)

Sec. 16-133.3. Early retirement incentives for State employees.

(a) To be eligible for the benefits provided in this Section, a person must:

(1) be a member of this System who, on any day during June, 2002, is (i) in active payroll status as a full-time teacher employed by a department and an active contributor to this System with respect to that employment, or (ii) on layoff status from such a position with a right of re-employment or recall to service, or (iii) receiving a disability benefit under Section 16-149 or 16-149.1, but only if the member has not been receiving that benefit for a continuous period of more than 2 years as of the date of application;

(2) not have received any retirement annuity under this Article beginning earlier than August 1, 2002;

(3) file with the Board on or before December 31, 2002 a written application requesting the benefits provided in this Section;

(4) terminate employment under this Article no later than December 31, 2002 (or the date established under subsection (d), if applicable);

(5) by the date of termination of service, have at least 8 years of creditable service under this Article, without the use of any creditable service established under this Section;

(6) by the date of termination of service, have at least 5 years of service credit earned while participating in the System as a teacher employed by a department; and

(7) not receive any early retirement benefit under Section 14-108.3 of this Code.

For the purposes of this Section, "department" means a department as defined in Section 14-103.04 that employs a teacher as defined in this Article.

(b) An eligible person may establish up to 5 years of creditable service under this Article by making the contributions specified in subsection (c). In addition, for each period of creditable service established under this Section, a person's age at retirement shall be deemed to be enhanced by an equivalent period.

The creditable service established under this Section may be used for all purposes under this Article and the Retirement Systems Reciprocal Act, except for the computation of final average salary, the determination of salary or compensation under this Article or any other Article of this Code, or the determination of eligibility for or the computation of benefits under Section 16-133.2.

The age enhancement established under this Section may be used for all purposes under this Article (including calculation of a proportionate annuity payable by this System under the Retirement Systems Reciprocal Act), except for purposes of a retirement annuity under Section 16-133(a)(A), a reversionary annuity under Section 16-136, the required distributions under Section 16-142.3, and the determination of eligibility for or the computation of benefits under Section 16-133.2. Age enhancement established under this Section may be used in determining benefits payable under Article 14 of this Code under the Retirement Systems Reciprocal Act (subject to the limitations on the use of age enhancement provided in Section 14-108.3); age enhancement established under this Section shall not be used in determining benefits payable under other Articles of this Code under the Retirement Systems Reciprocal Act.

(c) For all creditable service established under this Section, a person must pay to the System an employee contribution to be determined by the System, equal to 9.0% of the member's highest annual salary rate that would be used in the determination of the average salary for retirement annuity purposes if the member retired immediately after withdrawal, for each year of creditable service established under this Section.

If the member receives a lump sum payment for accumulated vacation, sick leave, and personal leave upon withdrawal from service, and the net amount of that lump sum payment is at least as great as the amount of the contribution required under this Section, the entire contribution must be paid by the employee by payroll deduction. If there is no such lump sum payment, or if it is less than the contribution required under this Section, the member shall make an initial payment by payroll deduction, equal to the net amount of the lump sum payment for accumulated vacation, sick leave, and personal leave, and have the remaining amount due treated as a reduction from the retirement annuity in 24 equal monthly installments beginning in the month in which the retirement annuity takes effect. The required contribution may be paid as a pre-tax deduction from earnings.

(d) In order to ensure that the efficient operation of State government is not jeopardized by the

simultaneous retirement of large numbers of key personnel, the director or other head of a department may, for key employees of that department, extend the December 31, 2002 deadline for terminating employment under this Article established in subdivision (a)(4) of this Section to a date not later than April 30, 2003 by so notifying the System in writing by December 31, 2002.

(e) A person who has received any age enhancement or creditable service under this Section and who reenters contributing service under this Article or Article 14 shall thereby forfeit that age enhancement and creditable service, and become entitled to a refund of the contributions made pursuant to this Section.

(f) The System shall determine the amount of the increase in the present value of future benefits resulting from the granting of early retirement incentives under this Section and shall report that amount to the Governor and the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability on or after the effective date of this amendatory Act of the 93rd General Assembly and on or before November 15, 2004. The increase in liability reported under this subsection (f) shall not be included in the calculation of the required State contribution under Section 16-158.

