



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

66TH LEGISLATIVE DAY

TUESDAY, JULY 9, 2013

11:47 O'CLOCK A.M.

SENATE
Daily Journal Index
66th Legislative Day

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The Senate met pursuant to the directive of the President.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, January 30, 2013, was being read when on motion of Senator Hunter, 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.

The Journal of Thursday, January 31, 2013, was being read when on motion of Senator Hunter, 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.

The Journal of Tuesday, February 5, 2013, was being read when on motion of Senator Hunter, 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.

The Journal of Wednesday, February 6, 2013, was being read when on motion of Senator Hunter, 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.

The Journal of Thursday, February 7, 2013, was being read when on motion of Senator Hunter, 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.

Senator Hunter moved that reading and approval of the Journals of Wednesday, June 19, 2013 and Monday, July 8, 2013, be postponed, pending arrival of the printed Journals.
The motion prevailed.

MESSAGES FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

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

July 8, 2013

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

Dear Mr. Secretary:

Pursuant to the provisions of Rule 2-10, I am scheduling a regular session of the Senate to convene at 11:00 a.m., on Tuesday, July 9, 2013.

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

cc: Senate Minority Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT

[July 9, 2013]

STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

July 9, 2013

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish November 7, 2013 as the 3rd reading deadline for House Bill 1453.

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

cc: Senate Republican Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 416

Offered by Senator Oberweis and all Senators:
Mourns the death of Martha M. Berg of North Aurora.

SENATE RESOLUTION NO. 417

Offered by Senator Haine and all Senators:
Mourns the death of Jack Wooden.

SENATE RESOLUTION NO. 418

Offered by Senator Haine and all Senators:
Mourns the death of Betty Ann Maher of Edwardsville.

SENATE RESOLUTION NO. 419

Offered by Senator Haine and all Senators:
Mourns the death of Mary Ann Byrd of Glen Carbon.

SENATE RESOLUTION NO. 420

Offered by Senator Haine and all Senators:
Mourns the death of Ervin August Thien.

SENATE RESOLUTION NO. 421

Offered by Senator Link and all Senators:
Mourns the death of May Lou Nelson of Park City.

SENATE RESOLUTION NO. 422

Offered by Senator Oberweis and all Senators:
Mourns the death of Martin "Marty" Albert Powers of Elgin.

SENATE RESOLUTION NO. 423

Offered by Senator McCann and all Senators:
Mourns the death of Lawrence Samuel "Sam" Allen of Grafton.

[July 9, 2013]

SENATE RESOLUTION NO. 424

Offered by Senator Althoff and all Senators:
Mourns the death of Gerald "Jerry" A. Draffkorn, Sr., of Wonder Lake.

SENATE RESOLUTION NO. 425

Offered by Senator Althoff and all Senators:
Mourns the death of Robert Hurley.

SENATE RESOLUTION NO. 426

Offered by Senator Althoff and all Senators:
Mourns the death of Anthony Vernon Fick of McHenry.

SENATE RESOLUTION NO. 427

Offered by Senator Althoff and all Senators:
Mourns the death of Patricia Wagner of McHenry.

SENATE RESOLUTION NO. 428

Offered by Senator Haine and all Senators:
Mourns the death of Stephen F. Lakin of Rosewood Heights.

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

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL 183

A bill for AN ACT concerning regulation.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, July 9, 2013, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

July 2, 2013

To the Honorable Members of the
Illinois House of Representatives,
98th General Assembly:

As Governor, it is my foremost duty to keep the people of Illinois safe. In the first half of this year, there were 843 shootings and 184 murders in the City of Chicago alone. There's no doubt that gun violence is a plague in many Illinois communities. That's why any changes to our state's gun policy must protect the people and minimize the risk of gun violence on our streets.

On December 11, 2012, three days before the Sandy Hook school tragedy, the United States Court of Appeals for the Seventh Circuit, (Case Nos. 12-1269 and 12-1788), without precedent regarding the regulation of guns outside the home, struck down Illinois' current ban on the concealed carry of guns in public.

Let me be clear, I do not agree with this ruling. However, I am duty-bound to address the mandates of the Court of Appeals, unless the United States Supreme Court rules otherwise.

[July 9, 2013]

To fill the legal void left by the Seventh Circuit's opinion, House Bill 183 creates the Firearm Concealed Carry Act to allow and regulate the carrying of concealed handguns in public places.

I have carefully reviewed every part of this legislation. This is a flawed bill with serious safety problems that must be addressed.

Therefore, I am compelled to use my constitutional authority to rectify several specific issues, to establish a better law to protect the people of Illinois.

Alcohol

As drafted, this bill allows people to carry guns into establishments serving alcohol, including most family restaurants and other places where large amounts of alcohol are consumed.

Mixing alcohol with guns is irresponsible and dangerous. Regardless of the percentage of sales attributed to alcohol, any establishment where alcohol can be consumed is an establishment where alcohol can impair judgment and do harm. Just as we have strong laws to prevent the danger of drinking and driving, we must have laws that prevent the danger of drinking and carrying a loaded gun. Illinois must keep guns out of any establishment where alcohol is consumed.

