STATE OF ILLINOIS

HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

65TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

SATURDAY, MAY 30, 2009

12:27 O'CLOCK P.M.

NO. 65

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The House met pursuant to adjournment.
Representative Lyons in the chair.
Prayer by Lee A. Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield, IL.
Representative Senger led the House in the Pledge of Allegiance.
By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
117 present. (ROLL CALL 1)

By unanimous consent, Representative Flowers was excused from attendance.

REPORTS

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

Performance Audit of Funding Provided by State Agencies to Heartland Human Services, May 2009, submitted by Office of the Auditor General on May 29, 2009.

Compliance Examination of the Department of Commerce and Economic Opportunity, submitted by Office of the Auditor General on May 29, 2009.

Financial Audit of the Office of the Secretary of State, submitted by Office of the Auditor General on May 29, 2009.

Financial Audit of ROE 33, submitted by Office of the Auditor General on May 29, 2009.

Compliance Examination of Northern Illinois University, submitted by Office of the Auditor General on May 29, 2009.

LETTERS OF TRANSMITTAL

May 30, 2009

Ms. Jacqueline Price
Director, Index Division
Office of Secretary of State
111 East Monroe
Springfield, IL 62756

Dear Ms. Price:

Senate Joint Resolution 5 creates the **Parents and Community Accountability Study Committee**. My three appointees are listed below:

Representative Connie Howard
Representative LaShawn Ford
Representative Deborah Graham

These appointments are effective immediately.

Please contact Tim Mapes, my Chief of Staff, at 782-6360 for further information.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan

Speaker of the House

May 31, 2009

Dear Clerk Mahoney:

I, Representative Harry Osterman, would like to be recorded as voting yes on House Resolutions 6, 43, 47, 55, 56, 59, 81, 86, 117, 140, 152, 186, 198, 201, 212, 235, 239, 246, 248, 250, 267, 274, 293, 296, 315, 317, 322, 338, 339, 343, 351, 360, 374, 375, 379, 386, 391, House Joint Resolution 27, and Senate Joint Resolutions 2, 3, 5, 6, 7, 12, 16, 29, 31, 32, 36, 42, 51, 54 and 56.

Sincerely,
s/Harry Osterman
State Representative
14th District

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Biggins replaced Representative Schmitz in the Committee on Rules on May 30, 2009.

Representative Beaubien replaced Representative Schmitz in the Committee on Rules (A) on May 30, 2009.

Representative Beiser replaced Representative Turner in the Committee on Rules (B) on May 30, 2009.

Representative Beaubien replaced Representative Black in the Committee on Rules (D) on May 30, 2009.

Representative Lang replaced Representative Howard in the Committee on Human Services on May 30, 2009.

Representative Chapa LaVia replaced Representative Acevedo in the Committee on Personnel and Pensions on May 30, 2009.

Representative Monique Davis replaced Representative Burke in the Committee on Personnel and Pensions on May 30, 2009.

Representative Mautino replaced Representative Careen Gordon in the Committee on Judiciary I - Civil Law on May 30, 2009.

Representative Rita replaced Representative Hoffman in the Committee on Judiciary I - Civil Law on May 30, 2009.

Representative Schmitz replaced Representative Eddy in the Committee on Revenue & Finance on May 30, 2009.

Representative Lang replaced Representative Ford in the Committee on Revenue & Finance on May 30, 2009.

Representative Harris replaced Representative Careen Gordon in the Committee on Revenue & Finance on May 30, 2009.

Representative Berrios replaced Representative Zalewski in the Committee on Revenue & Finance on May 30, 2009.

Representative Mautino replaced Representative Colvin in the Committee on Elementary & Secondary Education on May 30, 2009.

Representative Fortner replaced Representative Watson in the Committee on Elementary & Secondary Education on May 30, 2009.

Representative Berrios replaced Representative William Davis in the Committee on Appropriations-Elementary & Secondary Education on May 30, 2009.

Representative Bradley replaced Representative McAsey in the Committee on Appropriations-Elementary & Secondary Education on May 30, 2009.

Representative Bradley replaced Representative Acevedo in the Committee on Appropriations-Elementary & Secondary Education on May 30, 2009.

Representative Mendoza replaced Representative Jehan Gordon in the Committee on Appropriations-Elementary & Secondary Education on May 30, 2009.

Representative Harris replaced Representative Flowers in the Committee on Human Services on May 30, 2009.

Representative Mathias replaced Representative Moffitt in the Committee on State Government Administration on May 30, 2009.

Representative Bradley replaced Representative Flider in the Committee on Agriculture & Conservation on May 30, 2009.

Representative Fritchey replaced Representative Flowers in the Committee on Agriculture & Conservation on May 30, 2009.

Representative Flowers replaced Representative Soto in the Committee on Higher Education on May 30, 2009.

REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 3 to SENATE BILL 321.
Amendment No. 4 to SENATE BILL 1602.
Amendment No. 5 to SENATE BILL 1995.

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 164.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Agriculture & Conservation: HOUSE RESOLUTION 421, HOUSE JOINT RESOLUTION 57 and SENATE JOINT RESOLUTION 64.

Elementary & Secondary Education: HOUSE RESOLUTION 447 and HOUSE AMENDMENT No. 1 to SENATE BILL 612.
Environment & Energy: SENATE JOINT RESOLUTION 4.
Environmental Health: HOUSE JOINT RESOLUTION 63.
Higher Education: HOUSE RESOLUTION 444.
Human Services: HOUSE RESOLUTIONS 417, 470, 472 and HOUSE JOINT RESOLUTION 56.
Revenue & Finance: HOUSE AMENDMENT No. 2 to SENATE BILL 1623.
State Government Administration: HOUSE RESOLUTIONS 411, 420, 424, 425, 437, 443 468 and HOUSE JOINT RESOLUTION 62.
Vehicles & Safety: HOUSE RESOLUTION 431.
Veterans' Affairs: HOUSE RESOLUTIONS 413 and 428.

The committee roll call vote on the foregoing Legislative Measures is as follows:
4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lang(D)
Y Turner(D)
A Black(R), Republican Spokesperson
Y Biggins(R) (replacing Schmitz)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 30, 2009 (A), reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE JOINT RESOLUTION 65.
Amendment No. 3 to SENATE BILL 1984.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Appropriations-Elementary & Secondary Education: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 314.
Revenue & Finance: HOUSE FLOOR AMENDMENT No. 3 to SENATE BILL 1825.

The committee roll call vote on the foregoing Legislative Measures is as follows:
4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lang(D)
Y Turner(D)
A Black(R), Republican Spokesperson
Y Schmitz(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 30, 2009, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 5 to SENATE BILL 1909.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Revenue & Finance: HOUSE JOINT RESOLUTION 66.

The committee roll call vote on the foregoing Legislative Measures is as follows:
4, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lang(D)
Y Turner(D)

A Black(R), Republican Spokesperson
Y Beaubien(R) (replacing Schmitz)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 30, 2009, (B) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 4 to SENATE BILL 1825.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Executive: HOUSE AMENDMENT No. 1 to SENATE BILL 1197 and HOUSE AMENDMENT No. 2 to SENATE BILL 1433.

State Government Administration: HOUSE AMENDMENTS Numbered 2 and 3 to SENATE BILL 52.

The committee roll call vote on the foregoing Legislative Measures is as follows:
3, Yeas; 2, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lang(D)
Y Beiser(D) (replacing Turner)

N Black(R), Republican Spokesperson
N Schmitz(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 30, 2009, (C) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
Motion to concur with Senate Amendment No. 2 to HOUSE BILL 574.
Motion to concur with Senate Amendment No. 2 to HOUSE BILL 3795.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Executive: HOUSE AMENDMENT No. 2 to SENATE BILL 1609.

The committee roll call vote on the foregoing Legislative Measures is as follows:
3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
A Lang(D)
Y Turner(D)

A Black(R), Republican Spokesperson
Y Schmitz(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 30, 2009, (D) reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Appropriations-Elementary & Secondary Education: Motion to concur with SENATE AMENDMENTS Numbered 2, 3, 4 and 5 to HOUSE BILL 174.

Executive: HOUSE AMENDMENT No. 2 to SENATE BILL 2218.
Revenue & Finance: HOUSE AMENDMENT No. 2 to SENATE BILL 256.

The committee roll call vote on the foregoing Legislative Measures is as follows:
3, Yeas; 2, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lang(D)
Y Turner(D)
N Beaubien(R) (replacing Black)
N Schmitz(R)

REPORTS FROM STANDING COMMITTEES

Representative Jakobsson, Chairperson, from the Committee on Human Services to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 415.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 415 is as follows:
7, Yeas; 0, Nays; 0, Answering Present.

Y Jakobsson(D), Chairperson
Y Bellock(R), Republican Spokesperson
Y Collins(D)
Y Schmitz(R)
Y Lang(D)(replacing Howard)
Y Cole(R)
Y Flowers(D)

Representative Beiser, Chairperson, from the Committee on Transportation, Regulation, Roads & Bridges to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 60.

The committee roll call vote on House Joint Resolution 60 is as follows:
15, Yeas; 0, Nays; 0, Answering Present.

Y Beiser(D), Chairperson
Y Brauer(R), Republican Spokesperson
Y Bradley(D)
A Graham(D)
A Hoffman(D)
Y Howard(D)
A McAuliffe(R)
A Poe(R)
A Sommer(R)
Y Tracy(R)
Y Miller(D), Vice-Chairperson
Y Black(R)
Y D'Amico(D)
Y Hatcher(R)
Y Holbrook(D)
Y Lyons(D)
Y McGuire(D)
Y Reboletti(R)
Y Soto(D)
Y Wait(R)

Representative McCarthy, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted as amended" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 65.

The committee roll call vote on House Joint Resolution 65 is as follows:
10, Yeas; 0, Nays; 0, Answering Present.

Y McCarthy(D), Chairperson
Y Colvin(D), Vice-Chairperson

Y Poe(R), Republican Spokesperson
Y Brady(R)
Y Brosnahan(D)
Y Graham(D)
Y Chapa LaVia(D) (replacing Acevedo)
Y Brauer(R)
Y Davis, M(D) (replacing Burke)
Y McAuliffe(R)

Representative Nekritz, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 177.

The committee roll call vote on Senate Bill 177 is as follows:

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

Y Fritchey(D), Chairperson
Y Rose(R), Republican Spokesperson
Y Coladipietro(R)
Y Mautino(D) (replacing Gordon, C)
Y Rita(D) (replacing Hoffman)
Y Mathias(R)
Y Osmond(R)
Y Tracy(R)
Y Zalewski(D)
Y Bradley(D), Vice-Chairperson
Y Brosnahan(D)
Y Connelly(R)
A Hamos(D)
Y Lang(D)
Y Nekritz(D)
Y Thapedi(D)
Y Wait(R)

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to SENATE BILL 415.
Amendment No. 2 to SENATE BILL 1623.
Amendment No. 4 to SENATE BILL 2252.

The committee roll call vote on Amendment No. 1 to Senate Bill 415 and Amendment No. 4 to SENATE BILL 2252 is as follows:

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

Y Bradley(D), Chairperson
N Biggins(R), Republican Spokesperson
N Beaubien(R)
Y Currie(D)
Y Lang(D) (replacing Ford)
N Sullivan(R)
Y Berrios(D) (replacing Zalewski)
N Mautino(D), Vice-Chairperson
N Bassi(R)
Y Chapa LaVia(D)
A Schmitz(R) (replacing Eddy)
Y Harris(D) (replacing Gordon, C)
Y Turner(D)

The committee roll call vote on Amendment No. 2 to Senate Bill 1623 is as follows:

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

Y Bradley(D), Chairperson
Y Biggins(R), Republican Spokesperson
Y Beaubien(R)
Y Currie(D)
Y Lang(D) (replacing Ford)
Y Sullivan(R)
Y Berrios(D) (replacing Zalewski)
Y Mautino(D), Vice-Chairperson
Y Bassi(R)
Y Chapa LaVia(D)
Y Schmitz(R) (replacing Eddy)
Y Harris(D) (replacing Gordon, C)
Y Turner(D)

Representative Smith, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 611.

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to SENATE BILL 612.

The committee roll call vote on Amendment No. 1 to Senate Bill 612 is as follows:

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

N Smith(D), Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson
Y Cavaletto(R)
A Davis, Monique(D)
Y Eddy(R)
Y Froehlich(D)
Y Miller(D)
Y Pihos(R)
Y Reis(R)
A Fortner(R) (replacing Watson)
Y Crespo(D), Vice-Chairperson
Y Bassi(R)
A Mautino(D) (replacing Colvin)
A Dugan(D)
Y Flider(D)
Y Golar(D)
Y Osterman(D)
Y Pritchard(R)
Y Senger(R)
Y Yarbrough(D)

The committee roll call vote on Senate Bill 611 is as follows:

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

Y Smith(D), Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson
Y Cavaletto(R)
A Davis, Monique(D)
Y Eddy(R)
N Froehlich(D)
Y Miller(D)
Y Pihos(R)
Y Reis(R)
Y Fortner(R) (replacing Watson)
N Crespo(D), Vice-Chairperson
A Bassi(R)
Y Mautino(D) (replacing Colvin)
Y Dugan(D)
N Flider(D)
Y Golar(D)
Y Osterman(D)
Y Pritchard(R)
Y Senger(R)
Y Yarbrough(D)

Representative Jakobsson, Chairperson, from the Committee on Human Services to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 470 and HOUSE JOINT RESOLUTION 56.

The committee roll call vote on House Resolution 470 and House Joint Resolution 56 is as follows:

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

Y Jakobsson(D), Chairperson
Y Bellock(R), Republican Spokesperson
Y Collins(D)
Y Schmitz(R)
Y Howard(D), Vice-Chairperson
Y Cole(R)
Y Harris(D)(replacing Flowers)

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 63.

The committee roll call vote on House Joint Resolution 63 is as follows:

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

Y May(D), Chairperson
N Tracy(R), Republican Spokesperson
Y Hamos(D)
Y Nekritz(D)
Y Rose(R)
A Stephens(R)
Y Winters(R)
Y McCarthy(D), Vice-Chairperson
Y Froehlich(D)
A Jakobsson(D)
A Rita(D)
Y Schmitz(R)
Y Tryon(R)
Y Yarbrough(D)

Representative Smith, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 447.

The committee roll call vote on House Resolution 447 is as follows:

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

Y Smith(D), Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson
Y Cavaletto(R)
Y Davis, Monique(D)
Y Eddy(R)
Y Froehlich(D)
Y Miller(D)
Y Pihos(R)
Y Reis(R)
Y Fortner(R) (replacing Watson)
Y Crespo(D), Vice-Chairperson
Y Bassi(R)
Y Colvin(D)
Y Dugan(D)
Y Flider(D)
Y Golar(D)
Y Osterman(D)
Y Pritchard(R)
Y Senger(R)
Y Yarbrough(D)

Representative Chapa LaVia, Chairperson, from the Committee on Appropriations-Elementary & Secondary Education to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar: Motion to concur with Senate Amendment No. 1 to HOUSE BILL 314.

The committee roll call vote on Motion to concur with Senate Amendment No. 1 to House Bill 314 is as follows:

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

Y Chapa LaVia(D), Chairperson
Y Bassi(R), Republican Spokesperson
Y Burns(D)
Y Coulson(R)
Y Gordon, Jehan(D)
Y Jackson(D)
A Mitchell, Jerry(R)
Y Pihos(R)
Y Riley(D)
Y Soto(D)
Y Davis, William(D), Vice-Chairperson
Y Bradley(D)(replacing Acevedo)
Y Cole(R)
Y Eddy(R)
Y Hernandez(D)
Y McAsey(D)
A Mulligan(R)
Y Pritchard(R)
Y Smith(D)

Representative Holbrook, Chairperson, from the Committee on Environment & Energy to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: SENATE JOINT RESOLUTION 4.