(g) In addition to the contributions otherwise required under this Article, the State shall appropriate and pay to the System (1) an amount equal to \$1,000,000 in State fiscal year 2004 and (2) in each of State fiscal years 2006 through 2015, a level dollar-payment based upon the increase in the present value of future benefits provided by the early retirement incentives provided under this Section amortized at 8.5% interest.

(h) The Pension Laws Commission (or its successor, the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability) shall determine and report to the General Assembly, on or before January 1, 2004 and annually thereafter through the year 2013, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early retirement of persons receiving early retirement incentives under this Section and (2) the net annual savings or cost to the State from the program of early retirement incentives created under this Section.

The System, the Department of Central Management Services, the Governor's Office of Management and Budget (formerly Bureau of the Budget), and all other departments shall provide to the Commission any assistance that the Commission may request with respect to its reports under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings of former department employees who elected to receive benefits under this Section, (2) the earnings of current department employees holding the positions vacated by persons who elected to receive benefits under this Section, and (3) positions vacated by persons who elected to receive benefits under this Section that have not yet been refilled.

(i) The changes made to this Section by this amendatory Act of the 92nd General Assembly do not apply to persons who retired under this Section on or before May 1, 1992.

(Source: P.A. 92-566, eff. 6-25-02; 93-632, eff. 2-1-04; 93-839, eff. 7-30-04.)

(40 ILCS 5/22-803)

Sec. 22-803. ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability. The Illinois State Board of Investment and all pension funds and retirement systems subject to this Code shall cooperate with the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability and shall upon request provide the Commission with such information and other assistance as it may find necessary or useful for the performance of its duties.

(Source: P.A. 93-632, eff. 2-1-04.)

(40 ILCS 5/22-1001) (from Ch. 108 1/2, par. 22-1001)

Sec. 22-1001. Submission of information. By March 1 of each year, the retirement systems created under Articles 2, 14, 15, 16 and 18 of this Code shall each submit the following information to the ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability:

(1) the most recent actuarial valuation computed using the projected unit credit actuarial cost method for retirement and ancillary benefits.

(2) a full disclosure of the provisions of the plan; economic, mortality, termination, and demographic assumptions used for the valuation; methods used to determine the actuarial values; the impact of significant changes in the actuarial assumptions and methods; the most recent experience review; and other information affecting the plan's actuarial status.

(3) the State's share of the amount necessary to fund the normal cost plus interest on the unfunded accrued liability for the next fiscal year as determined by the projected unit credit computations.

(4) a five-year history of the system's liabilities, assets (valued at cost), and unfunded liabilities.

(5) the July 1 market value of system assets and a five-year history of annual and annualized investment returns of the system's total portfolio and each segment of the portfolio; and

(6) measures of financial status, including ten-year trends of: unfunded liabilities, funded ratios, quick liability ratios, current reserves, and other solvency tests requested by the Commission.

For plan years ending prior to December 31, 1984, the historical data submitted by the retirement systems pursuant to items (4) and (6) above may be based on a cost method other than the projected unit credit actuarial cost method. In submitting the data, the retirement systems shall specify the method used.

(Source: P.A. 93-632, eff. 2-1-04.)

(40 ILCS 5/22-1002) (from Ch. 108 1/2, par. 22-1002)

Sec. 22-1002. Within 3 days of the Governor's submission of the State Budget, the Director of the Governor's Office of Management and Budget shall provide the ~~Illinois Economic and Fiscal Commission~~ on Government Forecasting and Accountability with the recommendations for budgeted annual appropriations for each system as specified in the Governor's budget recommendations.

(Source: P.A. 93-632, eff. 2-1-04.)

(40 ILCS 5/22-1003) (from Ch. 108 1/2, par. 22-1003)

Sec. 22-1003. The ~~Economic and Fiscal~~ Commission on Government Forecasting and Accountability shall receive the information specified in Section 22-1001 and Section 22-1002 of this Act. Commission staff shall examine the information and submit a report of the analysis thereof to the General Assembly. The report shall also include either an analysis of the effect of the different economic assumptions used by the 5 systems, or supplemental valuations using the same economic assumptions for all 5 systems. The Commission shall compare (1) each system's required actuarial funding computed using the projected unit credit actuarial cost method, and (2) the required State contribution levels established by Public Act 88-593. The report shall also identify the amount of the required funding for each system expected to come from (i) budgeted annual appropriations and (ii) continuing appropriations under the State Pension Funds Continuing Appropriation Act.