Home Rule

This bill strips the authority of Illinois home rule governments to enact future laws on assault weapons to protect their local communities. Due to the General Assembly's inability to enact a statewide ban on these dangerous weapons, this burden now rests on the shoulders of local governments, which should always have the right to strengthen their own ordinances depending on their public safety needs.

Restricting local communities' ability to regulate assault weapons is in no way related to the concealed carry of handguns, is not necessary to address the Seventh Circuit's opinion, and has no place in this bill. This NRA-inspired provision is not in the best interest of public safety or local communities. It should be removed.

Signage

Under this bill, loaded guns would be allowed in stores, restaurants, churches, children's entertainment venues, movie theaters and other private properties, unless the owner visibly displays a sign prohibiting guns. As written, this provision would lead to the unfair and unduly burdensome presumption that—without private property owners' specific actions to the contrary—guns are welcome.

As a matter of property rights, the legal presumption should always be that a person is not allowed to carry a concealed, loaded gun onto private property unless given express permission.

Employer's Rights

As currently drafted, this bill infringes on an employer's ability to enact policies that ensure a safe and secure work environment. According to the U.S. Bureau of Labor Statistics, shootings are the most frequent cause of workplace fatalities. Taking away the rights of employers is wrong and in this case, jeopardizes the safety of their employees.

Employers must have the right to enact policies that prohibit employees from carrying guns in the workplace and in the course of any employment-related duties.

Limiting Number of Guns and Ammunition

The bill provides no cap on the number of guns or on the size or number of ammunition clips that may be carried. Instead, it allows individuals to legally carry multiple guns with unlimited rounds of ammunition, which is a public safety hazard.

[July 9, 2013]

Recent shootings, such as the horrific tragedy in Newtown, CT where a gunman fired 154 bullets in less than five minutes, have put a spotlight on the extreme and unnecessary danger posed by high-capacity ammunition magazines.

If Illinois is going to legalize the carrying of loaded, concealed guns, our state should do so with common sense and a commitment to preventing mass violence.

The legislation should clarify that a license will permit an individual to carry one concealed gun and one ammunition clip that can hold no more than 10 rounds of ammunition.

Clarifying Mental Health Reporting

While this bill appropriately seeks to improve mental health reporting, the positive impact of these measures is limited by the lack of clarity in the notification process.

As I said during my State of the State address in February, mental health reporting is critical to ensure that guns don't fall into the hands of individuals who pose a threat to themselves or others. As the authority primarily responsible for licensing decisions, the Illinois State Police must have access to information regarding individuals who pose a "clear and present danger." Clarification to the notification process is necessary to ensure these enhancements to mental health reporting prevent guns from falling into the wrong hands.

Clarifying "Concealed"

The definition provided for "concealed firearm" is insufficient and must be clarified to ensure that when guns are carried, they are completely concealed from public view.

As written, the definition includes the phrase "mostly concealed," which would allow a licensee to walk around in public with a portion of his or her gun exposed.

Make no mistake—this is a step towards open carry in Illinois. This vague definition can lead to fear and confusion among the public, varying interpretations and enforcement, and the potential for subsequent litigation.

If Illinois is going to legalize the carrying of loaded, concealed guns, the legislation must be clarified to ensure when guns are carried, they are completely concealed.

Open Meetings Act

Under the current bill, the meetings and records of the Concealed Carry Licensing Review Board are entirely exempt from the Open Meetings and Freedom of Information Acts, providing zero transparency of the meetings, budget, personnel, and other aspects of this government board.

A more transparent approach would best serve the public. Due to the Board's consideration of protected medical and arrest records of applicants, it is understandable for the deliberations of the Board to take place in closed, executive session. However, similar to the Prisoner Review Board and the Emergency Medical Services Disciplinary Review Board, the meetings and records of the board – unless otherwise exempt – should be announced, open, and available to the public.

Informing Law Enforcement of Carrying

We must always ensure our public safety officers are protected as they protect the public in their line of duty. The law in this area must be very clear: an individual's response to questions from law enforcement when it comes to carrying guns must be immediate.

Conclusion: Public Safety First

In closing, there are too many provisions in this bill inspired by the National Rifle Association, not the common good. Public safety should never be compromised nor negotiated away.

[July 9, 2013]

With these common sense changes, House Bill 183 will have my approval. I respectfully request your concurrence.

Pursuant to the authority vested in the Governor by Article IV, Section 9(e) of the Illinois Constitution of 1970, and re-affirmed by the People of the State of Illinois by popular referendum in 1974, and conforming to the standard articulated by the Illinois Supreme Court in *People ex rel. Klinger v. Howlett*, 50 Ill.2d 242 (1972), *Continental Illinois National Bank and Trust Co. v. Zagel*, 78 Ill.2d 387 (1979), *People ex rel. City of Canton v. Crouch*, 79 Ill.2d 356 (1980), and *County of Kane v. Carlson*, 116 Ill.2d 186 (1987), declaring that gubernatorial action be consistent with the fundamental purposes and the intent of the bill, I hereby return House Bill 183, entitled "AN ACT concerning regulation," with my specific recommendations for change.