The committee roll call vote on Senate Joint Resolution 4 is as follows:

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

Y Holbrook(D), Chairperson
A Tryon(R), Republican Spokesperson
Y Bradley(D)
A Durkin(R)
Y Fortner(R)
N May(D)
Y Poe(R)
A Reitz(D)
Y Smith(D)
Y Watson(R)
N Nekritz(D), Vice-Chairperson
Y Beiser(D)
N Cole(R)
Y Flider(D)
N Hamos(D)
A Phelps(D)
Y Reboletti(R)
Y Rose(R)
A Verschoore(D)
Y Winters(R)

Representative McAuliffe, Chairperson, from the Committee on Veterans' Affairs to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 413 and 428.

The committee roll call vote on House Resolution 428 is as follows:

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

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

The committee roll call vote on House Resolution 413 is as follows:

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

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

Representative Boland, Chairperson, from the Committee on Higher Education to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 444.

The committee roll call vote on House Resolution 444 is as follows:

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

Y Boland(D), Chairperson
Y Pritchard(R), Republican Spokesperson
Y Soto(D)(replacing Flowers)
Y Myers(R)
Y Jakobsson(D), Vice-Chairperson
Y Bost(R)
A McCarthy(D)

Representative Bradley, Chairperson, from the Committee on Revenue & Finance to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 3 to SENATE BILL 1825.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 66.

The committee roll call vote on Amendment No. 3 to Senate Bill 1825 and House Joint Resolution 66 is as follows:

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

Y Bradley(D), Chairperson
Y Biggins(R), Republican Spokesperson
Y Beaubien(R)
Y Currie(D)
Y Lang(D)(replacing Ford)
Y Sullivan(R)
Y Berrios(D)(replacing Zalewski)
Y Mautino(D), Vice-Chairperson
Y Bassi(R)
Y Chapa LaVia(D)
Y Schmitz(R)(replacing Eddy)
Y Harris(D)(replacing Gordon, C)
Y Turner(D)

The committee roll call vote on Amendment No. 4 to Senate Bill 2252 is as follows:

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

Y Bradley(D), Chairperson
N Biggins(R), Republican Spokesperson
N Beaubien(R)
Y Currie(D)
Y Lang(D)(replacing Ford)
N Sullivan(R)
Y Berrios(D)(replacing Zalewski)
Y Mautino(D), Vice-Chairperson
N Bassi(R)
Y Chapa LaVia(D)
A Schmitz(R)(replacing Eddy)
Y Harris(D)(replacing Gordon, C)
Y Turner(D)

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to SENATE BILL 1197.
Amendment No. 2 to SENATE BILL 1433.
Amendment No. 2 to SENATE BILL 1609.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 1180, 1181, 1182, 1183, 1184, 1185, 1211, 1212, 1213, 1214, 1215 and 1216.

The committee roll call vote on Amendment No. 2 to Senate Bill 1609 is as follows:

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

Y Burke(D), Chairperson
Y Brady(R), Republican Spokesperson
Y Arroyo(D)
Y Biggins(R)
Y Sullivan(R)
Y Turner(D)
Y Lyons(D), Vice-Chairperson
Y Acevedo(D)
Y Berrios(D)
Y Rita(D)
Y Tryon(R)

The committee roll call vote on Senate Bills 1180, 1181, 1182, 1183, 1184, 1185, 1211, 1212, 1213, 1214, 1215, 1216, Amendment No. 1 to Senate Bill 1197 and Amendment No. 2 to Senate Bill 1433 is as follows:

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

Y Burke(D), Chairperson
N Brady(R), Republican Spokesperson
Y Arroyo(D)
N Biggins(R)
N Sullivan(R)
Y Turner(D)
Y Lyons(D), Vice-Chairperson
Y Acevedo(D)
Y Berrios(D)
Y Rita(D)
N Tryon(R)

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 and 3 to SENATE BILL 52.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 62 and HOUSE RESOLUTIONS 411, 418, 420, 424, 425, 437, 443 and 468.

The committee roll call vote on House Resolution 420 is as follows:

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

Y Franks(D), Chairperson
Y Wait(R), Republican Spokesperson
Y Boland(D)
Y Burns(D)
Y Crespo(D)
Y Farnham(D)
Y McAsey(D)
Y Myers(R)
Y Ramey(R)
Y Dugan(D), Vice-Chairperson
Y Bassi(R)
Y Bost(R)
N Collins(D)
Y Davis, Monique(D)
Y Froehlich(D)
Y Mathias(R) (replacing Moffitt)
Y Poe(R)

The committee roll call vote on Amendments numbered 2 and 3 to Senate Bill 52 and House Joint Resolution 62 is as follows:

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

Y Franks(D), Chairperson
Y Wait(R), Republican Spokesperson
A Boland(D)
Y Burns(D)
Y Crespo(D)
Y Farnham(D)
Y McAsey(D)
Y Myers(R)
Y Ramey(R)
Y Dugan(D), Vice-Chairperson
Y Bassi(R)
Y Bost(R)
Y Collins(D)
Y Davis, Monique(D)
Y Froehlich(D)
Y Mathias(R) (replacing Moffitt)
Y Poe(R)

The committee roll call vote on House Resolutions 411, 418, 424, 425, 437, 443 and 468 is as follows:

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

Y Franks(D), Chairperson
Y Wait(R), Republican Spokesperson
Y Boland(D)
Y Burns(D)
Y Crespo(D)
Y Farnham(D)
Y Dugan(D), Vice-Chairperson
Y Bassi(R)
Y Bost(R)
Y Collins(D)
Y Davis, Monique(D)
Y Froehlich(D)

Y McAsey(D)
Y Myers(R)
Y Ramey(R)
Y Mathias(R) (replacing Moffitt)
Y Poe(R)

Representative Phelps, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on May 30, 2009, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: SENATE JOINT RESOLUTION 64, HOUSE JOINT RESOLUTION 57 and HOUSE RESOLUTION 421.

The committee roll call vote on Senate Joint Resolution 64 is as follows:

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

Y Phelps(D), Chairperson
Y Sacia(R), Republican Spokesperson
Y Cultra(R)
Y Bradley(D) (replacing Flider)
A Hamos(D)
Y Myers(R)
Y Reitz(D)
Y Verschoore(D), Vice-Chairperson
Y Cavaletto(R)
A Dugan(D)
Y Fritchey(D) (replacing Flowers)
Y Moffitt(R)
Y Reis(R)

The committee roll call vote on House Resolution 421 and House Joint Resolution 57 is as follows:

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

Y Phelps(D), Chairperson
Y Sacia(R), Republican Spokesperson
Y Cultra(R)
Y Flider(D)
A Hamos(D)
Y Myers(R)
Y Reitz(D)
Y Verschoore(D), Vice-Chairperson
Y Cavaletto(R)
A Dugan(D)
Y Fritchey(D) (replacing Flowers)
Y Moffitt(R)
Y Reis(R)

MOTIONS SUBMITTED

Representative Bradley submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 314.

Representative Mendoza submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 152.

Representative Hamos submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 3987.

Representative Lang submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 88.

Representative Harris submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendments numbered 3, 4 and 5 to HOUSE BILL 3923.

Representative Smith submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

MOTION #2

I move to non-concur with Senate Amendment No. 1 to HOUSE BILL 2491.

Representative May submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendments numbered 1 and 3 to HOUSE BILL 2325.

Representative Yarbrough submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 1195.

Representative Pihos submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendments numbered 1 and 3 to HOUSE BILL 810.

Representative Currie submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 4088.

Representative Colvin submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 1345.

Representative Graham submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 4046.

Representative William Davis submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 852.

Representative Joyce submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 3986.

Representative Eddy submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 3245.

Representative Ford submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

MOTION #2

I move to non-concur with Senate Amendments numbered 1, 2 and 3 to HOUSE BILL 2537.

Representative Collins submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 3795.

Representative Turner submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 574.

Representative Reboletti submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 1105.

Representative Boland submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

MOTION

I move to non-concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 1110.

Representative Beaubien submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 402.

Representative Tryon submitted the following written motion, which was referred to the Committee on Rules:

MOTION #2

I move to concur with Senate Amendment No. 1 to HOUSE BILL 3785.

Representative Reitz submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE JOINT RESOLUTION 55.

Representative Miller submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendments numbered 2, 3, 4 and 5 to HOUSE BILL 174.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which SENATE BILL 1186 passed in the House on May 27, 2009.

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

MOTION

Pursuant to Rule 25, I move to suspend the posting requirements of Rule 21 in relation to HOUSE RESOLUTIONS 411, 418, 420, 424, 425, 437, 443, 468 and HOUSE JOINT RESOLUTION 62 to be heard in State Government Administration, HOUSE RESOLUTIONS 413 and 428 to be heard in Veterans' Affairs, HOUSE RESOLUTION 447 to be heard in Elementary & Secondary Education, HOUSE JOINT RESOLUTION 63 and SENATE JOINT RESOLUTION 4 to be heard in Environmental Health, HOUSE JOINT RESOLUTION 66 to be heard in Revenue & Finance, HOUSE RESOLUTION 431 to be heard in Vehicles' Safety, HOUSE RESOLUTIONS 417, 470, 472 and HOUSE JOINT RESOLUTION 56 to be heard in Human Services, HOUSE RESOLUTION 421, HOUSE JOINT RESOLUTION 57 and SENATE JOINT RESOLUTION 64 to be heard in Agriculture & Conservation, and HOUSE RESOLUTION 444 to be heard in Higher Education.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which SENATE BILL 1595 failed in the House on May 30, 2009.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which SENATE BILL 1909 passed in the House on May 30, 2009.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which SENATE BILL 1909 passed in the House on May 30, 2009.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to table the motion to reconsider the vote by which SENATE BILL 1186 passed in the House on May 27, 2009.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which the Motion to concur with Senate Amendments Numbered 1 and 2 to HOUSE BILL 3874 was adopted in the House on May 30, 2009.

CORRECTIONAL NOTE SUPPLIED

A Correctional Note has been supplied for SENATE BILL 1369, as amended.

BALANCED BUDGET NOTES SUPPLIED

Balanced Budget Notes have been supplied for SENATE BILLS 1435, and 1909, as amended.

FISCAL NOTE SUPPLIED

Fiscal Notes have been supplied for SENATE BILLS 321, as amended, and 1369, as amended.

PENSION NOTE SUPPLIED

A Pension Note has been supplied for SENATE BILL 226, as amended.

REQUEST FOR FISCAL NOTE

Representative Rita requested that a Fiscal Note be supplied for SENATE BILL 321, as amended.

REQUEST FOR CORRECTIONAL NOTE

Representative Brady requested that a Correctional Note be supplied for SENATE BILL 1369, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Rita requested that a State Mandates Fiscal Note be supplied for SENATE BILL 321 as amended.

MESSAGES FROM THE SENATE

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

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

HOUSE BILL NO. 3718

A bill for AN ACT concerning local government.

Passed by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 3923

A bill for AN ACT concerning insurance.

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

Senate Amendment No. 3 to HOUSE BILL NO. 3923

Senate Amendment No. 4 to HOUSE BILL NO. 3923

Senate Amendment No. 5 to HOUSE BILL NO. 3923

Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 3. Amend House Bill 3923 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Health Carrier External Review Act.

Section 5. Purpose and intent. The purpose of this Act is to provide uniform standards for the establishment and maintenance of external review procedures to assure that covered persons have the opportunity for an independent review of an adverse determination or final adverse determination, as defined in this Act.

Section 10. Definitions. For the purposes of this Act:

"Adverse determination" means a determination by a health carrier or its designee utilization review organization that an admission, availability of care, continued stay, or other health care service that is a covered benefit has been reviewed and, based upon the information provided, does not meet the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness, and the requested service or payment for the service is therefore denied, reduced, or terminated.

"Authorized representative" means:

(1) a person to whom a covered person has given express written consent to represent the covered person in an external review, including the covered person's health care provider;

(2) a person authorized by law to provide substituted consent for a covered person; or

(3) the covered person's health care provider when the covered person is unable to provide consent.

"Best evidence" means evidence based on:

(1) randomized clinical trials;

(2) if randomized clinical trials are not available, then cohort studies or case-control studies;

(3) if items (1) and (2) are not available, then case-series; or

(4) if items (1), (2), and (3) are not available, then expert opinion.

"Case-series" means an evaluation of a series of patients with a particular outcome, without the use of a control group.

"Clinical review criteria" means the written screening procedures, decision abstracts, clinical protocols, and practice guidelines used by a health carrier to determine the necessity and appropriateness of health care services.

"Cohort study" means a prospective evaluation of 2 groups of patients with only one group of patients receiving specific intervention.

"Covered benefits" or "benefits" means those health care services to which a covered person is entitled under the terms of a health benefit plan.

"Covered person" means a policyholder, subscriber, enrollee, or other individual participating in a health benefit plan.

"Director" means the Director of the Department of Insurance.

"Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including, but not limited to, severe pain, such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in:

(1) placing the health of the individual or, with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy;

(2) serious impairment to bodily functions; or

(3) serious dysfunction of any bodily organ or part.

"Emergency services" means health care items and services furnished or required to evaluate and treat an emergency medical condition.

"Evidence-based standard" means the conscientious, explicit, and judicious use of the current best evidence based on an overall systematic review of the research in making decisions about the care of individual patients.

"Expert opinion" means a belief or an interpretation by specialists with experience in a specific area about the scientific evidence pertaining to a particular service, intervention, or therapy.

"Facility" means an institution providing health care services or a health care setting.

"Final adverse determination" means an adverse determination involving a covered benefit that has been upheld by a health carrier, or its designee utilization review organization, at the completion of the health carrier's internal grievance process procedures as set forth by the Managed Care Reform and Patient Rights Act.

"Health benefit plan" means a policy, contract, certificate, plan, or agreement offered or issued by a health carrier to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services.

"Health care provider" or "provider" means a physician, hospital facility, or other health care practitioner licensed, accredited, or certified to perform specified health care services consistent with State law, responsible for recommending health care services on behalf of a covered person.

"Health care services" means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease.

"Health carrier" means an entity subject to the insurance laws and regulations of this State, or subject to the jurisdiction of the Director, that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, or any other entity providing a plan of health insurance, health benefits, or health care services. "Health carrier" also means Limited Health Service Organizations (LHSO) and Voluntary Health Service Plans.

"Health information" means information or data, whether oral or recorded in any form or medium, and personal facts or information about events or relationships that relate to:

(1) the past, present, or future physical, mental, or behavioral health or condition of an individual or a member of the individual's family;

(2) the provision of health care services to an individual; or

(3) payment for the provision of health care services to an individual.

"Independent review organization" means an entity that conducts independent external reviews of adverse determinations and final adverse determinations.

"Medical or scientific evidence" means evidence found in the following sources:

(1) peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff;

(2) peer-reviewed medical literature, including literature relating to therapies reviewed and approved by a qualified institutional review board, biomedical compendia, and other medical literature that meet the criteria of the National Institutes of Health's Library of Medicine for indexing in Index Medicus (Medline) and Elsevier Science Ltd. for indexing in Excerpta Medicus (EMBASE);

(3) medical journals recognized by the Secretary of Health and Human Services under Section 1861(t)(2) of the federal Social Security Act;

(4) the following standard reference compendia:

(a) The American Hospital Formulary Service-Drug Information;

(b) Drug Facts and Comparisons;

(c) The American Dental Association Accepted Dental Therapeutics; and

(d) The United States Pharmacopoeia-Drug Information;

(5) findings, studies, or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes, including:

(a) the federal Agency for Healthcare Research and Quality;

(b) the National Institutes of Health;

(c) the National Cancer Institute;
(d) the National Academy of Sciences;
(e) the Centers for Medicare & Medicaid Services;
(f) the federal Food and Drug Administration; and
(g) any national board recognized by the National Institutes of Health for the purpose of evaluating the medical value of health care services; or

(6) any other medical or scientific evidence that is comparable to the sources listed in items (1) through (5).