The Commission shall also compute multiple year projections showing the effect on system liabilities and the State's annual cost (1) if the systems were to be funded according to actuarial recommendations that the Commission deems reasonable, (2) if each system were to be funded according to recommendations made by the system's actuary, and (3) if the systems were to be funded according to the required State contribution levels established by Public Act 88-593; including (i) comparisons of State costs with projected benefit payments, payroll, and the general funds budget, and (ii) comparisons of unfunded liabilities, funded ratios, solvency tests, and projected reserves. The Commission may conduct additional analyses and projections as it deems useful.

(Source: P.A. 93-632, eff. 2-1-04.)

Section 107. The State Pension Funds Continuing Appropriation Act is amended by changing Sections 1 and 1.2 as follows:

(40 ILCS 15/1)

Sec. 1. Appropriations from State Pensions Fund. For the purpose of making up any deficiency in the appropriations to the designated retirement systems that are required to be made under Section 8.12 of the State Finance Act, there is hereby appropriated, on a continuing annual basis in each fiscal year, from the State Pensions Fund to each designated retirement system, the amount, if any, by which the total appropriation to that system from the State Pensions Fund for that fiscal year is less than the amount required to be appropriated to that retirement system under Section 8.12 of the State Finance Act.

The annual appropriation under this Section to each designated retirement system shall take effect on July 1 for the State fiscal year beginning on that date.

The amount of any continuing appropriation used by a retirement system under this Section for a given fiscal year shall be charged against the unexpended amount of any appropriation to that retirement system for that fiscal year under Section 8.12 of the State Finance Act that subsequently becomes available, subject to Section 8.3 of the State Finance Act.

"Designated retirement systems" means the State Employees' Retirement System of Illinois, the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, the Judges Retirement System of Illinois, and the General Assembly Retirement System.

The appropriations made in this Section are appropriated to the designated retirement systems as a part of the annual State contribution required by the laws providing for the funding of those systems.

(Source: P.A. 87-923; 88-593, eff. 8-22-94.)

(40 ILCS 15/1.2)

Sec. 1.2. Appropriations for the State Employees' Retirement System.

(a) From each fund from which an amount is appropriated for personal services to a department or other employer under Article 14 of the Illinois Pension Code, there is hereby appropriated to that department or other employer, on a continuing annual basis for each State fiscal year, an additional amount equal to the amount, if any, by which (1) an amount equal to the percentage of the personal services line item for that department or employer from that fund for that fiscal year that the Board of Trustees of the State Employees' Retirement System of Illinois has certified under Section 14-135.08 of the Illinois Pension Code to be necessary to meet the State's obligation under Section 14-131 of the Illinois Pension Code for that fiscal year, exceeds (2) the amounts otherwise appropriated to that department or employer from that fund for State contributions to the State Employees' Retirement System for that fiscal year. From the effective date of this amendatory Act of the 93rd General Assembly through the final payment from a department or employer's personal services line item for fiscal year 2004, payments to the State Employees' Retirement System that otherwise would have been made under this subsection (a) shall be governed by the provisions in subsection (a-1).

(a-1) If a Fiscal Year 2004 Shortfall is certified under subsection (f) of Section 14-131 of the Illinois Pension Code, there is hereby appropriated to the State Employees' Retirement System of Illinois on a continuing basis from the General Revenue Fund an additional aggregate amount equal to the Fiscal Year 2004 Shortfall.

(b) The continuing appropriations provided for by this Section shall first be available in State fiscal year 1996.

(c) Beginning in Fiscal Year 2005, any continuing appropriation under this Section arising out of an appropriation for personal services from the Road Fund to the Department of State Police or the Secretary of State shall be payable from the General Revenue Fund rather than the Road Fund.