On page 1, by inserting immediately below line 6 the following:

"“Ammunition feeding device” means a detachable magazine, clip, belt, drum, feed strip, or similar device.”; and

on page 1, by replacing lines 10 through 13 with the following:

"“Concealed firearm” means a loaded or unloaded handgun carried on or about a person completely covered or not visible from the view of the public, or carried in a vehicle concealed, covered, or not visible from the view of the public.”; and

on page 3, by replacing lines 13 through 18 with the following: “permit the licensee to carry one loaded or unloaded concealed firearm and, whether attached to or detached from the firearm, one ammunition feeding device for that firearm with a capacity of 10 rounds of ammunition or less on or about his or her person. The licensee may not carry an ammunition feeding device with a capacity of more than 10 rounds of ammunition or that can be readily restored or converted to accept more than 10 rounds of ammunition.”; and

on page 5, line 1, by inserting “immediately” after “shall”; and

on page 10, by deleting lines 19 through 21; and

on page 10, line 22, by replacing “(i)” with “(h)”; and

on page 22, by replacing lines 16 through 26 with the following:

“(9) Any building, real property, and parking area under the control of an establishment where alcohol may be consumed, other than a private residence or a club as defined in Section 1-3.24 of the Liquor Control Act of 1934.”; and

on page 25, by replacing lines 23 through 26 with the following:

“(a-10) A person shall not carry a concealed firearm onto the private real property of another without prior permission from the property owner. A property owner shall indicate permission to carry concealed firearms by posting a sign at the entrance of a building, premises, or real property, except this posting is not required if the property is a private residence. Signs stating that the carrying of firearms is allowed shall be clearly and conspicuously posted at the entrance of a building, premises, or real property. Signs shall be of a uniform design as established by the Department and shall be at least 4 inches by 6 inches in size. The Department shall adopt rules for standardized signs to be used under this subsection.”; and

on page 26, by replacing lines 1 and 2 with the following:

“(a-15) An employer, or his or her designee, may prohibit an employee from carrying a concealed firearm during any part of the employee's employment. An employer, or his or her designee, may prohibit an employee from bringing a firearm onto the employer's property.”; and

[July 9, 2013]

on page 26, by replacing lines 12 through 17 with “vehicle in the parking area. The firearm must remain within the vehicle at all times while within the parking area. For purposes of this”; and

on page 27, by deleting lines 4 through 11; and

on page 45, by replacing lines 18 through 20 with the following:

“(30) Deliberations regarding applicants under the Firearm Concealed Carry Act by the Concealed Carry Licensing Review Board.”; and

on page 58, by replacing lines 16 through 18 with the following:

“(c-5) Any owner of an establishment where alcohol may be consumed, other than a private residence or club as defined in Section 1-3.24 of the Liquor Control Act of 1934.”; and

on page 106, by replacing lines 12 through 22 with the following:

“(d) If a person is determined to pose a clear and present danger to himself, herself, or to others:

(1) by a physician, clinical psychologist, or qualified examiner, or is determined to be developmentally disabled by a physician, clinical psychologist, or qualified examiner, whether employed by the State or privately, then the physician, clinical psychologist, or qualified examiner shall, within 24 hours of making the determination, notify the Department of Human Services that the person poses a clear and present danger or is developmentally disabled; or

(2) by a law enforcement official or school administrator, then the law enforcement official or school administrator shall, within 24 hours of making the determination, notify the Department of State Police that the person poses a clear and present danger.

The Department of Human Services shall”; and

on page 122, line 23, by replacing “subsections (b) and (c)” with “subsection (b)”; and

on page 123, by deleting lines 21 through 26; and

on page 124, by deleting lines 1 through 15; and

on page 124, line 16, by replacing “(d)” with “(c)”; and

on page 124, line 19, by replacing “(e)” with “(d)”.

With these changes, House Bill 183 will have my approval. I respectfully request your concurrence.

Sincerely,

PAT QUINN

The bill reported on the foregoing veto message was ordered placed on the Senate Calendar.

Senator Silverstein asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

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

At the hour of 11:57 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

[July 9, 2013]

AFTER RECESS

At the hour of 1:16 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 429

Offered by Senator Brady and all Senators:
Mourns the death of Betty Ann Rich of Sugar Grove.

SENATE RESOLUTION NO. 430

Offered by Senator Brady and all Senators:
Mourns the death of Robert Dale "Bob" Johnson of Bullhead, Arizona, formerly of Bloomington.

SENATE RESOLUTION NO. 432

Offered by Senator Lightford and all Senators:
Mourns the death of Kenneth M. Schill.