"Protected health information" means health information (i) that identifies an individual who is the subject of the information; or (ii) with respect to which there is a reasonable basis to believe that the information could be used to identify an individual.

"Retrospective review" means a review of medical necessity conducted after services have been provided to a patient, but does not include the review of a claim that is limited to an evaluation of reimbursement levels, veracity of documentation, accuracy of coding, or adjudication for payment.

"Utilization review" has the meaning provided by the Managed Care Reform and Patient Rights Act.

"Utilization review organization" means a utilization review program as defined in the Managed Care Reform and Patient Rights Act.

Section 15. Applicability and scope.

(a) Except as provided in subsection (b) of this Section, this Act shall apply to all health carriers.

(b) The provisions of this Act shall not apply to a policy or certificate that provides coverage only for a specified disease, specified accident or accident-only coverage, credit, dental, disability income, hospital indemnity, long-term care insurance as defined by Article XIXA of the Illinois Insurance Code, vision care, or any other limited supplemental benefit; a Medicare supplement policy of insurance as defined by the Director by regulation; coverage under a plan through Medicare, Medicaid, or the federal employees health benefits program; any coverage issued under Chapter 55 of Title 10, U.S. Code and any coverage issued as supplement to that coverage; any coverage issued as supplemental to liability insurance, workers' compensation, or similar insurance; automobile medical-payment insurance or any insurance under which benefits are payable with or without regard to fault, whether written on a group blanket or individual basis.

Section 20. Notice of right to external review.

(a) At the same time the health carrier sends written notice of a covered person's right to appeal a coverage decision upon an adverse determination or a final adverse determination as provided by the Managed Care Reform and Patient Rights Act, a health carrier shall notify a covered person and a covered person's health care provider in writing of the covered person's right to request an external review as provided by this Act. The written notice required shall include the following, or substantially equivalent, language: "We have denied your request for the provision of or payment for a health care service or course of treatment. You have the right to have our decision reviewed by an independent review organization not associated with us if our decision involved making a judgment as to the medical necessity, appropriateness, health care setting, level of care, or effectiveness of the health care service or treatment you requested by submitting a written request for an external review to us. Upon receipt of your request an independent review organization registered with the Department of Insurance will be assigned to review our decision.".

(b) This subsection (b) shall apply to an expedited review prior to a final adverse determination. In addition to the notice required in subsection (a), the health carrier shall include a notice related to an adverse determination, a statement informing the covered person all of the following:

(1) If the covered person has a medical condition where the timeframe for completion of (A) an expedited internal review of a grievance involving an adverse determination, (B) a final adverse determination as set forth in the Managed Care Reform and Patient Rights Act, or (C) a standard external review as established in this Act, would seriously jeopardize the life or health of the covered person or would jeopardize the covered person's ability to regain maximum function, then the covered person or the covered person's authorized representative may file a request for an expedited external review.

(2) The covered person or the covered person's authorized representative may file a request for an expedited external review at the same time the covered person or the covered person's authorized representative files a request for an expedited internal appeal involving an adverse determination as set forth in the Managed Care Reform and Patient Rights Act if the adverse determination involves a denial of coverage based on a determination that the recommended or requested health care service or treatment is experimental or investigational and the covered person's health care provider certifies in writing that the recommended or requested health care service or treatment that is

the subject of the adverse determination would be significantly less effective if not promptly initiated. The independent review organization assigned to conduct the expedited external review will determine whether the covered person shall be required to complete the expedited review of the grievance prior to conducting the expedited external review.

(3) If an adverse determination concerns a denial of coverage based on a determination that the recommended or requested health care service or treatment is experimental or investigational and the covered person's health care provider certifies in writing that the recommended or requested health care service or treatment that is the subject of the request would be significantly less effective if not promptly initiated, then the covered person or the covered person's authorized representative may request an expedited external review.

(c) This subsection (c) shall apply to an expedited review upon final adverse determination. In addition to the notice required in subsection (a), the health carrier shall include a notice related to a final adverse determination, a statement informing the covered person all of the following:

(1) if the covered person has a medical condition where the timeframe for completion of a standard external review would seriously jeopardize the life or health of the covered person or would jeopardize the covered person's ability to regain maximum function, then the covered person or the covered person's authorized representative may file a request for an expedited external review; or

(2) if a final adverse determination concerns an admission, availability of care, continued stay, or health care service for which the covered person received emergency services, but has not been discharged from a facility, then the covered person, or the covered person's authorized representative, may request an expedited external review; or

(3) if a final adverse determination concerns a denial of coverage based on a determination that the recommended or requested health care service or treatment is experimental or investigational, and the covered person's health care provider certifies in writing that the recommended or requested health care service or treatment that is the subject of the request would be significantly less effective if not promptly initiated, then the covered person or the covered person's authorized representative may request an expedited external review.

(d) In addition to the information to be provided pursuant to subsections (a), (b), and (c) of this Section, the health carrier shall include a copy of the description of both the required standard and expedited external review procedures. The description shall highlight the external review procedures that give the covered person or the covered person's authorized representative the opportunity to submit additional information, including any forms used to process an external review.

Section 25. Request for external review. A covered person or the covered person's authorized representative may make a request for a standard external or expedited external review of an adverse determination or final adverse determination. Requests under this Section shall be made directly to the health carrier that made the adverse or final adverse determination. All requests for external review shall be in writing except for requests for expedited external reviews which may me made orally. Health carriers must provide covered persons with forms to request external reviews.

Section 30. Exhaustion of internal grievance process.

Except as provided in subsection (b) of Section 20, a request for an external review shall not be made until the covered person has exhausted the health carrier's internal grievance process as set forth in the Managed Care Reform and Patient Rights Act. A covered person shall also be considered to have exhausted the health carrier's internal grievance process for purposes of this section if:

(1) the covered person or the covered person's authorized representative filed a request for an internal review of an adverse determination pursuant to the Managed Care Reform and Patient Rights Act and has not received a written decision on the request from the health carrier within 15 days after receipt of the required information but not more than 30 days after the request was filed by the covered person or the covered person's authorized representative, except to the extent the covered person or the covered person's authorized representative requested or agreed to a delay; however, a covered person or the covered person's authorized representative may not make a request for an external review of an adverse determination involving a retrospective review determination until the covered person has exhausted the health carrier's internal grievance process;

(2) the covered person or the covered person's authorized representative filed a request for an expedited internal review of an adverse determination pursuant to the Managed Care Reform and Patient Rights Act and has not received a decision on request from the health carrier within 48 hours, except to the extent the covered person or the covered person's authorized representative requested or agreed to a delay; or

(3) the health carrier agrees to waive the exhaustion requirement.

Section 35. Standard external review.

(a) Within 4 months after the date of receipt of a notice of an adverse determination or final adverse determination, a covered person or the covered person's authorized representative may file a request for an external review with the health carrier.

(b) Within 5 business days following the date of receipt of the external review request, the health carrier shall complete a preliminary review of the request to determine whether:

(1) the individual is or was a covered person in the health benefit plan at the time the health care service was requested or at the time the health care service was provided;

(2) the health care service that is the subject of the adverse determination or the final adverse determination is a covered service under the covered person's health benefit plan, but the health carrier has determined that the health care service is not covered because it does not meet the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness;

(3) the covered person has exhausted the health carrier's internal grievance process as set forth in this Act;

(4) for appeals relating to a determination based on treatment being experimental or investigational, the requested health care service or treatment that is the subject of the adverse determination or final adverse determination is a covered benefit under the covered person's health benefit plan except for the health carrier's determination that the service or treatment is experimental or investigational for a particular medical condition and is not explicitly listed as an excluded benefit under the covered person's health benefit plan with the health carrier and that the covered person's health care provider, who is a physician licensed to practice medicine in all its branches, has certified that one of the following situations is applicable:

(A) standard health care services or treatments have not been effective in improving the condition of the covered person;

(B) standard health care services or treatments are not medically appropriate for the covered person;

(C) there is no available standard health care service or treatment covered by the health carrier that is more beneficial than the recommended or requested health care service or treatment;

(D) the health care service or treatment is likely to be more beneficial to the covered person, in the health care provider's opinion, than any available standard health care services or treatments; or

(E) that scientifically valid studies using accepted protocols demonstrate that the health care service or treatment requested is likely to be more beneficial to the covered person than any available standard health care services or treatments; and

(5) the covered person has provided all the information and forms required to process an external review, as specified in this Act.

(c) Within one business day after completion of the preliminary review, the health carrier shall notify the covered person and, if applicable, the covered person's authorized representative in writing whether the request is complete and eligible for external review. If the request:

(1) is not complete, the health carrier shall inform the covered person and, if applicable, the covered person's authorized representative in writing and include in the notice what information or materials are required by this Act to make the request complete; or

(2) is not eligible for external review, the health carrier shall inform the covered person and, if applicable, the covered person's authorized representative in writing and include in the notice the reasons for its ineligibility.

The notice of initial determination of ineligibility shall include a statement informing the covered person and, if applicable, the covered person's authorized representative that a health carrier's initial determination that the external review request is ineligible for review may be appealed to the Director by filing a complaint with the Director.

Notwithstanding a health carrier's initial determination that the request is ineligible for external review, the Director may determine that a request is eligible for external review and require that it be referred for external review. In making such determination, the Director's decision shall be in accordance with the terms of the covered person's health benefit plan and shall be subject to all applicable provisions of this Act.

(d) Whenever a request is eligible for external review the health carrier shall, within 5 business days:

(1) assign an independent review organization from the list of approved independent review organizations compiled and maintained by the Director; and

(2) notify in writing the covered person and, if applicable, the covered person's authorized representative of the request's eligibility and acceptance for external review and the name of the independent review organization.

The health carrier shall include in the notice provided to the covered person and, if applicable, the covered person's authorized representative a statement that the covered person or the covered person's authorized representative may, within 5 business days following the date of receipt of the notice provided pursuant to item (2) of this subsection (d), submit in writing to the assigned independent review organization additional information that the independent review organization shall consider when conducting the external review. The independent review organization is not required to, but may, accept and consider additional information submitted after 5 business days.

(e) The assignment of an approved independent review organization to conduct an external review in accordance with this Section shall be made from those approved independent review organizations qualified to conduct external review as required by Sections 50 and 55 of this Act.

(f) Upon assignment of an independent review organization, the health carrier or its designee utilization review organization shall, within 5 business days, provide to the assigned independent review organization the documents and any information considered in making the adverse determination or final adverse determination; in such cases, the following provisions shall apply:

(1) Except as provided in item (2) of this subsection (f), failure by the health carrier or its utilization review organization to provide the documents and information within the specified time frame shall not delay the conduct of the external review.

(2) If the health carrier or its utilization review organization fails to provide the documents and information within the specified time frame, the assigned independent review organization may terminate the external review and make a decision to reverse the adverse determination or final adverse determination.

(3) Within one business day after making the decision to terminate the external review and make a decision to reverse the adverse determination or final adverse determination under item (2) of this subsection (f), the independent review organization shall notify the health carrier, the covered person and, if applicable, the covered person's authorized representative, of its decision to reverse the adverse determination.

(g) Upon receipt of the information from the health carrier or its utilization review organization, the assigned independent review organization shall review all of the information and documents and any other information submitted in writing to the independent review organization by the covered person and the covered person's authorized representative.

(h) Upon receipt of any information submitted by the covered person or the covered person's authorized representative, the independent review organization shall forward the information to the health carrier within 1 business day.

(1) Upon receipt of the information, if any, the health carrier may reconsider its adverse determination or final adverse determination that is the subject of the external review.

(2) Reconsideration by the health carrier of its adverse determination or final adverse determination shall not delay or terminate the external review.

(3) The external review may only be terminated if the health carrier decides, upon completion of its reconsideration, to reverse its adverse determination or final adverse determination and provide coverage or payment for the health care service that is the subject of the adverse determination or final adverse determination. In such cases, the following provisions shall apply:

(A) Within one business day after making the decision to reverse its adverse determination or final adverse determination, the health carrier shall notify the covered person and if applicable, the covered person's authorized representative, and the assigned independent review organization in writing of its decision.

(B) Upon notice from the health carrier that the health carrier has made a decision to reverse its adverse determination or final adverse determination, the assigned independent review organization shall terminate the external review.

(i) In addition to the documents and information provided by the health carrier or its utilization review organization and the covered person and the covered person's authorized representative, if any, the independent review organization, to the extent the information or documents are available and the

independent review organization considers them appropriate, shall consider the following in reaching a decision:

(1) the covered person's pertinent medical records;

(2) the covered person's health care provider's recommendation;

(3) consulting reports from appropriate health care providers and other documents submitted by the health carrier, the covered person, the covered person's authorized representative, or the covered person's treating provider;

(4) the terms of coverage under the covered person's health benefit plan with the health carrier to ensure that the independent review organization's decision is not contrary to the terms of coverage under the covered person's health benefit plan with the health carrier;

(5) the most appropriate practice guidelines, which shall include applicable evidence-based standards and may include any other practice guidelines developed by the federal government, national or professional medical societies, boards, and associations;

(6) any applicable clinical review criteria developed and used by the health carrier or its designee utilization review organization; and

(7) the opinion of the independent review organization's clinical reviewer or reviewers after considering items (1) through (6) of this subsection (i) to the extent the information or documents are available and the clinical reviewer or reviewers considers the information or documents appropriate; and

(8) for a denial of coverage based on a determination that the health care service or treatment recommended or requested is experimental or investigational, whether and to what extent:

(A) the recommended or requested health care service or treatment has been approved by the federal Food and Drug Administration, if applicable, for the condition;

(B) medical or scientific evidence or evidence-based standards demonstrate that the expected benefits of the recommended or requested health care service or treatment is more likely than not to be beneficial to the covered person than any available standard health care service or treatment and the adverse risks of the recommended or requested health care service or treatment would not be substantially increased over those of available standard health care services or treatments; or

(C) the terms of coverage under the covered person's health benefit plan with the health carrier to ensure that the health care service or treatment that is the subject of the opinion is experimental or investigational would otherwise be covered under the terms of coverage of the covered person's health benefit plan with the health carrier.

(j) Within 5 days after the date of receipt of all necessary information, the assigned independent review organization shall provide written notice of its decision to uphold or reverse the adverse determination or the final adverse determination to the health carrier, the covered person and, if applicable, the covered person's authorized representative. In reaching a decision, the assigned independent review organization is not bound by any claim determinations reached prior to the submission of information the independent review organization. In such cases, the following provisions shall apply:

(1) The independent review organization shall include in the notice:

(A) a general description of the reason for the request for external review;

(B) the date the independent review organization received the assignment from the health carrier to conduct the external review;

(C) the time period during which the external review was conducted;

(D) references to the evidence or documentation, including the evidence-based standards, considered in reaching its decision;

(E) the date of its decision; and

(F) the principal reason or reasons for its decision, including what applicable, if any, evidence-based standards that were a basis for its decision.

(2) For reviews of experimental or investigational treatments, the notice shall include the following information:

(A) a description of the covered person's medical condition;

(B) a description of the indicators relevant to whether there is sufficient evidence to demonstrate that the recommended or requested health care service or treatment is more likely than not to be more beneficial to the covered person than any available standard health care services or treatments and the adverse risks of the recommended or requested health care service or treatment would not be substantially increased over those of available standard health care services or treatments;

(C) a description and analysis of any medical or scientific evidence considered in reaching the opinion;

(D) a description and analysis of any evidence-based standards; and

(E) whether the recommended or requested health care service or treatment has been approved by the federal Food and Drug Administration, for the condition;

(F) whether medical or scientific evidence or evidence-based standards demonstrate that the expected benefits of the recommended or requested health care service or treatment is more likely than not to be more beneficial to the covered person than any available standard health care service or treatment and the adverse risks of the recommended or requested health care service or treatment would not be substantially increased over those of available standard health care services or treatments; and

(G) the written opinion of the clinical reviewer, including the reviewer's recommendation as to whether the recommended or requested health care service or treatment should be covered and the rationale for the reviewer's recommendation.