(Source: P.A. 93-665, eff. 3-5-04.)

Section 110. The Illinois Sports Facilities Authority Act is amended by changing Section 18 as follows:

(70 ILCS 3205/18) (from Ch. 85, par. 6018)

Sec. 18. Records and Reports of the Authority. The secretary shall keep a record of the proceedings of the Authority. The treasurer of the Authority shall be custodian of all Authority funds, and shall be bonded in such amount as the other members of the Authority may designate. The accounts and books of the Authority shall be set up and maintained in a manner approved by the Auditor General, and the Authority shall file with the Auditor General a certified annual report within 120 days after the close of its fiscal year. The Authority shall also file with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives, the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability, by March 1 of each year, a written report covering its activities for the previous fiscal year and so filed, such report shall be a public record and open for inspection at the offices of the Authority during normal business hours.

(Source: P.A. 84-1470.)

Section 115. The Downstate Illinois Sports Facilities Authority Act is amended by changing Section 75 as follows:

(70 ILCS 3210/75)

Sec. 75. Records and reports of the Authority. The secretary shall keep a record of the proceedings of the Authority. The treasurer of the Authority shall be custodian of all Authority funds and shall be bonded in the amount the other members of the Authority may designate. The accounts and books of the Authority shall be set up and maintained in a manner approved by the Auditor General, and the Authority shall file with the Auditor General a certified annual report within 120 days after the close of its fiscal year. The Authority shall also file with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives, and the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability, by March 1 of each year, a written report covering its activities for the previous fiscal year. So filed, the report shall be a public record and open for inspection at the offices of the Authority during normal business hours.

(Source: P.A. 93-227, eff. 1-1-04.)

Section 120. The Board of Higher Education Act is amended by changing Sections 9.11 and 9.18 as follows:

(110 ILCS 205/9.11) (from Ch. 144, par. 189.11)

Sec. 9.11. Effective January 1, 1980, to require the preparation of an annual capital plan which details

the proposed budget year and 3 year capital needs of the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, and the Board of Trustees of Western Illinois University. Such plan shall detail capital expenditures to finance revenue producing facilities through the issuance of revenue bonds. This plan shall detail each project and the project cost in current dollar amounts. The plan shall contain the appropriate detail for the proposed budget year and the 3 year plan which will justify the projects ability to meet: the debt service requirements by producing sufficient revenue, life expectancy and maintenance requirements. Such annual capital plans shall be submitted to the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability no later than March 15th of each year.

(Source: P.A. 89-4, eff. 1-1-96.)

(110 ILCS 205/9.18) (from Ch. 144, par. 189.18)

Sec. 9.18. To review the annual budget proposals of the Illinois Mathematics and Science Academy and to submit to the Governor, the General Assembly, the Governor's Office of Management and Budget Bureau of the Budget, and the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability its analysis and recommendations on such budget proposals.

(Source: P.A. 85-1019; revised 8-23-03.)

Section 125. The Illinois Horse Racing Act of 1975 is amended by changing Section 1.3 as follows:

(230 ILCS 5/1.3)

Sec. 1.3. Legislative findings.

(a) The General Assembly finds that the Illinois gaming industry is a single industry consisting of horse racing and riverboat gambling. Reports issued by the ~~legislative Economic~~ and Fiscal Commission on Government Forecasting and Accountability in 1992, 1994, and 1998 have found that horse racing and riverboat gambling:

- (1) "share many of the same characteristics" and are "more alike than different";
- (2) are planned events;
- (3) have similar odds of winning;
- (4) occur in similar settings; and
- (5) compete with each other for limited gaming dollars.

(b) The General Assembly declares it to be the public policy of this State to ensure the viability of both horse racing and riverboat aspects of the Illinois gaming industry.

(Source: P.A. 91-40, eff. 6-25-99.)