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

Senator Manar offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 431

WHEREAS, The State of Illinois serves over 2,000,000 students in 862 school districts statewide; and

WHEREAS, State funding for pre-kindergarten through grade 12 education in Illinois has been reduced by \$861,000,000 since fiscal year 2009; of that amount, general State aid has been reduced by more than \$320,000,000; and

WHEREAS, Illinois ranks 50th in terms of the state proportion of kindergarten through grade 12 funding, providing for just 32.5% of all funds spent on kindergarten through grade 12 public education, despite the plain language of Article 10 of the Illinois Constitution, which states: "The State has the primary responsibility for financing the system of public education."; and

WHEREAS, In 2007, 23% of Illinois school districts reported deficit spending, and today more than 67% of Illinois school districts report deficit spending; and

WHEREAS, Reductions in State spending have increased school districts' reliance on local resources, impacting classroom services and financial stability, at a time when school districts are required to do more necessary improvements and initiatives, such as teacher and principal evaluations, new and higher learning standards, and assessments; and

WHEREAS, The General Assembly must stay engaged in public education issues and be prepared to make legislative and administrative recommendations; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that there is created the Advisory Committee on Education Funding, consisting of members appointed as follows: 4 members of the Senate majority caucus appointed by the President of the Senate, one of whom shall be designated as a co-chair, and 4 members of the Senate minority caucus appointed by the Senate Minority Leader, one of whom shall be designated as a co-chair; and be it further

[July 9, 2013]

RESOLVED, That the Advisory Committee on Education Funding shall do the following:

(1) conduct a thorough review of the existing distribution methods and expenditures of all pre-kindergarten through grade 12 education funding, with a focus on general State aid as defined in Section 18-8.05 of the School Code;

(2) make recommendations to implement an education funding system that:

(A) is adequate;

(B) is equitable;

(C) prepares students for achievement and success after high school; and

(D) supports teachers and school leaders; and

(3) consider the following when making its recommendations:

(A) the number of students in a school and school district and the level of need of those students, including special needs populations;

(B) a school district's ability to provide local resources to pay for basic educational needs;

(C) transparency and accountability;

(D) revenue predictability to support sound planning and budgeting by school boards and administrations; and

(E) the long-term implications and outcomes of the funding system, along with provisions that require the system to be monitored, publicly reported, assessed, and improved over time; and be it further

RESOLVED, That the Advisory Committee on Education Funding shall seek input from stakeholders and members of the public on issues and possible improvements to the existing funding system; and be it further

RESOLVED, That members of the Advisory Committee on Education Funding shall serve without compensation, and the State Board of Education shall provide administrative and other support to the Advisory Committee on Education Funding; and be it further

RESOLVED, That the Advisory Committee on Education Funding shall meet at the call of the co-chairs, but shall meet a minimum of 4 times per year; and be it further

RESOLVED, That the Advisory Committee on Education Funding shall share its legislative and administrative recommendations with the President of the Senate and the Minority Leader of the Senate no later than February 1, 2014; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Chairperson of the State Board of Education and the State Superintendent of Education; and be it further

RESOLVED, That the State Board of Education shall provide a copy of this resolution to school districts in this State.

MOTION IN WRITING

Senator Forby submitted the following Motion in Writing:

I move that House Bill 183 do pass, notwithstanding the specific recommendations of the Governor.

7/9/13
DATE

s/Gary Forby
SENATOR

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its July 9, 2013 meeting, reported that the following Legislative Measure has been approved for consideration:

[July 9, 2013]

Senate Floor Amendment No. 2 to House Bill 1453

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its July 9, 2013 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution No. 431

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

HOUSE BILL RECALLED

On motion of Senator J. Cullerton, **House Bill No. 1453** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 2 TO HOUSE BILL 1453

AMENDMENT NO. 2. Amend House Bill 1453 by replacing everything after the enacting clause with the following:

"Section 5. If and only if House Bill 183 of the 98th General Assembly becomes law, then the Firearm Concealed Carry Act is amended by changing Sections 10 and 65 as follows:

(09800HB0183enr, Sec. 10)

Sec. 10. Issuance of licenses to carry a concealed firearm.

(a) The Department shall issue a license to carry a concealed firearm under this Act to an applicant who:

- (1) meets the qualifications of Section 25 of this Act;
- (2) has provided the application and documentation required in Section 30 of this Act;
- (3) has submitted the requisite fees; and
- (4) does not pose a danger to himself, herself, or others, or a threat to public safety as determined by the Concealed Carry Licensing Review Board in accordance with Section 20.

(b) The Department shall issue a renewal, corrected, or duplicate license as provided in this Act.

(c) A license shall be valid throughout the State for a period of 5 years from the date of issuance. A license shall permit the licensee to :

- (1) carry a loaded or unloaded concealed firearm, fully concealed or partially concealed, on or about his or her person; and
- (2) keep or carry a loaded or unloaded concealed firearm on or about his or her person within a vehicle.

(d) The Department shall make applications for a license available no later than 180 days after the effective date of this Act. The Department shall establish rules for the availability and submission of applications in accordance with this Act.

(e) An application for a license submitted to the Department that contains all the information and materials required by this Act, including the requisite fee, shall be deemed completed. Except as otherwise provided in this Act, no later than 90 days after receipt of a completed application, the Department shall issue or deny the applicant a license.

(f) The Department shall deny the applicant a license if the applicant fails to meet the requirements under this Act or the Department receives a determination from the Board that the applicant is ineligible for a license. The Department must notify the applicant stating the grounds for the denial. The notice of denial must inform the applicant of his or her right to an appeal through administrative and judicial review.