(3) In reaching a decision, the assigned independent review organization is not bound by any decisions or conclusions reached during the health carrier's utilization review process or the health carrier's internal grievance or appeals process.

(4) Upon receipt of a notice of a decision reversing the adverse determination or final adverse determination, the health carrier immediately shall approve the coverage that was the subject of the adverse determination or final adverse determination.

Section 40. Expedited external review.

(a) A covered person or a covered person's authorized representative may file a request for an expedited external review with the health carrier either orally or in writing:

(1) immediately after the date of receipt of a notice prior to a final adverse determination as provided by subsection (b) of Section 20 of this Act;

(2) immediately after the date of receipt of a notice a final adverse determination as provided by subsection (c) of Section 20 of this Act; or

(3) if a health carrier fails to provide a decision on request for an expedited internal appeal within 48 hours as provided by item (2) of Section 30 of this Act.

(b) Immediately upon receipt of the request for an expedited external review as provided under subsections (b) and (c) of Section 20, the health carrier shall determine whether the request meets the reviewability requirements set forth in items (1), (2), and (4) of subsection (b) of Section 35. In such cases, the following provisions shall apply:

(1) The health carrier shall immediately notify the covered person and, if applicable, the covered person's authorized representative of its eligibility determination.

(2) The notice of initial determination shall include a statement informing the covered person and, if applicable, the covered person's authorized representative that a health carrier's initial determination that an external review request is ineligible for review may be appealed to the Director.

(3) The Director may determine that a request is eligible for expedited external review notwithstanding a health carrier's initial determination that the request is ineligible and require that it be referred for external review.

(4) In making a determination under item (3) of this subsection (b), the Director's decision shall be made in accordance with the terms of the covered person's health benefit plan and shall be subject to all applicable provisions of this Act.

(c) Upon determining that a request meets the requirements of subsections (b) and (c) of Section 20, the health carrier shall immediately assign an independent review organization from the list of approved independent review organizations compiled and maintained by the Director to conduct the expedited review. In such cases, the following provisions shall apply:

(1) The assignment of an approved independent review organization to conduct an external review in accordance with this Section shall be made from those approved independent review organizations qualified to conduct external review as required by Sections 50 and 55 of this Act.

(2) Immediately upon assigning an independent review organization to perform an expedited external review, but in no case more than 24 hours after assigning the independent review organization, the health carrier or its designee utilization review organization shall provide or transmit all necessary documents and information considered in making the final adverse determination to the assigned independent review organization electronically or by telephone or facsimile or any other available expeditious method.

(3) If the health carrier or its utilization review organization fails to provide the documents and information within the specified timeframe, the assigned independent review organization may terminate the external review and make a decision to reverse the adverse determination or final adverse determination.

(4) Within one business day after making the decision to terminate the external review and make a decision to reverse the adverse determination or final adverse determination under item (3) of this subsection (c), the independent review organization shall notify the health carrier, the covered person and, if applicable, the covered person's authorized representative of its decision to reverse the adverse determination.

(d) In addition to the documents and information provided by the health carrier or its utilization review organization and any documents and information provided by the covered person and the covered person's authorized representative, the independent review organization shall consider information as required by subsection (i) of Section 35 of this Act in reaching a decision.

(e) As expeditiously as the covered person's medical condition or circumstances requires, but in no event more than 2 business days after the receipt of all pertinent information, the assigned independent review organization shall:

(1) make a decision to uphold or reverse the final adverse determination; and

(2) notify the health carrier, the covered person, the covered person's health care provider, and if applicable, the covered person's authorized representative, of the decision.

(f) In reaching a decision, the assigned independent review organization is not bound by any decisions or conclusions reached during the health carrier's utilization review process or the health carrier's internal grievance process as set forth in the Managed Care Reform and Patient Rights Act.

(g) Upon receipt of notice of a decision reversing the final adverse determination, the health carrier shall immediately approve the coverage that was the subject of the final adverse determination.

(h) Within 48 hours after the date of providing the notice required in item (2) of subsection (e), the assigned independent review organization shall provide written confirmation of the decision to the health carrier, the covered person, and if applicable, the covered person's authorized representative including the information set forth in subsection (j) of Section 35 of this Act as applicable.

(i) An expedited external review may not be provided for retrospective adverse or final adverse determinations.

Section 45. Binding nature of external review decision. An external review decision is binding on the health carrier. An external review decision is binding on the covered person except to the extent the covered person has other remedies available under applicable federal or State law. A covered person or the covered person's authorized representative may not file a subsequent request for external review involving the same adverse determination or final adverse determination for which the covered person has already received an external review decision pursuant to this Act.

Section 50. Approval of independent review organizations.

(a) The Director shall approve independent review organizations eligible to be assigned to conduct external reviews under this Act.

(b) In order to be eligible for approval by the Director under this Section to conduct external reviews under this Act an independent review organization:

(1) except as otherwise provided in this Section, shall be accredited by a nationally recognized private accrediting entity that the Director has determined has independent review organization accreditation standards that are equivalent to or exceed the minimum qualifications for independent review; and

(2) shall submit an application for approval in accordance with subsection (d) of this Section.

(c) The Director shall develop an application form for initially approving and for reapproving independent review organizations to conduct external reviews.

(d) Any independent review organization wishing to be approved to conduct external reviews under this Act shall submit the application form and include with the form all documentation and information necessary for the Director to determine if the independent review organization satisfies the minimum qualifications established under this Act. The Director may:

(1) approve independent review organizations that are not accredited by a nationally recognized private accrediting entity if there are no acceptable nationally recognized private accrediting entities providing independent review organization accreditation; and

(2) by rule establish an application fee that independent review organizations shall submit to the Director with an application for approval and renewing.

(e) An approval is effective for 2 years, unless the Director determines before its expiration that the independent review organization is not satisfying the minimum qualifications established under this Act.

(f) Whenever the Director determines that an independent review organization has lost its accreditation or no longer satisfies the minimum requirements established under this Act, the Director shall terminate the approval of the independent review organization and remove the independent review organization from the list of independent review organizations approved to conduct external reviews under this Act that is maintained by the Director.

(g) The Director shall maintain and periodically update a list of approved independent review organizations.

(h) The Director may promulgate regulations to carry out the provisions of this Section.

Section 55. Minimum qualifications for independent review organizations.

(a) To be approved to conduct external reviews, an independent review organization shall have and maintain written policies and procedures that govern all aspects of both the standard external review process and the expedited external review process set forth in this Act that include, at a minimum:

(1) a quality assurance mechanism that ensures that:

(A) external reviews are conducted within the specified timeframes and required notices are provided in a timely manner;

(B) selection of qualified and impartial clinical reviewers to conduct external reviews on behalf of the independent review organization and suitable matching of reviewers to specific cases and that the independent review organization employs or contracts with an adequate number of clinical reviewers to meet this objective;

(C) for adverse determinations involving experimental or investigational treatments, in assigning clinical reviewers, the independent review organization selects physicians or other health care professionals who, through clinical experience in the past 3 years, are experts in the treatment of the covered person's condition and knowledgeable about the recommended or requested health care service or treatment;

(D) the health carrier, the covered person, and the covered person's authorized representative shall not choose or control the choice of the physicians or other health care professionals to be selected to conduct the external review;

(E) confidentiality of medical and treatment records and clinical review criteria; and

(F) any person employed by or under contract with the independent review organization adheres to the requirements of this Act;

(2) a toll-free telephone service operating on a 24-hour-day, 7-day-a-week basis that accepts, receives, and records information related to external reviews and provides appropriate instructions; and

(3) an agreement to maintain and provide to the Director the information set out in Section 70 of this Act.

(b) All clinical reviewers assigned by an independent review organization to conduct external reviews shall be physicians or other appropriate health care providers who meet the following minimum qualifications:

(1) be an expert in the treatment of the covered person's medical condition that is the subject of the external review;

(2) be knowledgeable about the recommended health care service or treatment through recent or current actual clinical experience treating patients with the same or similar medical condition of the covered person;

(3) hold a non-restricted license in a state of the United States and, for physicians, a current certification by a recognized American medical specialty board in the area or areas appropriate to the subject of the external review; and

(4) have no history of disciplinary actions or sanctions, including loss of staff privileges or participation restrictions, that have been taken or are pending by any hospital, governmental agency or unit, or regulatory body that raise a substantial question as to the clinical reviewer's physical, mental, or professional competence or moral character.

(c) In addition to the requirements set forth in subsection (a), an independent review organization may not own or control, be a subsidiary of, or in any way be owned, or controlled by, or exercise control with a

health benefit plan, a national, State, or local trade association of health benefit plans, or a national, State, or local trade association of health care providers.

(d) Conflicts of interest prohibited. In addition to the requirements set forth in subsections (a), (b), and (c) of this Section, to be approved pursuant to this Act to conduct an external review of a specified case, neither the independent review organization selected to conduct the external review nor any clinical reviewer assigned by the independent organization to conduct the external review may have a material professional, familial or financial conflict of interest with any of the following:

(1) the health carrier that is the subject of the external review;

(2) the covered person whose treatment is the subject of the external review or the covered person's authorized representative;

(3) any officer, director or management employee of the health carrier that is the subject of the external review;

(4) the health care provider, the health care provider's medical group or independent practice association recommending the health care service or treatment that is the subject of the external review;

(5) the facility at which the recommended health care service or treatment would be provided; or

(6) the developer or manufacturer of the principal drug, device, procedure, or other therapy being recommended for the covered person whose treatment is the subject of the external review.

(e) An independent review organization that is accredited by a nationally recognized private accrediting entity that has independent review accreditation standards that the Director has determined are equivalent to or exceed the minimum qualifications of this Section shall be presumed to be in compliance with this Section and shall be eligible for approval under this Act.

(f) An independent review organization shall be unbiased. An independent review organization shall establish and maintain written procedures to ensure that it is unbiased in addition to any other procedures required under this Section.

(g) Nothing in this Act precludes or shall be interpreted to preclude a health carrier from contracting with approved independent review organizations to conduct external reviews assigned to it from such health carrier.

Section 60. Hold harmless for independent review organizations. No independent review organization or clinical reviewer working on behalf of an independent review organization or an employee, agent or contractor of an independent review organization shall be liable for damages to any person for any opinions rendered or acts or omissions performed within the scope of the organization's or person's duties under the law during or upon completion of an external review conducted pursuant to this Act, unless the opinion was rendered or act or omission performed in bad faith or involved gross negligence.

Section 65. External review reporting requirements.

(a) Each health carrier shall maintain written records in the aggregate on all requests for external review for each calendar year and submit a report to the Director in the format specified by the Director by March 1 of each year.

(b) The report shall include in the aggregate:

(1) the total number of requests for external review;

(2) the total number of requests for expedited external review;

(3) the total number of requests for external review denied;

(4) the number of requests for external review resolved, including:

(A) the number of requests for external review resolved upholding the adverse determination or final adverse determination;

(B) the number of requests for external review resolved reversing the adverse determination or final adverse determination;

(C) the number of requests for expedited external review resolved upholding the adverse determination or final adverse determination; and

(D) the number of requests for expedited external review resolved reversing the adverse determination or final adverse determination;

(5) the average length of time for resolution for an external review;

(6) the average length of time for resolution for an expedited external review;

(7) a summary of the types of coverages or cases for which an external review was sought, as specified below:

(A) denial of care or treatment (dissatisfaction regarding prospective non-authorization of a request for care or treatment recommended by a provider excluding diagnostic procedures and referral requests; partial approvals and care terminations are also considered to be denials);

(B) denial of diagnostic procedure (dissatisfaction regarding prospective non-authorization of a request for a diagnostic procedure recommended by a provider; partial approvals are also considered to be denials);

(C) denial of referral request (dissatisfaction regarding non-authorization of a request for a referral to another provider recommended by a PCP);

(D) claims and utilization review (dissatisfaction regarding the concurrent or retrospective evaluation of the coverage, medical necessity, efficiency or appropriateness of health care services or treatment plans; prospective "Denials of care or treatment", "Denials of diagnostic procedures" and "Denials of referral requests" should not be classified in this category, but the appropriate one above);

(8) the number of external reviews that were terminated as the result of a reconsideration by the health carrier of its adverse determination or final adverse determination after the receipt of additional information from the covered person or the covered person's authorized representative; and

(9) any other information the Director may request or require.

Section 70. Funding of external review. The health carrier shall be solely responsible for paying the cost of external reviews conducted by independent review organizations.

Section 75. Disclosure requirements.

(a) Each health carrier shall include a description of the external review procedures in, or attached to, the policy, certificate, membership booklet, and outline of coverage or other evidence of coverage it provides to covered persons.

(b) The description required under subsection (a) of this Section shall include a statement that informs the covered person of the right of the covered person to file a request for an external review of an adverse determination or final adverse determination with the health carrier. The statement shall explain that external review is available when the adverse determination or final adverse determination involves an issue of medical necessity, appropriateness, health care setting, level of care, or effectiveness. The statement shall include the toll-free telephone number and address of the Office of Consumer Health Insurance within the Department of Insurance.

Section 90. The Illinois Insurance Code is amended by changing Section 155.36 and by adding Sections 359b and 359c as follows:

(215 ILCS 5/155.36)

Sec. 155.36. Managed Care Reform and Patient Rights Act. Insurance companies that transact the kinds of insurance authorized under Class 1(b) or Class 2(a) of Section 4 of this Code shall comply with Sections 45 and ~~Section~~ 85 and the definition of the term "emergency medical condition" in Section 10 of the Managed Care Reform and Patient Rights Act.

(Source: P.A. 91-617, eff. 1-1-00.)

(215 ILCS 5/359b new)

Sec. 359b. Committee to create a uniform small employer group-health status questionnaire and individual health statement.

(a) For the purposes of this Section:

"Employee health-status questionnaire" means a questionnaire that poses questions about an individual employee's or covered dependent's health history and that is to be completed by the individual employee or covered dependent of a small employer that seeks health insurance coverage from a small employer carrier.

"Health benefit plan", "small employer", and "small employer carrier" shall have the meaning given the terms in the Small Employer Health Insurance Rating Act.

"Individual health insurance coverage" and "individual market" shall have the meaning given the terms in the Illinois Health Insurance Portability and Accountability Act.

(b) A committee is established in the Department consisting of 11 members, including the Director or the Director's designee, who are appointed by the Director. The Director shall appoint to the committee 5 representatives as recommended by the Illinois Insurance Association, Illinois Life Insurance Council, Professional Independent Insurance Agents of Illinois, Illinois Association of Health Underwriters, Illinois Chamber of Commerce, Illinois Manufacturers Association, Illinois Retail Merchants Association, and National Federation of Independent Businesses and 5 consumer representatives. The Director or the

Director's designee shall serve as chairperson of the committee.

(c) The committee shall develop a uniform employee health-status questionnaire to simplify the health insurance application process for small employers. The committee shall study employee-health status questionnaires currently used by major small employer carriers in this State and consolidate the questionnaires into a uniform questionnaire. The questionnaire shall be designed to permit its use both as a written document and through electronic or other alternative delivery formats.