Section 130. The Toll Highway Act is amended by changing Section 23 as follows:

(605 ILCS 10/23) (from Ch. 121, par. 100-23)

Sec. 23. The Authority shall file with the Governor, the Clerk of the House of Representatives, the Secretary of the Senate, and the ~~Illinois Economic and Fiscal~~ Commission on Government Forecasting and Accountability, on or prior to March 15th of each year, a written statement and report covering its activities for the preceding calendar year. The Authority shall present, to the committees of the House of Representatives designated by the Speaker of the House and to the committees of the Senate designated by the President of the Senate, an annual report outlining its planned revenues and expenditures. The Authority shall prepare an annual capital plan which identifies capital projects by location and details the project costs in correct dollar amounts. The Authority shall also prepare and file a ten-year capital plan that includes a listing of all capital improvement projects contemplated during the ensuing ten-year period. The first ten-year capital plan shall be filed in 1991 and thereafter on the anniversary of each ten-year period.

It shall also be the duty of the Auditor General of the State of Illinois, annually to audit or cause to be audited the books and records of the Authority and to file a certified copy of the report of such audit with the Governor and with the Legislative Audit Commission, which audit reports, when so filed, shall be open to the public for inspection.

(Source: P.A. 91-256, eff. 1-1-00.)

Section 135. The Illinois Vehicle Code is amended by changing Sections 3-820 and 3-821 as follows:

(625 ILCS 5/3-820) (from Ch. 95 1/2, par. 3-820)

Sec. 3-820. Duplicate Number Plates. Upon filing in the Office of the Secretary of State an affidavit to the effect that an original number plate for a vehicle is lost, stolen or destroyed, a duplicate number plate

shall be furnished upon payment of a fee of \$6 for each duplicate plate and a fee of \$9 for a pair of duplicate plates.

Upon filing in the Office of the Secretary of State an affidavit to the effect that an original registration sticker for a vehicle is lost, stolen or destroyed, a new registration sticker shall be furnished upon payment of a fee of \$5 for registration stickers issued on or before February 28, 2005 and \$20 for registration stickers issued on or after March 1, 2005.

The Secretary of State may, in his discretion, assign a new number plate or plates in lieu of a duplicate of the plate or plates so lost, stolen or destroyed, but such assignment of a new plate or plates shall not affect the right of the owner to secure a reassignment of his original registration number in the manner provided in this Act. The fee for one new number plate shall be \$6, and for a pair of new number plates, \$9.

For the administration of this Section, the Secretary shall consider the loss of a registration plate or plates with properly affixed registration stickers as requiring the payment of:

(i) \$11 for each duplicate issued on or before February 28, 2005 and \$26 for each duplicate issued on or after March 1, 2005; or

(ii) \$14 for a pair of duplicate plates issued on or before February 28, 2005 and \$29 for a pair of duplicate plates issued on or after March 1, 2005; ~~or~~

(iii) ~~\$39 for a pair of duplicate plates on or after January 1, 2005, which includes a fee of \$20 for the replacement sticker.~~

(Source: P.A. 93-840, eff. 7-30-04.)

(625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

Sec. 3-821. Miscellaneous Registration and Title Fees.

(a) The fee to be paid to the Secretary of State for the following certificates, registrations or evidences of proper registration, or for corrected or duplicate documents shall be in accordance with the following schedule:

Certificate of Title, except for an all-terrain vehicle or off-highway motorcycle	\$65
Certificate of Title for an all-terrain vehicle or off-highway motorcycle	\$30
Certificate of Title for an all-terrain vehicle or off-highway motorcycle used for production agriculture, or accepted by a dealer in trade	13
Transfer of Registration or any evidence of proper registration	15
Duplicate Registration Card for plates or other evidence of proper registration	3
Duplicate Registration Sticker or Stickers <u>issued on or before February 28, 2005</u> , each	5
<u>Duplicate Registration Sticker or Stickers issued on or after March 1, 2005</u> , each	20
Duplicate Certificate of Title	65
Corrected Registration Card or Card for other evidence of proper registration	3
Corrected Certificate of Title	65
Salvage Certificate	4
Fleet Reciprocity Permit	15
Prorate Decal	1
Prorate Backing Plate	3
There shall be no fee paid for a Junking Certificate.	

(b) The Secretary may prescribe the maximum service charge to be imposed upon an applicant for renewal of a registration by any person authorized by law to receive and remit or transmit to the Secretary such renewal application and fees therewith.