(g) A licensee shall possess a license at all times the licensee carries a concealed firearm except:

- (1) when the licensee is carrying or possessing a concealed firearm on his or her land or in his or her abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission;
- (2) when the person is authorized to carry a firearm under Section 24-2 of the Criminal

[July 9, 2013]

Code of 2012, except subsection (a-5) of that Section; or

(3) when the handgun is broken down in a non-functioning state, is not immediately accessible, or is unloaded and enclosed in a case.

(h) If an officer of a law enforcement agency initiates an investigative stop, including but not limited to a traffic stop, of a licensee who is carrying a concealed firearm, upon the request of the officer the licensee shall immediately disclose to the officer that he or she is in possession of a concealed firearm under this Act, present the license upon the request of the officer, and identify the location of the concealed firearm.

(i) The Department shall maintain a database of license applicants and licensees. The database shall be available to all federal, State, and local law enforcement agencies, State's Attorneys, the Attorney General, and authorized court personnel. Within 180 days after the effective date of this Act, the database shall be searchable and provide all information included in the application, including the applicant's previous addresses within the 10 years prior to the license application and any information related to violations of this Act. No law enforcement agency, State's Attorney, Attorney General, or member or staff of the judiciary shall provide any information to a requester who is not entitled to it by law.

(j) No later than 10 days after receipt of a completed application, the Department shall enter the relevant information about the applicant into the database under subsection (i) of this Section which is accessible by law enforcement agencies.

(Source: 09800HB0183enr.)

(09800HB0183enr, Sec. 65)

Sec. 65. Prohibited areas.

(a) A licensee under this Act shall not knowingly carry a firearm on or into:

(1) Any building, real property, and parking area under the control of a public or private elementary or secondary school.

(2) Any building, real property, and parking area under the control of a pre-school or child care facility, including any room or portion of a building under the control of a pre-school or child care facility. Nothing in this paragraph shall prevent the operator of a child care facility in a family home from owning or possessing a firearm in the home or license under this Act, if no child under child care at the home is present in the home or the firearm in the home is stored in a locked container when a child under child care at the home is present in the home.

(3) Any building, parking area, or portion of a building under the control of an officer of the executive or legislative branch of government, provided that nothing in this paragraph shall prohibit a licensee from carrying a concealed firearm onto the real property, bikeway, or trail in a park regulated by the Department of Natural Resources or any other designated public hunting area or building where firearm possession is permitted as established by the Department of Natural Resources under Section 1.8 of the Wildlife Code.

(4) Any building designated for matters before a circuit court, appellate court, or the Supreme Court, or any building or portion of a building under the control of the Supreme Court.

(5) Any building or portion of a building under the control of a unit of local government.

(6) Any building, real property, and parking area under the control of an adult or juvenile detention or correctional institution, prison, or jail.

(7) Any building, real property, and parking area under the control of a public or private hospital or hospital affiliate, mental health facility, or nursing home.

(8) Any bus, train, or form of transportation paid for in whole or in part with public funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.

(9) Any building, real property, and parking area under the control of an establishment that serves alcohol on its premises, if more than 50% of the establishment's gross receipts within the prior 3 months is from the sale of alcohol. The owner of an establishment who knowingly fails to prohibit concealed firearms on its premises as provided in this paragraph or who knowingly makes a false statement or record to avoid the prohibition on concealed firearms under this paragraph is subject to the penalty under subsection (c-5) of Section 10-1 of the Liquor Control Act of 1934.

(10) Any public gathering or special event conducted on property open to the public that requires the issuance of a permit from the unit of local government, provided this prohibition shall not apply to a licensee who must walk through a public gathering in order to access his or her residence, place of business, or vehicle.

(11) Any building or real property that has been issued a Special Event Retailer's

license as defined in Section 1-3.17.1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special Event Retailer's license, or a Special use permit license as defined in subsection (q) of Section 5-1 of the Liquor Control Act during the time designated for the sale of alcohol by the Special use permit license.

(12) Any public playground.

(13) Any public park, athletic area, or athletic facility under the control of a municipality or park district, provided nothing in this Section shall prohibit a licensee from carrying a concealed firearm while on a trail or bikeway if only a portion of the trail or bikeway includes a public park.

(14) Any real property under the control of the Cook County Forest Preserve District.

(15) Any building, classroom, laboratory, medical clinic, hospital, artistic venue, athletic venue, entertainment venue, officially recognized university-related organization property, whether owned or leased, and any real property, including parking areas, sidewalks, and common areas under the control of a public or private community college, college, or university.

(16) Any building, real property, or parking area under the control of a gaming facility licensed under the Riverboat Gambling Act or the Illinois Horse Racing Act of 1975, including an inter-track wagering location licensee.

(17) Any stadium, arena, or the real property or parking area under the control of a stadium, arena, or any collegiate or professional sporting event.

(18) Any building, real property, or parking area under the control of a public library.

(19) Any building, real property, or parking area under the control of an airport.

(20) Any building, real property, or parking area under the control of an amusement park.

(21) Any building, real property, or parking area under the control of a zoo or museum.