A uniform employee health-status questionnaire shall allow small employers that are required to provide information regarding their employees to a small employer carrier when applying for a small employer group health insurance policy to use a standardized questionnaire that small employer carriers shall be required to use. The development of the uniform employee health-status questionnaire is intended to relieve small employers of the burden of completing separate application forms for each small employer carrier with which the employer applies for insurance or from which the employer seeks information regarding such matters as rates, coverage, and availability. The use of the uniform employee health-status questionnaire by small employer carriers and small employers shall be mandatory.

(d) On or before July 1, 2010, the committee shall develop the uniform employee health-status questionnaire for adoption by the Department. Beginning January 1, 2011, a small employer carrier shall use the questionnaire for all small employer groups for which it requires employees and their covered dependents to complete questionnaires.

(e) The Director, as needed, may reconvene the committee to consider whether changes are necessary to the uniform employee health status questionnaire. If the committee determines that changes to the questionnaire are necessary, then the Director may adopt revisions to the questionnaire as recommended by the committee. Small employer carriers shall use the revised questionnaire beginning 90 days after the Director adopts any revision.

(f) Nothing in this Section shall be construed to limit or restrict a small employer carrier's ability to appropriately rate risk under a small employer health benefit plan.

(g) On or before July 1, 2010, the committee shall develop a standard individual market health statement to simplify the health insurance application process for individuals. The committee shall study health statements currently used by major carriers in this State who offer individual health insurance coverage and consolidate the statements into a standard individual market health statement. The standard individual market health statement shall be designed to permit its use both as a written document and through electronic or other alternative delivery formats. For purposes of the individual market health statement, the Director may, but shall not be required to, establish a committee distinct from that formed to develop an application for small employers. In that event, the composition of the committee shall be as prescribed in subsection (b) of this Section, although individual participants may change.

(h) Beginning January 1, 2011, all carriers who offer individual health insurance coverage and evaluate the health status of individuals shall use the standard individual market health statement.

(i) The Director, as needed, may reconvene the committee to consider whether changes are necessary to the standard individual market health statement. If the committee determines that changes to the statement are necessary, the Director may adopt revisions to the statement as recommended by the committee. All carriers who offer individual health insurance coverage shall use the revised statement beginning 90 days after the Director adopts any revision.

(j) Nothing in this Section shall prevent a carrier from using health information after enrollment for the purpose of providing services or arranging for the provision of services under a health benefit plan or a policy of individual health insurance coverage.

(k) Nothing in this Section shall be construed to limit or restrict a health carrier's ability to appropriately rate risk, refuse to issue or renew coverage, or otherwise rescind, terminate, or restrict coverage under a health benefit plan or a policy of individual health insurance coverage or conduct further review of the information submitted on the statement by contacting an individual, the individual's health care provider, or any other entity for additional health status related information.

(l) Committee members are not eligible for compensation but may receive reimbursement of expenses.

(215 ILCS 5/359c new)

Sec. 359c. Accident and health expense reporting.

(a) Beginning January 1, 2011 and every 6 months thereafter, any carrier providing a group or individual major medical policy of accident or health insurance shall prepare and provide to the Department of Insurance a statement of the aggregate administrative expenses of the carrier, based on the premiums earned in the immediately preceding 6-month period on the accident or health insurance business of the carrier. The semi-annual statements shall be filed on or before July 31 for the preceding 6-month period

ending June 30 and on or before February 1 for the preceding 6-month period ending December 31. The statements shall itemize and separately detail all of the following information with respect to the carrier's accident or health insurance business:

(1) the amount of premiums earned by the carrier both before and after any costs related to the carrier's purchase of reinsurance coverage;

(2) the total amount of claims for losses paid by the carrier both before and after any reimbursement from reinsurance coverage including any costs incurred related to:

(A) disease, case, or chronic care management programs;

(B) wellness and health education programs;

(C) fraud prevention;

(D) maintaining provider networks and provider credentialing;

(E) health information technology for personal electronic health records; and

(F) utilization review and utilization management;

(3) the amount of any losses incurred by the carrier but not reported to the carrier in the current or prior reporting period;

(4) the amount of costs incurred by the carrier for State fees and federal and State taxes including:

(A) any high risk pool and guaranty fund assessments levied on the carrier by the State; and

(B) any regulatory compliance costs including State fees for form and rate filings, licensures, market conduct exams, and financial reports;

(5) the amount of costs incurred by the carrier for reinsurance coverage;

(6) the amount of costs incurred by the carrier that are related to the carrier's payment of marketing expenses including commissions; and

(7) any other administrative expenses incurred by the carrier.

(b) The information provided pursuant to subsection (a) of this Section shall be separately aggregated for the following lines of major medical insurance:

(1) individually underwritten;

(2) groups of 2 to 25 members;

(3) groups of 26 to 50 members;

(4) groups of 51 or more members.

(c) The Department shall make the submitted information publicly available on the Department's website or such other media as appropriate in a form useful for consumers.

Section 95. The Managed Care Reform and Patient Rights Act is amended by changing Sections 40 and 45 as follows:

(215 ILCS 134/40)

Sec. 40. Access to specialists.

(a) All health care plans that require each enrollee to select a health care provider for any purpose including coordination of care shall permit an enrollee to choose any available primary care physician licensed to practice medicine in all its branches participating in the health care plan for that purpose. The health care plan shall provide the enrollee with a choice of licensed health care providers who are accessible and qualified. Nothing in this Act shall be construed to prohibit a health care plan from requiring a health care provider to meet the health care plan's criteria in order to coordinate access to health care.

(b) A health care plan shall establish a procedure by which an enrollee who has a condition that requires ongoing care from a specialist physician or other health care provider may apply for a standing referral to a specialist physician or other health care provider if a referral to a specialist physician or other health care provider is required for coverage. The application shall be made to the enrollee's primary care physician. This procedure for a standing referral must specify the necessary criteria and conditions that must be met in order for an enrollee to obtain a standing referral. A standing referral shall be effective for the period necessary to provide the referred services or one year, except in the event of termination of a contract or policy in which case Section 25 on transition of services shall apply, if applicable. A primary care physician may renew and re-renew a standing referral.

(c) The enrollee may be required by the health care plan to select a specialist physician or other health care provider who has a referral arrangement with the enrollee's primary care physician or to select a new primary care physician who has a referral arrangement with the specialist physician or other health care provider chosen by the enrollee. If a health care plan requires an enrollee to select a new physician under this subsection, the health care plan must provide the enrollee with both options provided in this subsection. When a participating specialist with a referral arrangement is not available, the primary care physician, in consultation with the enrollee, shall arrange for the enrollee to have access to a qualified participating

health care provider, and the enrollee shall be allowed to stay with his or her primary care physician. If a secondary referral is necessary, the specialist physician or other health care provider shall advise the primary care physician. The primary care physician shall be responsible for making the secondary referral. In addition, the health care plan shall require the specialist physician or other health care provider to provide regular updates to the enrollee's primary care physician.

(d) When the type of specialist physician or other health care provider needed to provide ongoing care for a specific condition is not represented in the health care plan's provider network, the primary care physician shall arrange for the enrollee to have access to a qualified non-participating health care provider within a reasonable distance and travel time at no additional cost beyond what the enrollee would otherwise pay for services received within the network. The referring physician shall notify the plan when a referral is made outside the network.

(e) The enrollee's primary care physician shall remain responsible for coordinating the care of an enrollee who has received a standing referral to a specialist physician or other health care provider. If a secondary referral is necessary, the specialist physician or other health care provider shall advise the primary care physician. The primary care physician shall be responsible for making the secondary referral. In addition, the health care plan shall require the specialist physician or other health care provider to provide regular updates to the enrollee's primary care physician.

(f) If an enrollee's application for any referral is denied, an enrollee may appeal the decision through the health care plan's external independent review process as provided by the Illinois Health Carrier External Review Act ~~in accordance with subsection (f) of Section 45 of this Act~~.

(g) Nothing in this Act shall be construed to require an enrollee to select a new primary care physician when no referral arrangement exists between the enrollee's primary care physician and the specialist selected by the enrollee and when the enrollee has a long-standing relationship with his or her primary care physician.

(h) In promulgating rules to implement this Act, the Department shall define "standing referral" and "ongoing course of treatment".

(Source: P.A. 91-617, eff. 1-1-00.)

(215 ILCS 134/45)

Sec. 45. Health care services appeals, complaints, and external independent reviews.

(a) A health care plan shall establish and maintain an appeals procedure as outlined in this Act. Compliance with this Act's appeals procedures shall satisfy a health care plan's obligation to provide appeal procedures under any other State law or rules. All appeals of a health care plan's administrative determinations and complaints regarding its administrative decisions shall be handled as required under Section 50.

(b) When an appeal concerns a decision or action by a health care plan, its employees, or its subcontractors that relates to (i) health care services, including, but not limited to, procedures or treatments, for an enrollee with an ongoing course of treatment ordered by a health care provider, the denial of which could significantly increase the risk to an enrollee's health, or (ii) a treatment referral, service, procedure, or other health care service, the denial of which could significantly increase the risk to an enrollee's health, the health care plan must allow for the filing of an appeal either orally or in writing. Upon submission of the appeal, a health care plan must notify the party filing the appeal, as soon as possible, but in no event more than 24 hours after the submission of the appeal, of all information that the plan requires to evaluate the appeal. The health care plan shall render a decision on the appeal within 24 hours after receipt of the required information. The health care plan shall notify the party filing the appeal and the enrollee, enrollee's primary care physician, and any health care provider who recommended the health care service involved in the appeal of its decision orally followed-up by a written notice of the determination.

(c) For all appeals related to health care services including, but not limited to, procedures or treatments for an enrollee and not covered by subsection (b) above, the health care plan shall establish a procedure for the filing of such appeals. Upon submission of an appeal under this subsection, a health care plan must notify the party filing an appeal, within 3 business days, of all information that the plan requires to evaluate the appeal. The health care plan shall render a decision on the appeal within 15 business days after receipt of the required information. The health care plan shall notify the party filing the appeal, the enrollee, the enrollee's primary care physician, and any health care provider who recommended the health care service involved in the appeal orally of its decision followed-up by a written notice of the determination.

(d) An appeal under subsection (b) or (c) may be filed by the enrollee, the enrollee's designee or guardian, the enrollee's primary care physician, or the enrollee's health care provider. A health care plan shall designate a clinical peer to review appeals, because these appeals pertain to medical or clinical matters

and such an appeal must be reviewed by an appropriate health care professional. No one reviewing an appeal may have had any involvement in the initial determination that is the subject of the appeal. The written notice of determination required under subsections (b) and (c) shall include (i) clear and detailed reasons for the determination, (ii) the medical or clinical criteria for the determination, which shall be based upon sound clinical evidence and reviewed on a periodic basis, and (iii) in the case of an adverse determination, the procedures for requesting an external independent review as provided by the Illinois Health Carrier External Review Act ~~under subsection (f)~~.

(e) If an appeal filed under subsection (b) or (c) is denied for a reason including, but not limited to, the service, procedure, or treatment is not viewed as medically necessary, denial of specific tests or procedures, denial of referral to specialist physicians or denial of hospitalization requests or length of stay requests, any involved party may request an external independent review as provided by the Illinois Health Carrier External Review Act ~~under subsection (f) of the adverse determination~~.

(f) Until July 1, 2013, if an external independent review decision made pursuant to the Illinois Health Carrier External Review Act upholds a determination adverse to the covered person, the covered person has the right to appeal the final decision to the Department; if the external review decision is found by the Director to have been arbitrary and capricious, then the Director, with consultation from a licensed medical professional, may overturn the external review decision and assign a new independent review organization to reconsider the overturned decision. If an external review decision is overturned by the Director pursuant to this Section and the health carrier so requests, then the Director shall assign a new independent review organization to reconsider the overturned decision. The new independent review organization shall follow subsection (d) of Section 40 of the Health Carrier External Review Act in rendering a decision. ~~External independent review.~~

~~(1) The party seeking an external independent review shall so notify the health care plan. The health care plan shall seek to resolve all external independent reviews in the most expeditious manner and shall make a determination and provide notice of the determination no more than 24 hours after the receipt of all necessary information when a delay would significantly increase the risk to an enrollee's health or when extended health care services for an enrollee undergoing a course of treatment prescribed by a health care provider are at issue.~~

~~(2) Within 30 days after the enrollee receives written notice of an adverse determination, if the enrollee decides to initiate an external independent review, the enrollee shall send to the health care plan a written request for an external independent review, including any information or documentation to support the enrollee's request for the covered service or claim for a covered service.~~

~~(3) Within 30 days after the health care plan receives a request for an external independent review from an enrollee, the health care plan shall:~~

~~(A) provide a mechanism for joint selection of an external independent reviewer by the enrollee, the enrollee's physician or other health care provider, and the health care plan; and~~

~~(B) forward to the independent reviewer all medical records and supporting documentation pertaining to the case, a summary description of the applicable issues including a statement of the health care plan's decision, the criteria used, and the medical and clinical reasons for that decision.~~

~~(4) Within 5 days after receipt of all necessary information, the independent reviewer shall evaluate and analyze the case and render a decision that is based on whether or not the health care service or claim for the health care service is medically appropriate. The decision by the independent reviewer is final. If the external independent reviewer determines the health care service to be medically appropriate, the health care plan shall pay for the health care service.~~

~~(5) The health care plan shall be solely responsible for paying the fees of the external independent reviewer who is selected to perform the review.~~

~~(6) An external independent reviewer who acts in good faith shall have immunity from any civil or criminal liability or professional discipline as a result of acts or omissions with respect to any external independent review, unless the acts or omissions constitute wilful and wanton misconduct. For purposes of any proceeding, the good faith of the person participating shall be presumed.~~

~~(7) Future contractual or employment action by the health care plan regarding the patient's physician or other health care provider shall not be based solely on the physician's or other health care provider's participation in this procedure.~~

~~(8) For the purposes of this Section, an external independent reviewer shall:~~

~~(A) be a clinical peer;~~

~~(B) have no direct financial interest in connection with the case; and~~

~~(C) have not been informed of the specific identity of the enrollee.~~

~~(g)~~ Nothing in this Section shall be construed to require a health care plan to pay for a health care service not covered under the enrollee's certificate of coverage or policy.
(Source: P.A. 91-617, eff. 1-1-00.)

Section 96. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect January 1, 2010, except that the changes to Section 155.36 of the Illinois Insurance Code and Sections 40 and 45 of the Managed Care Reform and Patient Rights Act and the Health Carrier External Review Act take effect July 1, 2010.".

AMENDMENT NO. 4 . Amend House Bill 3923, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3 as follows:
on page 57, by replacing lines 19 through 23 with the following:
"(g) ~~(7)~~ Future contractual or employment action by the health care plan regarding the patient's physician or other health care provider shall not be based solely on the physician's or other health care provider's participation in health care services appeals, complaints, or external independent reviews under the Illinois Health Carrier External Review Act ~~this procedure~~."; and
on page 58, line 5, before "~~(g)~~", by inserting " (h)".

AMENDMENT NO. 5 . Amend House Bill 3923, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 55, by replacing lines 13 and 14 with the following:
"require the health carrier to pay for the health care service or treatment; such decision, if any, shall be made solely on the legal or medical merits of the claim. If an external review decision is".

The foregoing message from the Senate reporting Senate Amendments numbered 3, 4 and 5 to HOUSE BILL 3923 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4046

A bill for AN ACT concerning revenue.

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

Senate Amendment No. 2 to HOUSE BILL NO. 4046

Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 2 . Amend House Bill 4046 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 15-185 as follows:
(35 ILCS 200/15-185)
Sec. 15-185. Exemption for leaseback property and qualified leased property.