(c) If a check is delivered to the Office of the Secretary of State as payment of any fee or tax under this Code, and such check is not honored by the bank on which it is drawn for any reason, the registrant or other person tendering the check remains liable for the payment of such fee or tax. The Secretary of State may assess a service charge of \$19 in addition to the fee or tax due and owing for all dishonored checks.

If the total amount then due and owing exceeds the sum of \$50 and has not been paid in full within 60 days from the date such fee or tax became due to the Secretary of State, the Secretary of State shall assess a penalty of 25% of such amount remaining unpaid.

All amounts payable under this Section shall be computed to the nearest dollar.

[January 10, 2005]

(d) The minimum fee and tax to be paid by any applicant for apportionment of a fleet of vehicles under this Code shall be \$15 if the application was filed on or before the date specified by the Secretary together with fees and taxes due. If an application and the fees or taxes due are filed after the date specified by the Secretary, the Secretary may prescribe the payment of interest at the rate of 1/2 of 1% per month or fraction thereof after such due date and a minimum of \$8.

(e) Trucks, truck tractors, truck tractors with loads, and motor buses, any one of which having a combined total weight in excess of 12,000 lbs. shall file an application for a Fleet Reciprocity Permit issued by the Secretary of State. This permit shall be in the possession of any driver operating a vehicle on Illinois highways. Any foreign licensed vehicle of the second division operating at any time in Illinois without a Fleet Reciprocity Permit or other proper Illinois registration, shall subject the operator to the penalties provided in Section 3-834 of this Code. For the purposes of this Code, "Fleet Reciprocity Permit" means any second division motor vehicle with a foreign license and used only in interstate transportation of goods. The fee for such permit shall be \$15 per fleet which shall include all vehicles of the fleet being registered.

(f) For purposes of this Section, "all-terrain vehicle or off-highway motorcycle used for production agriculture" means any all-terrain vehicle or off-highway motorcycle used in the raising of or the propagation of livestock, crops for sale for human consumption, crops for livestock consumption, and production seed stock grown for the propagation of feed grains and the husbandry of animals or for the purpose of providing a food product, including the husbandry of blood stock as a main source of providing a food product. "All-terrain vehicle or off-highway motorcycle used in production agriculture" also means any all-terrain vehicle or off-highway motorcycle used in animal husbandry, floriculture, aquaculture, horticulture, and viticulture.

(Source: P.A. 92-16, eff. 6-28-01; 93-840, eff. 7-30-04; revised 10-6-04.)

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

Under the rules, the foregoing **Senate Bill No. 3195**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 768

A bill for AN ACT in relation to education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 768

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 834

A bill for AN ACT in relation to municipal government.

Which amendments are as follows:

Senate Amendment No. 4 to HOUSE BILL NO. 834

Senate Amendment No. 5 to HOUSE BILL NO. 834

Concurred in by the House, January 10, 2005.

MARK MAHONEY, Clerk of the House

[January 10, 2005]

COMMUNICATIONS

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

EMIL JONES, JR.
SENATE PRESIDENT

327 STATE CAPITOL
Springfield, Illinois 62706

January 10, 2005

Ms. Linda Hawker
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Madam Secretary:

I hereby appoint Senator James Clayborne and Senator John Sullivan to the Committee to Approve the Final Senate Journals of the 93rd General Assembly where such journals have not, prior to the adjournment SINE DIE, been approved by the body as a whole.

Sincerely,
s/Emil Jones, Jr.
Senate President

ILLINOIS STATE SENATE
FRANK C. WATSON
STATE SENATOR
51ST SENATE DISTRICT

January 10, 2005

Ms. Linda Hawker
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Madam Secretary:

I hereby appoint Senator Bomke to the Committee to Approve the Final Senate Journals of the 93rd General Assembly where such journals have not, prior to the adjournment SINE DIE, been approved by the body as a whole.

Sincerely,
s/Frank Watson
Senate Republican Leader

cc: Scott Kaiser
Senator Bomke

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 2 to Senate Bill 3362

[January 10, 2005]

At the hour of 8:02 o'clock p.m., the Chair announced that the Senate stand adjourned until Tuesday, January 11, 2005, at 10:00 o'clock a.m.

[January 10, 2005]