(22) Any street, driveway, parking area, property, building, or facility, owned, leased, controlled, or used by a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission. The licensee shall not under any circumstance store a firearm or ammunition in his or her vehicle or in a compartment or container within a vehicle located anywhere in or on the street, driveway, parking area, property, building, or facility described in this paragraph.

(23) Any area where firearms are prohibited under federal law.

(a-5) Nothing in this Act shall prohibit a public or private community college, college, or university from:

(1) prohibiting persons from carrying a firearm within a vehicle owned, leased, or controlled by the college or university;

(2) developing resolutions, regulations, or policies regarding student, employee, or visitor misconduct and discipline, including suspension and expulsion;

(3) developing resolutions, regulations, or policies regarding the storage or maintenance of firearms, which must include designated areas where persons can park vehicles that carry firearms; and

(4) permitting the carrying or use of firearms for the purpose of instruction and curriculum of officially recognized programs, including but not limited to military science and law enforcement training programs, or in any designated area used for hunting purposes or target shooting.

(a-10) The owner of private real property of any type may prohibit the carrying of concealed firearms on the property under his or her control. The owner must post a sign in accordance with subsection (d) of this Section indicating that firearms are prohibited on the property, unless the property is a private residence.

(b) Notwithstanding subsections (a), (a-5), and (a-10) of this Section except under paragraph (22) or (23) of subsection (a), any licensee prohibited from carrying a concealed firearm into the parking area of a prohibited location specified in subsection (a), (a-5), or (a-10) of this Section shall be permitted to carry a concealed firearm on or about his or her person within a vehicle into the parking area and may store a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area. A licensee may carry a concealed firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area only for the limited purpose of storing or retrieving a firearm within the vehicle's trunk, provided the licensee ensures the concealed firearm is unloaded prior to exiting the vehicle. For purposes of this subsection, "case" includes a glove compartment or console that completely encloses the concealed firearm or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box, or other container.

(c) A licensee shall not be in violation of this Section while he or she is traveling along a public right of way that touches or crosses any of the premises under subsection (a), (a-5), or (a-10) of this Section if

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the concealed firearm is carried on his or her person in accordance with the provisions of this Act or is being transported in a vehicle by the licensee in accordance with all other applicable provisions of law.

(d) Signs stating that the carrying of firearms is prohibited shall be clearly and conspicuously posted at the entrance of a building, premises, or real property specified in subsection (a-10) and paragraph (9) of subsection (a) of this Section as a prohibited area, unless the building or premises is a private residence. Signs shall be of a uniform design as established by the Department and shall be 4 inches by 6 inches in size. The Department shall adopt rules for standardized signs to be used under this subsection. (Source: 09800HB0183enr.)

Section 10. If and only if House Bill 183 of the 98th General Assembly becomes law, then the Firearm Owners Identification Card Act is amended by changing Section 8.1 as follows:

(430 ILCS 65/8.1) (from Ch. 38, par. 83-8.1)

Sec. 8.1. Notifications to the Department of State Police.

(a) The Circuit Clerk shall, in the form and manner required by the Supreme Court, notify the Department of State Police of all final dispositions of cases for which the Department has received information reported to it under Sections 2.1 and 2.2 of the Criminal Identification Act.

(b) Upon adjudication of any individual as a mentally disabled person as defined in Section 1.1 of this Act or a finding that a person has been involuntarily admitted, the court shall direct the circuit court clerk to immediately notify the Department of State Police, Firearm Owner's Identification (FOID) department, and shall forward a copy of the court order to the Department.

(c) The Department of Human Services shall, in the form and manner prescribed by the Department of State Police, report all information collected under subsection (b) of Section 12 of the Mental Health and Developmental Disabilities Confidentiality Act for the purpose of determining whether a person who may be or may have been a patient in a mental health facility is disqualified under State or federal law from receiving or retaining a Firearm Owner's Identification Card, or purchasing a weapon.

(d) If a person is determined to pose a clear and present danger to himself, herself, or to others:

(1) by a physician, clinical psychologist, or qualified examiner, ~~law enforcement official, or school administrator,~~ or is determined to be

developmentally disabled by a physician, clinical psychologist, or qualified examiner, whether employed by the State or ~~privately by a private mental health facility,~~ then the physician, clinical psychologist, or qualified examiner shall, within 24 hours of making the determination, notify the Department of Human Services that the person poses a clear and present danger or is developmentally disabled; or

(2) by a law enforcement official or school administrator, then the law enforcement official or school administrator shall, within 24 hours of making the determination, notify the Department of State Police that the person poses a clear and present danger.

The Department of Human Services shall immediately update its records and information relating to mental health and developmental disabilities, and if appropriate, shall notify the Department of State Police in a form and manner prescribed by the Department of State Police. The Department of State Police shall determine whether to revoke the person's Firearm Owner's Identification Card under Section 8 of this Act. Any information disclosed under this subsection shall remain privileged and confidential, and shall not be redisclosed, except as required under subsection (e) of Section 3.1 of this Act, nor used for any other purpose. The method of providing this information shall guarantee that the information is not released beyond what is necessary for the purpose of this Section and shall be provided by rule by the Department of Human Services. The identity of the person reporting under this Section shall not be disclosed to the subject of the report. The physician, clinical psychologist, qualified examiner, law enforcement official, or school administrator making the determination and his or her employer shall not be held criminally, civilly, or professionally liable for making or not making the notification required under this subsection, except for willful or wanton misconduct.