(a) Notwithstanding anything in this Code to the contrary, all property owned by a municipality with a population of over 500,000 inhabitants, ~~or~~ a unit of local government whose jurisdiction includes territory located in whole or in part within a municipality with a population of over 500,000 inhabitants , or a municipality with home rule powers that is contiguous to a municipality with a population of over 500,000 inhabitants, shall remain exempt from taxation and any leasehold interest in that property shall not be subject to taxation under Section 9-195 if the property is directly or indirectly leased, sold, or otherwise transferred to another entity whose property is not exempt and immediately thereafter is the subject of a

leaseback or other agreement that directly or indirectly gives the municipality or unit of local government (i) a right to use, control, and possess the property or (ii) a right to require the other entity, or the other entity's designee or assignee, to use the property in the performance of services for the municipality or unit of local government. Property shall no longer be exempt under this subsection as of the date when the right of the municipality or unit of local government to use, control, and possess the property or to require the performance of services is terminated and the municipality or unit of local government no longer has any option to purchase or otherwise reacquire the interest in the property which was transferred by the municipality or unit of local government.

(b) Notwithstanding anything in this Code to the contrary, all property owned by a municipality with a population of over 500,000 inhabitants, ~~or~~ a unit of local government whose jurisdiction includes territory located in whole or in part within a municipality with a population of over 500,000 inhabitants , or a municipality with home rule powers that is contiguous to a municipality with a population of over 500,000 inhabitants, shall remain exempt from taxation and any leasehold interest in that property is not subject to taxation under Section 9-195 if the property, including dedicated public property, is used by a municipality or other unit of local government for the purpose of an airport or parking or for waste disposal or processing and is leased for continued use for the same purpose to another entity whose property is not exempt.

For the purposes of this subsection (b), "airport" does not include any airport property, as defined under Section 10 of the O'Hare Modernization Act.

Any transaction described under this subsection must be undertaken in accordance with all appropriate federal laws and regulations.

(c) For purposes of this Section, "municipality" means a municipality as defined in Section 1-1-2 of the Illinois Municipal Code, and "unit of local government" means a unit of local government as defined in Article VII, Section 1 of the Constitution of the State of Illinois. The provisions of this Section supersede and control over any conflicting provisions of this Code.

(Source: P.A. 93-19, eff. 6-20-03; 94-750, eff. 5-9-06.)

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

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 4046 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 3987

A bill for AN ACT concerning energy efficiency.

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

Senate Amendment No. 2 to HOUSE BILL NO. 3987

Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 2 . Amend House Bill 3987 by replacing everything after the enacting clause with the following:

"Section 5. The Energy Efficient Commercial Building Act is amended by changing Sections 1, 5, 10, 15, 20, and 45 as follows:

(20 ILCS 3125/1)

Sec. 1. Short title. This Act may be cited as the Energy Efficient ~~Commercial~~ Building Act.

(Source: P.A. 93-936, eff. 8-13-04.)

(20 ILCS 3125/5)

Sec. 5. Findings.

(a) The legislature finds that an effective energy efficient ~~commercial~~ building code is essential to:

(1) reduce the air pollutant emissions from energy consumption that are affecting the

health of residents of this State;

(2) moderate future peak electric power demand;

(3) assure the reliability of the electrical grid and an adequate supply of heating oil and natural gas; and

(4) control energy costs for residents and businesses in this State.

(b) The legislature further finds that this State has a number of different climate types, all of which require energy for both cooling and heating, and that there are many cost-effective measures that can reduce peak energy use and reduce cooling, heating, lighting, and other energy costs in ~~commercial~~ buildings.

(Source: P.A. 93-936, eff. 8-13-04.)

(20 ILCS 3125/10)

Sec. 10. Definitions.

"Board" means the Capital Development Board.

"Building" includes both residential buildings and commercial buildings.

"Code" means the latest published edition of the International Code Council's International Energy Conservation Code, excluding published supplements but including the adaptations to the Code that are made by the Board.

"Commercial building" means any building except a building that is a residential building, as defined in this Section.

"Department" means the Department of Commerce and Economic Opportunity.

"Municipality" means any city, village, or incorporated town.

"Residential building" means (i) a detached one-family or 2-family dwelling or (ii) any building that is 3 stories or less in height above grade that contains multiple dwelling units, in which the occupants reside on a primarily permanent basis, such as a townhouse, a row house, an apartment house, a convent, a monastery, a rectory, a fraternity or sorority house, a dormitory, and a rooming house; provided, however, that when applied to a building located within the boundaries of a municipality having a population of 1,000,000 or more, the term "residential building" means a building containing one or more dwelling units, not exceeding 4 stories above grade, where occupants are primarily permanent.

(Source: P.A. 93-936, eff. 8-13-04; 94-815, eff. 5-26-06.)

(20 ILCS 3125/15)

Sec. 15. Energy Efficient Building Code. The Board, in consultation with the Department, shall adopt the Code as minimum requirements for commercial buildings, applying to the construction of, renovations to, and additions to all commercial buildings in the State. The Board, in consultation with the Department, shall also adopt the Code as the minimum and maximum requirements for residential buildings, applying to the construction of all residential buildings in the State, except as provided for in Section 45 of this Act. The Board may appropriately adapt the International Energy Conservation Code to apply to the particular economy, population distribution, geography, and climate of the State and construction therein, consistent with the public policy objectives of this Act.

(Source: P.A. 93-936, eff. 8-13-04.)

(20 ILCS 3125/20)

Sec. 20. Applicability.

(a) The Board shall adopt the Code within 9 months after its publication. The Code shall take effect within 3 months ~~one year~~ after it is adopted by the Board and shall apply to any new ~~commercial~~ building or structure in this State for which a building permit application is received by a municipality or county, except as otherwise provided by this Act. In the case of any addition, alteration, renovation, or repair to an existing commercial structure, the Code adopted under this Act applies only to the portions of that structure that are being added, altered, renovated, or repaired.

(b) The following buildings shall be exempt from the Code:

(1) Buildings otherwise exempt from the provisions of a locally adopted building code and buildings that do not contain a conditioned space.

(2) Buildings that do not use either electricity or fossil fuel for comfort conditioning. For purposes of determining whether this exemption applies, a building will be presumed to be heated by electricity, even in the absence of equipment used for electric comfort heating, whenever the building is provided with electrical service in excess of 100 amps, unless the code enforcement official determines that this electrical service is necessary for purposes other than providing electric comfort heating.

(3) Historic buildings. This exemption shall apply to those buildings that are listed

on the National Register of Historic Places or the Illinois Register of Historic Places, and to those buildings that have been designated as historically significant by a local governing body that is authorized to make such designations.

(4) (Blank). ~~Residential buildings~~.

(5) Other buildings specified as exempt by the International Energy Conservation Code.

(c) Additions, alterations, renovations, or repairs to an existing building, building system, or portion thereof shall conform to the provisions of the Code as they relate to new construction without requiring the unaltered portion of the existing building or building system to comply with the Code. The following need not comply with the Code, provided that the energy use of the building is not increased: (i) storm windows installed over existing fenestration, (ii) glass-only replacements in an existing sash and frame, (iii) existing ceiling, wall, or floor cavities exposed during construction, provided that these cavities are filled with insulation, and (iv) construction where the existing roof, wall, or floor is not exposed.

(d) A unit of local government that does not regulate energy efficient building standards is not required to adopt, enforce, or administer the Code; however, any energy efficient building standards adopted by a unit of local government must comply with this Act. If a unit of local government does not regulate energy efficient building standards, any construction, renovation, or addition to buildings or structures is subject to the provisions contained in this Act.

(Source: P.A. 93-936, eff. 8-13-04.)

(20 ILCS 3125/45)

Sec. 45. Home rule.

(a) No unit of local government, including any home rule unit, may regulate energy efficient building standards for commercial buildings in a manner that is less stringent than the provisions contained in this Act.

(b) No unit of local government, including any home rule unit, may regulate energy efficient building standards for residential buildings in a manner that is either less or more stringent than the standards established pursuant to this Act; provided, however, that the following entities may regulate energy efficient building standards for residential buildings in a manner that is more stringent than the provisions contained in this Act: (i) a unit of local government, including a home rule unit, that has, on or before May 15, 2009, adopted or incorporated by reference energy efficient building standards for residential buildings that are equivalent to or more stringent than the 2006 International Energy Conservation Code, (ii) a unit of local government, including a home rule unit, that has, on or before May 15, 2009, provided to the Capital Development Board, as required by Section 55 of the Illinois Building Commission Act, an identification of an energy efficient building code or amendment that is equivalent to or more stringent than the 2006 International Energy Conservation Code, and (iii) a municipality with a population of 1,000,000 or more.

(c) No unit of local government, including any home rule unit or unit of local government that is subject to State regulation under the Code as provided in Section 15 of this Act, may hereafter enact any annexation ordinance or resolution, or require or enter into any annexation agreement, that imposes energy efficient building standards for residential buildings that are either less or more stringent than the energy efficiency standards in effect, at the time of construction, throughout the unit of local government.

(d) This Section is a denial and limitation of home rule powers and functions under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State. Nothing in this Section, however, prevents a unit of local government from adopting an energy efficiency code or standards for commercial buildings that are more stringent than the Code under this Act.

(Source: P.A. 93-936, eff. 8-13-04.)

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

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 3987 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 3986

A bill for AN ACT concerning local government.

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

Senate Amendment No. 2 to HOUSE BILL NO. 3986

Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 2 . Amend House Bill 3986 on page 2, line 2, after "surveying,", by inserting "landscape architecture,"; and

on page 2, immediately below line 24, by inserting the following:

"Landscape architect design professional" means any person, sole proprietorship, or entity such as a partnership, professional service corporation, or corporation that offers services under the Illinois Landscape Architecture Act of 1989."; and

on page 7, line 3, by replacing "professional," with "professional or a landscape architect design professional, as appropriate,"; and

on page 7, line 18, after "professional", by inserting "or a landscape architect design professional, as appropriate,"; and

on page 7, line 23, after "professional", by inserting "or landscape architect design professional"; and

on page 11, line 17, after "professional", by inserting "or landscape architect design professional, as appropriate,; and

on page 12, line 20, after "professionals", by inserting ", landscape architect design professionals,"; and

on page 13, immediately below line 22, by inserting the following:

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

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 3986 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 4088

A bill for AN ACT concerning privacy.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4088

Senate Amendment No. 2 to HOUSE BILL NO. 4088

Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1 . Amend House Bill 4088 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Accurate Government Records Act.

Section 5. Findings. The General Assembly makes the following findings:

(1) The right to privacy is being threatened by the indiscriminate collection, maintenance, and dissemination of personal information and the lack of effective laws and legal remedies.

(2) The increasing use of computers and other sophisticated information technology has greatly magnified the potential risk to individual privacy that can occur from the maintenance of personal information.

(3) In order to protect the privacy of individuals, it is necessary that the maintenance and dissemination of personal information be subject to strict limits.

Section 10. Definitions. For purposes of this Act:

"Agency" means any State agency or local agency.

"Individual" means a natural person.

"Local agency" means any municipality, unit of local government, county, school district, special purpose district, or township of the State or any elected officer or board, bureau, commission, department, division, institution, or instrumentality thereof.

"Maintain" means to maintain, collect, use, or disseminate.

"Personal record" includes, but is not limited to, the following information about an individual that is maintained by an agency: the individual's education, financial, medical, or employment history, or items that contain or make reference to the individual's name, identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph. "Personal record" does not include any record under the Personnel Record Review Act or the School Student Record Act.

"Routine use" means, with respect to the disclosure of a record, the use of the record for a purpose that is compatible with the purpose for which it was collected.

"State agency" means the office of any elected State officer and any agency, board, commission, department, division, or educational institution of the State.

"System of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to that individual.

Section 15. Access to an individual's personal records.

(a) Upon the request of an individual to gain access to the individual's personal record, an agency shall permit the individual to review the record and have a copy made within 10 working days after the date of receipt of the request by the agency, unless the personal record requested is exempted under subsection (c) to this Section. The 10-day period may be extended for an additional 20 working days if the agency provides to the individual, within the initial 10 working days, a written explanation of unusual circumstances causing the delay.

(b) Each agency that maintains any accessible personal record shall make that record available to the individual to whom it pertains in a reasonably intelligible form. Where necessary the agency shall provide a translation into common terms of any machine readable code or any code or abbreviation employed for internal agency use.

(c) An agency is not required under this Section to grant an individual access to personal records or information in records:

(1) Maintained by an agency that performs as its or as a principal function any activity pertaining to the prevention, control, or reduction of crime, including, but not limited to, State and local police departments, and which consist of:

(A) information or reports prepared or compiled for the purpose of criminal intelligence or of a criminal investigation, including reports of informers, witnesses, and investigators; or

(B) reports prepared or compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through confinement, correctional supervision, and release from supervision.

(2) The disclosure of which would reveal the identity of a source who furnished information to the agency under an express or implied promise of confidentiality.

(3) Consisting of testing or examination material or scoring keys used solely to determine individual qualifications for appointment or promotion in public employment, or used as or to administer a licensing examination or an academic examination, the disclosure of which would compromise the objectivity, fairness, or effectiveness of the testing or examination process.

(4) Including investigative reports and materials, related to an upcoming, ongoing, or pending civil or criminal action or administrative proceeding against the individual.

(5) Required to be withheld from the individual to whom it pertains by statute or judicial decision or authorized to be so withheld by constitutional or statutory privilege.

(d) Nothing in this Section shall be construed to permit or require an agency to withhold or deny access to a personal record or any information in a personal record where any statute, administrative rule, rule of court, judicial decision, or other law authorizes or allows an individual to gain access to a personal record or to any information in a personal record or requires that the individual be given such access.

(e) For the State of Illinois, or a municipality having a population of 500,000 or more, or a county having

a population of 3,000,000 or more, each department of the State, municipality, or county is a separate agency for purposes of this Section, and an individual's request to one department for access to his or her personal records shall not oblige that department to seek out any personal records of another department.

Section 20. Changes to an individual's personal records.

(a) Each agency shall permit an individual, after inspection, to request in writing a change to his or her personal record, and shall within 30 days after the date of receipt of such request:

(1) make each change in accordance with the individual's request of any portion of a personal record that the individual believes is not accurate, relevant, timely, or complete and inform the individual of the changes made in accordance with his or her request; or

(2) inform the individual of its decision not to change the personal record in accordance with such individual's request, the reason for the decision, the procedures established by the agency for the individual to request a review by the head of the agency or an official specifically designated by the head of the agency of the decision not to make the change, and the name, title, and business address of the reviewing official.

(b) Each agency shall permit any individual who disagrees with the decision of the agency not to make the change to a personal record to request a review of such decision by the head of the agency or an official specifically designated by the head of the agency, and, not later than 30 days after the date on which the individual requests such review, complete the review and make a final determination unless, for good cause shown, the head of the agency extends the review period by 30 days.

(c) If, after review, the reviewing official decides not to change the personal record in accordance with the request, the agency shall permit the individual to file with the agency a statement of no more than 1,500 words setting forth the reasons for the individual's disagreement.

(d) If the agency discloses to any person the portion of the record for which the individual has filed a statement of disagreement under subsection (c) of this Section, then the agency shall clearly note in the record that a statement has been filed and, upon request, make a copy of the statement available. The agency may provide a concise statement of the reasons of the agency for not changing the record.

Section 25. Limitations on an agency's disclosure of an individual's personal records. No agency shall disclose any personal record by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be:

(1) to those officers and employees of the agency that maintains the record who have a need for the record in the performance of their duties;

(2) pursuant to and to the extent required by the Freedom of Information Act;

(3) for a routine use;

(4) to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(5) to the State archives as a record that has sufficient historical or other value to warrant its continued preservation;

(6) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(7) to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of the individual;

(8) to either chamber of the General Assembly, or, to the extent of matter within its jurisdiction, any committee or subcommittee of the General Assembly;

(9) to either the Comptroller or the Auditor General, or any of his or her authorized representatives, in the course of the performance of his or her duties;

(10) pursuant to the order of a court of competent jurisdiction; or

(11) to a consumer reporting agency as permitted or allowed by federal or State statute.