(e) The Department of State Police shall adopt rules to implement this Section.

(Source: P.A. 97-1131, eff. 1-1-13; 09800HB0183enr.)

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.

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READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator J. Cullerton, **House Bill No. 1453** 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 45; NAYS 13.

The following voted in the affirmative:

Bertino-Tarrant	Frerichs	Link	Rezin
Biss	Haine	Manar	Sandoval
Brady	Harmon	Martinez	Silverstein
Bush	Harris	McGuire	Stadelman
Clayborne	Hastings	Morrison	Stears
Collins	Holmes	Mulroe	Sullivan
Connelly	Hunter	Muñoz	Trotter
Cullerton, T.	Hutchinson	Murphy	Van Pelt
Cunningham	Koehler	Noland	Mr. President
Delgado	Kotowski	Oberweis	
Dillard	Landek	Radogno	
Forby	Lightford	Raoul	

The following voted in the negative:

Althoff	Jacobs	McCarter	Syverson
Barickman	LaHood	McConnaughay	
Bivins	Luechtefeld	Righter	
Duffy	McCann	Rose	

This bill, having received the vote of three-fifths 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.

CONSIDERATION OF HOUSE BILL VETOED BY THE GOVERNOR

Pursuant to the Motion in Writing filed on Tuesday, July 9, 2013 and journalized Tuesday, July 9, 2013, Senator Forby moved that **House Bill No. 183** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

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

YEAS 41; NAYS 17.

The following voted in the affirmative:

Althoff	Forby	Manar	Rezin
Barickman	Frerichs	McCann	Righter
Bertino-Tarrant	Haine	McCarter	Rose
Bivins	Hastings	McConnaughay	Sandoval
Brady	Holmes	McGuire	Stadelman
Bush	Hutchinson	Mulroe	Sullivan
Clayborne	Jacobs	Murphy	Syverson
Connelly	Koehler	Noland	Mr. President
Cullerton, T.	LaHood	Oberweis	
Dillard	Landek	Radogno	
Duffy	Luechtefeld	Raoul	

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The following voted in the negative:

Biss	Harris	Martinez	Trotter
Collins	Hunter	Morrison	Van Pelt
Cunningham	Kotowski	Muñoz	
Delgado	Lightford	Silverstein	
Harmon	Link	Steans	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 433

Offered by Senators Radogno - Connelly - Dillard and all Senators:

Mourns the death of former State Senator Beverly J. Fawell of Glen Ellyn.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Manar moved that **Senate Resolution No. 431**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Manar moved that Senate Resolution No. 431 be adopted.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Link	Raoul
Barickman	Frerichs	Luechtefeld	Rezin
Bertino-Tarrant	Haine	Manar	Righter
Biss	Harmon	Martinez	Rose
Bivins	Harris	McCann	Sandoval
Brady	Hastings	McCarter	Silverstein
Bush	Holmes	McConaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Murphy	Van Pelt
Delgado	LaHood	Noland	Mr. President
Dillard	Landek	Oberweis	
Duffy	Lightford	Radogno	

The motion prevailed.

And the resolution was adopted.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 387

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Offered by Senator Manar and all Senators:
Mourns the death of Kamisha Danyette Hodge-Walker of Decatur.

SENATE RESOLUTION NO. 388

Offered by Senator Dillard and all Senators:
Mourns the death of Daniel Edward “Blu” Bluthardt.

SENATE RESOLUTION NO. 389

Offered by Senator Althoff and all Senators:
Mourns the death of Arthur Patrick Tiffany of McHenry.

SENATE RESOLUTION NO. 390

Offered by Senator Connelly and all Senators:
Mourns the death of Austin J. Boyle.

SENATE RESOLUTION NO. 391

Offered by Senator McCann and all Senators:
Mourns the death of Dr. Warren Coultas Barrow of Pittsfield.

SENATE RESOLUTION NO. 392

Offered by Senator McCann and all Senators:
Mourns the death of Betty Kessinger of Carlinville.

SENATE RESOLUTION NO. 393

Offered by Senator LaHood and all Senators:
Mourns the death of Sylvia Fites.

SENATE RESOLUTION NO. 394

Offered by Senator LaHood and all Senators:
Mourns the death of Gerald C. “Jerry” Stapel of Toulon.

SENATE RESOLUTION NO. 395

Offered by Senator Althoff and all Senators:
Mourns the death of Bart J. Winn, Jr., of Barrington.

SENATE RESOLUTION NO. 396

Offered by Senator Link and all Senators:
Mourns the death of Warren A. Biang.

SENATE RESOLUTION NO. 397

Offered by Senator LaHood and all Senators:
Mourns the death of Margery W. Steele.

SENATE RESOLUTION NO. 398

Offered by Senator Van Pelt and all Senators:
Mourns the death of Vallmer Wayman Jordan.

SENATE RESOLUTION NO. 399

Offered by Senator Link and all Senators:
Mourns the death of Mayor “Mike” Lachman.

SENATE RESOLUTION NO. 400

Offered by Senator McGuire and all Senators:
Mourns the death of Angelina “Nana” DeAngelis.

SENATE RESOLUTION NO. 401

Offered by Senator McGuire and all Senators:
Mourns the death of Gordon L. Cook of Joliet.

SENATE RESOLUTION NO. 402

Offered by Senator Link and all Senators:
Mourns the death of James Cooper of Waukegan.

SENATE RESOLUTION NO. 403

Offered by Senator Link and all Senators:
Mourns the death of Adeline Wozniak.

SENATE RESOLUTION NO. 404

Offered by Senator Link and all Senators:
Mourns the death of Violet C. Dicig of Waukegan.

SENATE RESOLUTION NO. 405

Offered by Senator Link and all Senators:
Mourns the death of Eugene S. Bzdawka of Madison, Wisconsin.

SENATE RESOLUTION NO. 406

Offered by Senator Link and all Senators:
Mourns the death of Gary D. Bennett, Sr., of Waukegan.

SENATE RESOLUTION NO. 407

Offered by Senator Link and all Senators:
Mourns the death of Peter N. Kanel of Waukegan.

SENATE RESOLUTION NO. 408

Offered by Senator Link and all Senators:
Mourns the death of William Joseph Thorsen of Gurnee.

SENATE RESOLUTION NO. 409

Offered by Senator Link and all Senators:
Mourns the death of Wanda L. Frank of Waukegan, formerly of Novi, Michigan.

SENATE RESOLUTION NO. 410

Offered by Senator Link and all Senators:
Mourns the death of Janet DellaValle of Waukegan.

SENATE RESOLUTION NO. 411

Offered by Senator Collins and all Senators:
Mourns the death of Allene Strong of Chicago.

SENATE RESOLUTION NO. 412

Offered by Senator Link and all Senators:
Mourns the death of Sharon R. Foote of Libertyville.

SENATE RESOLUTION NO. 413

Offered by Senators McCann - Brady and all Senators:
Mourns the death of Daniel E. Bluthardt.

SENATE RESOLUTION NO. 414

Offered by Senator Link and all Senators:
Mourns the death of James V. Grana of Waukegan.

SENATE RESOLUTION NO. 416

Offered by Senator Oberweis and all Senators:
Mourns the death of Martha M. Berg of North Aurora.

SENATE RESOLUTION NO. 417

Offered by Senator Haine and all Senators:
Mourns the death of Jack Wooden.

SENATE RESOLUTION NO. 418

Offered by Senator Haine and all Senators:
Mourns the death of Betty Ann Maher of Edwardsville.

SENATE RESOLUTION NO. 419

Offered by Senator Haine and all Senators:
Mourns the death of Mary Ann Byrd of Glen Carbon.

SENATE RESOLUTION NO. 420

Offered by Senator Haine and all Senators:
Mourns the death of Ervin August Thien.

SENATE RESOLUTION NO. 421

Offered by Senator Link and all Senators:
Mourns the death of May Lou Nelson of Park City.

SENATE RESOLUTION NO. 422

Offered by Senator Oberweis and all Senators:
Mourns the death of Martin "Marty" Albert Powers of Elgin.

SENATE RESOLUTION NO. 423

Offered by Senator McCann and all Senators:
Mourns the death of Lawrence Samuel "Sam" Allen of Grafton.

SENATE RESOLUTION NO. 424

Offered by Senator Althoff and all Senators:
Mourns the death of Gerald "Jerry" A. Draffkorn, Sr., of Wonder Lake.

SENATE RESOLUTION NO. 425

Offered by Senator Althoff and all Senators:
Mourns the death of Robert Hurley.

SENATE RESOLUTION NO. 426

Offered by Senator Althoff and all Senators:
Mourns the death of Anthony Vernon Fick of McHenry.

SENATE RESOLUTION NO. 427

Offered by Senator Althoff and all Senators:
Mourns the death of Patricia Wagner of McHenry.

SENATE RESOLUTION NO. 428

Offered by Senator Haine and all Senators:
Mourns the death of Stephen F. Lakin of Rosewood Heights.

SENATE RESOLUTION NO. 429

Offered by Senator Brady and all Senators:
Mourns the death of Betty Ann Rich of Sugar Grove.

SENATE RESOLUTION NO. 430

Offered by Senator Brady and all Senators:
Mourns the death of Robert Dale "Bob" Johnson of Bullhead, Arizona, formerly of Bloomington.

SENATE RESOLUTION NO. 432

Offered by Senator Lightford and all Senators:
Mourns the death of Kenneth M. Schill.

SENATE RESOLUTION NO. 433

Offered by Senators Radogno - Connelly - Dillard and all Senators:

Mourns the death of former State Senator Beverly J. Fawell of Glen Ellyn.

The Chair moved the adoption of the Resolutions Consent Calendar. The motion prevailed, and the resolutions were adopted.

At the hour of 2:18 o'clock p.m., pursuant to **House Joint Resolution No. 45**, the Chair announced the Senate stand adjourned until Wednesday, October 16, 2013, in perfunctory session, or until the call of the President.