Section 30. Limitations on an agency's maintenance of systems of personal records. Each agency that maintains a system of records shall do all of the following:

(1) Maintain in its personal records only the information about an individual that is relevant and necessary to accomplish a purpose of the agency that is required or authorized by the

Illinois Constitution or statute or mandated by the federal government.

(2) Collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under State programs.

(3) Post upon establishment or revision a notice of the existence and character of the system of records, which notice shall include the following:

(A) the name and location of the system;

(B) the categories of individuals on whom records are maintained in the system;

(C) the categories of records maintained in the system;

(D) each routine use of the records contained in the system, including the categories of users and the purpose of such use;

(E) the policies and practices of the agency regarding storage, retrievability, access controls, retention, and disposal of the records;

(F) the title and business address of the agency official who is responsible for the system of records;

(G) the agency procedures whereby an individual can be notified at his or her request if the system of records contains a record pertaining to him or her;

(H) the agency procedures whereby an individual can be notified at his or her request how he or she can gain access to any record pertaining to him or her contained in the system of records, and how he or she may contest its content; and

(I) the categories of sources of records in the system.

(4) Maintain all records that are used by the agency in making any determination about any individual with accuracy, relevance, timeliness, and completeness as is reasonably necessary to ensure fairness to the individual in the determination.

(5) Prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to the Freedom of Information Act, make reasonable efforts to ensure that the records are accurate, complete, timely, and relevant for agency purposes.

(6) Establish rules of conduct for persons involved in the design, development, operation, disclosure, or maintenance of records containing personal information and instruct each person with respect to such rules and the requirements of this Act, including any other rules and procedures adopted pursuant to this Act, and the remedies and penalties for noncompliance.

(7) Establish appropriate and reasonable administrative, technical, and physical safeguards to ensure compliance with the provisions of this Act, to ensure the security and confidentiality of records, and to protect against anticipated threats or hazards to their security or integrity that could result in any injury.

Section 35. Limitations on an agency's maintenance of an individual's personal records. An agency shall maintain no personal record, whether or not the personal record is part of a system of records, describing how any individual exercises rights guaranteed by the First Amendment to the United States Constitution or Sections 3, 4, or 5 of Article I of the Illinois Constitution, unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

Section 40. Civil remedies.

(a) An individual may bring a civil action against an agency in a circuit court of the State whenever an agency fails to comply with any provision of this Act, and after appropriate administrative remedies have been exhausted.

(b) In any action brought by an individual under this Section, the court may:

(1) order the agency to disclose, correct, or amend the individual's personal record;

(2) issue an injunction to require any other agency action, or to enjoin the agency from improper actions, as the court may deem necessary and appropriate to render substantial relief; and

(3) order the agency to pay the individual all or a portion of the costs of maintaining the action, including reasonable attorney's fees, in any case in which the individual has prevailed.

(c) In any action brought by an individual under this Section in which the court determines that the agency knowingly or intentionally violated a provision of this Act, the agency shall be liable to the individual in an amount equal to the sum of:

(1) actual damages sustained by the individual as a result of the failure of the agency to properly maintain the personal record, but in no case shall an individual entitled to recovery receive less than the sum of $1,000; and

(2) the costs of the action together with reasonable attorney's fees as determined by the court.

(d) An action may be brought against a State agency in the circuit court for the county where the State agency has its principal office or where the complainant resides. An action may be brought against a local agency in the circuit court for the county where the local agency is located. No action shall be brought later than 2 years after notification of the agency denial or, where applicable, the date of receipt of the final determination of the office of information practices.

(e) The rights and remedies set forth in this Act shall be deemed to be nonexclusive and are in addition to all those rights and remedies that are otherwise available under any other provision of law.

(f) Notwithstanding any other provision of this Act, no fees, costs, or damages may be assessed against an agency for a violation of Section 25 of this Act arising from the agency's disclosure of records pursuant to the Freedom of Information Act, unless the plaintiff can prove that the agency did not have an objectively reasonable basis in law or in fact to conclude that such disclosure was required by the Freedom of Information Act.

(g) If an individual brings any action under this Section that is not well grounded in fact, or is not warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law, then the court may impose an appropriate sanction upon the individual, which may include an order to pay the agency the amount of reasonable expenses incurred because of the filing of the action, including reasonable attorney fees.

(h) For civil actions alleging violation of items (1) or (4) of Section 30 or Section 35 of this Act, the administrative exhaustion required by subsection (a) of this Section shall include the individual notifying the agency of the precise information in the personal record to which the individual objects, and the agency having an opportunity to decide whether to remove or amend the disputed information.

Section 45. Agency responsibilities. Each agency shall: (1) issue instructions and guidelines necessary to effectuate this Act; and (2) take steps to ensure that all its employees and officers responsible for the collection, maintenance, use, and dissemination of personal records are informed of the requirements of this Act.

Section 50. Attorney General responsibilities. The Office of the Attorney General of Illinois:

(1) shall biennially submit to the Speaker of the House of Representatives and the President of the Senate a report:

(A) describing the actions of the Attorney General pursuant to this Section during the preceding 2 years;

(B) describing the exercise of individual rights of access and amendment under this Section during those years;

(C) identifying changes in or additions to systems of records; and

(D) containing such other information concerning administration of this Section as may be necessary or useful to the General Assembly in reviewing the effectiveness of this Section in carrying out the purposes of this Act;

(2) may, upon request by any person, provide advisory opinions or other information regarding that person's rights and the functions and responsibilities of agencies under this Act; and

(3) shall receive complaints from and actively solicit the comments of the public regarding the implementation of this Act.

Section 55. Government contractors. If an agency provides by a contract for the operation by or on behalf of the agency of a system of records to accomplish an agency function, then the agency shall, consistent with its authority, cause the requirements of this Section to be applied to that system.

Section 60. Rights of legal guardians. For the purposes of this Section, the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.".

AMENDMENT NO. 2 . Amend House Bill 4088, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, by replacing line 15 on page 9 through line 15 on page 10 with the following:

"(3) Post upon establishment or revision a notice of the existence and character of the system of records, which notice shall include the following:

(A) the name and location of the system;

(B) the categories of individuals on whom records are maintained in the system;

(C) each routine use of the records contained in the system, including the

categories of users and the purpose of such use;

(D) the title and business address of the agency official who is responsible for compliance with this Act;

(E) the categories of sources of records in the system.".

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 4088 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 3245

A bill for AN ACT concerning education.

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

Senate Amendment No. 1 to HOUSE BILL NO. 3245

Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 3245 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 18-8.05 as follows:

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9 and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is $4,225. For the 1999-2000 school year, the Foundation Level of support is $4,325. For the 2000-2001 school year, the Foundation Level of support is $4,425. For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is $4,560. For the 2003-2004 school year, the Foundation Level of support is $4,810. For the 2004-2005 school year, the Foundation Level of support is $4,964. For the 2005-2006 school year, the Foundation Level of support is $5,164. For the 2006-2007 school year, the Foundation Level of support is $5,334. For the 2007-2008 school year, the Foundation Level of support is $5,734.

(3) For the 2008-2009 school year and each school year thereafter, the Foundation Level of support is $5,959 or such greater amount as may be established by law by the General Assembly.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes,

expressed on the basis of pupils in Average Daily Attendance. Calculation of Available Local Resources shall exclude any tax amnesty funds received as a result of Public Act 93-26.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

For partial elementary unit districts created pursuant to Article 11E of this Code, local property tax revenues per pupil shall be calculated as the product of the equalized assessed valuation for property within the partial elementary unit district for elementary purposes, as defined in Article 11E of this Code, multiplied by 2.06% and divided by the district's Average Daily Attendance figure, plus the product of the equalized assessed valuation for property within the partial elementary unit district for high school purposes, as defined in Article 11E of this Code, multiplied by 0.94% and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of $218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for

the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first

grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(i) On the days when the Prairie State Achievement Examination is administered under subsection (c) of Section 2-3.64 of this Code, the day of attendance for a pupil whose school day must be shortened to accommodate required testing procedures may be less than 5 clock hours and shall be counted towards the 176 days of actual pupil attendance required under Section 10-19 of this Code, provided that a sufficient number of minutes of school work in excess of 5 clock hours are first completed on other school days to compensate for the loss of school work on the examination days.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code (a) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 or 15-177 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) $4,500 in Cook County or $3,500 in all other counties in tax year 2003 or (ii) $5,000 in all counties in tax year 2004 and thereafter and (b) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. The county clerk of any county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each school district all homestead exemption amounts under Section 15-176 or 15-177 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. It is the intent of this paragraph that if the general homestead exemption for a parcel of property is determined under Section 15-176 or 15-177 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 or 15-177 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than $30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any

part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).

"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.

"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

Partial elementary unit districts created in accordance with Article 11E of this Code shall not be eligible for the adjustment in this subsection (G)(3) until the fifth year following the effective date of the reorganization.

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed $14,000,000. Claims shall be prorated if they exceed $14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for supplemental general State aid based upon the concentration level of children from low-income households within the school district. Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section. If the appropriation in any fiscal year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years

for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be $800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be $1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be $1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be $1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to $1,243, $1,600, and $2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be $1,273, $1,640, and $2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be $675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be $1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be $1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be $1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be $2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be $294.25 added to the product of $2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year and each school year thereafter through the 2008-2009 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2009-2010 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the 2010-2011 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33. Notwithstanding the provisions of this paragraph to the contrary, if for any school year supplemental general State aid grants are prorated as provided in paragraph (1) of this subsection (H), then the grants under this paragraph shall be prorated.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006

school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than $261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

(d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year

in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(I) (Blank).

(J) Supplementary Grants in Aid.

(1) Notwithstanding any other provisions of this Section, the amount of the aggregate general State aid in combination with supplemental general State aid under this Section for which each school district is eligible shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-98 school year, pursuant to the provisions of that Section as it was then in effect, provided that the district, for the 2009-2010 school year through the 2012-2013 school year, also received a supplementary payment under this subsection (J) during the prior school year. If a school district qualifies to receive a supplementary payment made under this subsection (J), the amount of the aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1), provided that the school district, for the 2009-2010 school year through the 2012-2013 school year, also received a supplementary payment under this subsection (J) during the prior school year. These supplementary payments shall be calculated as follows:

(a) For the 2009-2010 school year only, the Supplementary Grants in Aid shall be no more than 80% of the eligible amount under this subsection (J).

(b) For the 2010-2011 school year only, the Supplementary Grants in Aid shall be no more than 60% of the eligible amount under this subsection (J).

(c) For the 2011-2012 school year only, the Supplementary Grants in Aid shall be no more than 40% of the eligible amount under this subsection (J).

(d) For the 2012-2013 school year only, the Supplementary Grants in Aid shall be no more than 20% of the eligible amount under this subsection (J).

(e) For the 2013-2014 school year and every school year thereafter, no Supplementary Grants in Aid shall be made available under this subsection (J).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A laboratory school may not have more than 1,000

students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high

concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(P) Public Act 93-838 and Public Act 93-808 make inconsistent changes to this Section. Under Section 6 of the Statute on Statutes there is an irreconcilable conflict between Public Act 93-808 and Public Act 93-838. Public Act 93-838, being the last acted upon, is controlling. The text of Public Act 93-838 is the law regardless of the text of Public Act 93-808.

(Source: P.A. 94-69, eff. 7-1-05; 94-438, eff. 8-4-05; 94-835, eff. 6-6-06; 94-1019, eff. 7-10-06; 94-1105, eff. 6-1-07; 95-331, eff. 8-21-07; 95-644, eff. 10-12-07; 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff. 8-25-08; revised 9-5-08.)

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 3245 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 2325

A bill for AN ACT concerning insurance.

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

Senate Amendment No. 1 to HOUSE BILL NO. 2325

Senate Amendment No. 3 to HOUSE BILL NO. 2325

Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 2325 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 367e as follows:

(215 ILCS 5/367e) (from Ch. 73, par. 979e)

Sec. 367e. Continuation of Group Hospital, Surgical and Major Medical Coverage After Termination of Employment or Membership. A group policy delivered, issued for delivery, renewed or amended in this state which insures employees or members for hospital, surgical or major medical insurance on an expense incurred or service basis, other than for specific diseases or for accidental injuries only, shall provide that employees or members whose insurance under the group policy would otherwise terminate because of termination of employment or membership or because of a reduction in hours below the minimum required by the group plan shall be entitled to continue their hospital, surgical and major medical insurance under that group policy, for themselves and their eligible dependents, subject to all of the group policy's terms and conditions applicable to those forms of insurance and to the following conditions:

1. Continuation shall only be available to an employee or member who has been continuously insured under the group policy (and for similar benefits under any group policy which it replaced) during the entire 3 months period ending with such termination or reduction in hours below the minimum required by the group plan. <u>With respect to an employee or member who is involuntarily terminated between September 1, 2008 and December 31, 2009, continuation shall be available if the</u>

employee or member was insured under the group policy on the day prior to the termination.

2. Continuation shall not be available for any person who is covered by Medicare, except for those individuals who have been covered under a group Medicare supplement policy. Neither shall continuation be available for any person who is covered by any other insured or uninsured plan which provides hospital, surgical or medical coverage for individuals in a group and under which the person was not covered immediately prior to such termination or reduction in hours below the minimum required by the group plan or who exercises his conversion privilege under the group policy.

3. Continuation need not include dental, vision care, prescription drug benefits, disability income, specified disease, or similar supplementary benefits which are provided under the group policy in addition to its hospital, surgical or major medical benefits.

4. Upon termination or reduction in hours below the minimum required by the group plan written notice of continuation shall be presented to the employee or member and the insurer by the employer or mailed by the employer to the last known address of the employee. With respect to an employee or member who is terminated or whose reduction in hours below the minimum required by the group occurs after the effective date of this amendatory Act of the 96th General Assembly, this written notice must be given directly to the employee or member or sent via certified mail within 10 days after the employee's or member's termination or reduction in hours below the minimum required by the group plan. An employee or member who wishes continuation of coverage must request such continuation in writing within the 30 day ~~ten day~~ period following the later of: (i) the date of such termination or reduction in hours below the minimum required by the group plan, or (ii) the date the employee is given written notice of the right of continuation by either the employer , ~~or the~~ group policyholder , or insurer. The written notice provided to an employee or member who is terminated or whose reduction in hours below the minimum required by the group occurs after the effective date of this amendatory Act of the 96th General Assembly must include an explanation that his or her option for continuation coverage will expire within the 30 day period following the later of (i) the date of such termination of employment or reduction in hours below the minimum required by the group plan, or (ii) the date the employee is given written notice of the right of continuation by either the employer, group policyholder, or insurer. In no event, however, may the employee or member elect continuation more than 60 days after the date of such termination or reduction in hours below the minimum required by the group plan. Written notice of continuation presented to the employee or member by the policyholder, or mailed by the policyholder to the last known address of the employee, shall constitute the giving of notice for the purpose of this provision.

In the event the employer fails or refuses to provide notice of continuation rights to the employee or member, the insurer is required to mail notice of the continuation rights to the employee or member at the last known address of the employee. In the event the employee or member contacts the insurer regarding continuation rights and advises that notice has not been provided by the employer or group policyholder, the insurer shall mail out notice to that individual. An employee or member shall have 30 days from receipt of the notice to elect continuation.

4a. Unless contrary to the provisions of, or any rules promulgated pursuant to, Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009, with respect to employees or members of health plans that are subject solely to State continuation coverage and who are terminated or whose reduction in hours below the minimum required by the group occurs between the effective date of this amendatory Act of the 96th General Assembly and December 31, 2009, the notice requirements of this Section are not satisfied unless notice is presented to the employee or member by the insurer informing the employee or member of the availability of premium reduction with respect to such coverage under the American Recovery and Reinvestment Act of 2009. Such written notice shall conform to all applicable requirements set forth in Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009. The Department shall publish models for the notification that shall be provided by insurers pursuant to this paragraph 4a.

4b. Unless contrary to the provisions of, or any rules promulgated pursuant to, Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009, with respect to employees or members of health plans that are subject solely to State continuation coverage who were terminated or whose reduction in hours below the minimum required by the group occurred between September 1, 2008 and the effective date of this amendatory Act of the 96th General Assembly and who have an election of continuation of coverage pursuant to this Section in effect, notice shall be presented to the employee or member by the insurer informing the employee or member of the availability of premium reduction with respect to such coverage under the American Recovery and Reinvestment Act of 2009. Such

written notice shall conform to all applicable requirements set forth in Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009 and shall be sent to the employee or member within 14 days of the effective date of this amendatory Act of the 96th General Assembly. The Department shall publish models for the notification that shall be provided by insurers pursuant to this paragraph 4b.

5. An employee or member electing continuation must pay to the group policyholder or his employer, on a monthly basis in advance, the total amount of premium required by the insurer, including that portion of the premium contributed by the policyholder or employer, if any, but not more than the group rate for the insurance being continued with appropriate reduction in premium for any supplementary benefits which have been discontinued under paragraph (3) of this Section. The premium rate required by the insurer shall be the applicable premium required on the due date of each payment.

6. Continuation of insurance under the group policy for any person shall terminate when he becomes eligible for Medicare or is covered by any other insured or uninsured plan which provides hospital, surgical or medical coverage for individuals in a group and under which the person was not covered immediately prior to such termination or reduction in hours below the minimum required by the group plan as provided in condition 2 above or, if earlier, at the first to occur of the following:

(a) The date 12 ~~9~~ months after the date the employee's or member's insurance under the policy would otherwise have terminated because of termination of employment or membership or reduction in hours below the minimum required by the group plan.

(b) If the employee or member fails to make timely payment of a required contribution, the end of the period for which contributions were made.

(c) The date on which the group policy is terminated or, in the case of an employee, the date his employer terminates participation under the group policy. However, if this (c) applies and the coverage ceasing by reason of such termination is replaced by similar coverage under another group policy, the following shall apply:

(i) The employee or member shall have the right to become covered under that other group policy, for the balance of the period that he would have remained covered under the prior group policy in accordance with condition 6 had a termination described in this (c) not occurred.

(ii) The prior group policy shall continue to provide benefits to the extent of its accrued liabilities and extensions of benefits as if the replacement had not occurred.

7. A notification of the continuation privilege shall be included in each certificate of coverage.

8. Continuation shall not be available for any employee who was discharged because of the commission of a felony in connection with his work, or because of theft in connection with his work, for which the employer was in no way responsible; provided the employee admitted his commission of the felony or theft or such act has resulted in a conviction or order of supervision by a court of competent jurisdiction.

9. An employee or member without an election of continuation of coverage pursuant to this Section in effect on the effective date of this amendatory Act of the 96th General Assembly may elect continuation pursuant to this paragraph 9 if the employee or member: (i) would be an assistance eligible individual as defined in Section 3001(a)(3) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009, if such an election were in effect and (ii) at the time of termination was eligible for continuation pursuant to paragraphs 1 and 2 of this Section.

Unless contrary to the provisions of, or any rules promulgated pursuant to, Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009, written notice of continuation pursuant to this paragraph 9 shall be presented to the employee or member by the insurer or mailed by the insurer to the last known address of the employee or member within 30 days after the effective date of this amendatory Act of the 96th General Assembly. Such written notice shall conform to all applicable requirements set forth in section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009. The Department shall publish models for the notification that shall be provided by insurers pursuant to this paragraph 9.

An employee or member electing continuation of coverage under this paragraph 9 must request such continuation in writing within 60 days after the date the employee or member receives written notice of the right of continuation by the insurer.

Continuation of coverage elected pursuant to this paragraph 9 shall commence with the first period of coverage beginning on or after February 17, 2009, the effective date of the federal American Recovery and

Reinvestment Act of 2009, and shall not extend beyond the period of continuation that would have been required if the coverage had been elected pursuant to paragraph 4 of this Section.

With respect to an employee or member who elects continuation of coverage under this paragraph 9, the period beginning on the date of the employee's or member's involuntary termination of employment and ending on the date of the first period of coverage on or after February 17, 2009 shall be disregarded for purposes of determining the 63-day period referred to in Section 20 of the Illinois Health Insurance Portability and Accountability Act.

The requirements of this amendatory Act of 1983 shall apply to any group policy as defined in this Section, delivered or issued for delivery on or after 180 days following the effective date of this amendatory Act of 1983.

The requirements of this amendatory Act of 1985 shall apply to any group policy as defined in this Section, delivered, issued for delivery, renewed or amended on or after 180 days following the effective date of this amendatory Act of 1985.

(Source: P.A. 93-477, eff. 1-1-04.)

Section 10. The Health Maintenance Organization Act is amended by changing Section 4-9.2 as follows:

(215 ILCS 125/4-9.2) (from Ch. 111 1/2, par. 1409.2-2)

Sec. 4-9.2. Continuation of group HMO coverage after termination of employee or membership. A group contract delivered, issued for delivery, renewed, or amended in this State that covers employees or members for health care services shall provide that employees or members whose coverage under the group contract would otherwise terminate because of termination of employment or membership or because of a reduction in hours below the minimum required by the group contract shall be entitled to continue their coverage under that group contract, for themselves and their eligible dependents, subject to all of the group contract's terms and conditions applicable to those forms of coverage and to the following conditions:

(1) Continuation shall only be available to an employee or member who has been continuously covered under the group contract (and for similar benefits under any group contract that it replaced) during the entire 3 month period ending with the termination of employment or membership or reduction in hours below the minimum required by the group contract. With respect to an employee or member who is involuntarily terminated between September 1, 2008 and December 31, 2009, continuation shall be available if the employee or member was insured under the group policy on the day prior to such termination.

(2) Continuation shall not be available for any enrollee who is covered by Medicare, except for those individuals who have been covered under a group Medicare supplement policy. Continuation shall not be available for any enrollee who is covered by any other insured or uninsured plan that provides hospital, surgical, or medical coverage for individuals in a group and under which the enrollee was not covered immediately before termination or reduction in hours below the minimum required by the group contract or who exercises his or her conversion privilege under the group policy.

(3) Continuation need not include dental, vision care, prescription drug, or similar supplementary benefits that are provided under the group contract in addition to its basic health care services.

(4) Upon termination or reduction in hours below the minimum required by the group contract, written notice of continuation shall be presented to the employee or member and the HMO by the employer or mailed by the employer to the last known address of the employee. With respect to an employee or member who is terminated or whose reduction in hours below the minimum required by the group occurs after the effective date of this amendatory Act of the 96th General Assembly, this written notice must be given directly to the employee or member or sent via certified mail within 10 days after the employee's or member's termination or reduction in hours below the minimum required by the group plan. An employee or member who wishes continuation of coverage must request continuation in writing within the 30 ~~10~~ day period following the later of (i) the date of termination or reduction in hours below the minimum required by the group contract or (ii) the date the employee is given written notice of the right of continuation by either the employer , ~~or the~~ group policyholder , or HMO. The written notice provided to an employee or member who is terminated or whose reduction in hours below the minimum required by the group occurs after the effective date of this amendatory Act of the 96th General Assembly must include an explanation that his or her option for continuation coverage will expire within the 30 day period following the later of (i) the date of such termination of employment or reduction in hours below the minimum required by the group plan or (ii) the date the employee is given written notice of the right of continuation by either the employer, group policyholder, or HMO. In no event, however, shall the employee or member elect continuation more than 60 days after the date of termination or

reduction in hours below the minimum required by the group contract. Written notice of continuation presented to the employee or member by the policyholder or HMO, or mailed by the policyholder or HMO to the last known address of the employee, shall constitute the giving of notice for the purpose of this paragraph.

In the event the employer fails or refuses to provide notice of continuation rights to the employee or member, the HMO is required to mail notice of the continuation rights to the employee or member at the last known address of the employee. In the event the employee or member contacts the HMO regarding continuation rights and advises that notice has not been provided by the employer or group policyholder, the HMO shall mail out notice to that individual. An employee or member shall have 30 days from receipt of the notice to elect continuation.

(4a) Unless contrary to the provisions of, or any rules promulgated pursuant to, Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009, with respect to employees or members of health plans that are subject solely to State continuation coverage and who are terminated or whose reduction in hours below the minimum required by the group occurs between the effective date of this amendatory Act of the 96th General Assembly and December 31, 2009, the notice requirements of this Section are not satisfied unless notice is presented to the employee or member by the HMO informing the employee or member of the availability of premium reduction with respect to such coverage under the American Recovery and Reinvestment Act of 2009. Such written notice shall conform to all applicable requirements set forth in Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009. The Department shall publish models for the notification that shall be provided by HMOs pursuant to this paragraph (4a).

(4b) Unless contrary to the provisions of, or any rules promulgated pursuant to, Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009, with respect to employees or members of health plans that are subject solely to State continuation coverage who were terminated or whose reduction in hours below the minimum required by the group occurred between September 1, 2008, and the effective date of this amendatory Act of the 96th General Assembly and who have an election of continuation of coverage pursuant to this Section in effect, notice shall be presented to the employee or member by the HMO informing the employee or member of the availability of premium reduction with respect to such coverage under the American Recovery and Reinvestment Act of 2009. Such written notice shall conform to all applicable requirements set forth in Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009 and shall be sent to the employee or member within 14 days of the effective date of this amendatory Act of the 96th General Assembly. The Department shall publish models for the notification that shall be provided by HMOs pursuant to this paragraph (4b).

(5) An employee or member electing continuation must pay to the group policyholder or his employer, on a monthly basis in advance, the total amount of premium required by the HMO, including that portion of the premium contributed by the policyholder or employer, if any, but not more than the group rate for the coverage being continued with appropriate reduction in premium for any supplementary benefits that have been discontinued under paragraph (3) of this Section. The premium rate required by the HMO shall be the applicable premium required on the due date of each payment.

(6) Continuation of coverage under the group contract for any person shall terminate when the person becomes eligible for Medicare or is covered by any other insured or uninsured plan that provides hospital, surgical, or medical coverage for individuals in a group and under which the person was not covered immediately before termination or reduction in hours below the minimum required by the group contract as provided in paragraph (2) of this Section or, if earlier, at the first to occur of the following:

(a) The expiration of 12 ~~9~~ months after the employee's or member's coverage because of termination of employment or membership or reduction in hours below the minimum required by the group contract.

(b) If the employee or member fails to make timely payment of a required contribution, the end of the period for which contributions were made.

(c) The date on which the group contract is terminated or, in the case of an employee, the date his or her employer terminates participation under the group contract. If, however, this paragraph applies and the coverage ceasing by reason of termination is replaced by similar coverage under another group contract, then (i) the employee or member shall have the right to become covered under the replacement group contract for the balance of the period that he or she would have remained covered under the prior group contract in accordance with paragraph (6) had a

termination described in this item (c) not occurred and (ii) the prior group contract shall continue to provide benefits to the extent of its accrued liabilities and extensions of benefits as if the replacement had not occurred.

(7) A notification of the continuation privilege shall be included in each evidence of coverage.

(8) Continuation shall not be available for any employee who was discharged because of the commission of a felony in connection with his or her work, or because of theft in connection with his or her work, for which the employer was in no way responsible if the employee (i) admitted to committing the felony or theft or (ii) was convicted or placed under supervision by a court of competent jurisdiction.

(9) An employee or member without an election of continuation of coverage pursuant to this Section in effect on the effective date of this amendatory Act of the 96th General Assembly may elect continuation pursuant to this paragraph (9) if the employee or member: (i) would be an assistance eligible individual as defined in Section 3001(a)(3) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009 if such an election were in effect and (ii) at the time of termination was eligible for continuation pursuant to paragraphs (1) and (2) of this Section.

Unless contrary to the provisions of, or any rules promulgated pursuant to, Section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009, written notice of continuation pursuant to this paragraph (9) shall be presented to the employee or member by the HMO or mailed by the HMO to the last known address of the employee or member within 30 days after effective date of this amendatory Act of the 96th General Assembly. The written notice shall conform to all applicable requirements set forth in section 3001(a)(7) of Title III of Division B of the federal American Recovery and Reinvestment Act of 2009. The Department shall publish models for the notification that shall be provided by HMOs pursuant to this paragraph (9).

An employee or member electing continuation of coverage under this paragraph (9) must request such continuation in writing within 60 days after the date the employee or member receives written notice of the right of continuation by the HMO.

Continuation of coverage elected pursuant to this paragraph (9) shall commence with the first period of coverage beginning on or after February 17, 2009, the effective date of the federal American Recovery and Reinvestment Act of 2009, and shall not extend beyond the period of continuation that would have been required if the coverage had been elected pursuant to paragraph (4) of this Section.

With respect to an employee or member who elects continuation of coverage under this paragraph (9), the period beginning on the date of the employee or member's involuntary termination of employment and ending on the date of the first period of coverage on or after February 17, 2009 shall be disregarded for purposes of determining the 63-day period referred to in Section 20 of the Illinois Health Insurance Portability and Accountability Act.

The requirements of this amendatory Act of 1992 shall apply to any group contract, as defined in this Section, delivered or issued for delivery on or after 180 days following the effective date of this amendatory Act of 1992.

(Source: P.A. 93-477, eff. 1-1-04.)

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

AMENDMENT NO. 3 . Amend House Bill 2325, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1 as follows:

on page 3, by replacing line 7 with the following:

"4. Within 10 days after the employee's or member's ~~Upon~~ termination or reduction in hours below the"; and

on page 3, by replacing lines 10 through 19 with the following:

"by the employer. If the employee or member is unavailable, written notice shall be ~~or~~ mailed by the employer to the last known address of the employee or member within 10 days after the employee's or member's termination or reduction in hours below the minimum required by the group plan. The employer shall also send a copy of the notice to the insurer. An employee or member who"; and

on page 3, line 24, by replacing "given" with "presented or mailed ~~given~~"; and

by replacing line 25 on page 3 through line 11 on page 4 with the following:

"of the right of continuation by either the employer or the group policyholder. In no event, however, may the"; and

by replacing line 19 on page 4 through line 2 on page 5 with the following:

"The insurer shall not deny coverage to the employee or member due to the employer's failure to provide notice pursuant to this Section to the employee or member. Until January 1, 2010, in the event the employee or member contacts the insurer regarding continuation rights and advises that notice has not been provided by the employer or group policyholder, the insurer shall provide a written explanation to the employee or member of the employee's or member's continuation rights pursuant to this Section."; and

on page 5, line 13, after "presented", by inserting "or mailed"; and

on page 6, line 7, after "presented", by inserting "or mailed"; and

on page 6, line 15, by replacing "sent" with "presented or mailed"; and

on page 12, by replacing line 1 with the following:

"employee or member was covered under the group contract"; and

on page 12, by replacing line 18 with the following:

"(4) Within 10 days after the employee's or member's ~~Upon~~ termination or reduction in hours below the"; and

by replacing line 21 on page 12 through line 4 on page 13 with the following:

"by the employer. If the employee or member is unavailable, written notice shall be ~~or~~ mailed by the employer to the last known address of the employee or member within 10 days after the employee's or member's termination or reduction in hours below the minimum required by the group plan. The employer shall also send a copy of the notice to the HMO. An employee or member who"; and

on page 13, line 9, by replacing "given" with "presented or mailed ~~given~~"; and

on page 13, by replacing lines 10 through 22 with the following:

"continuation by either the employer or the group policyholder. In no event, however, shall the employee or member"; and

on page 14, by replacing line 1 with the following:

"policyholder, or mailed by the policyholder"; and

on page 14, by replacing lines 5 through 14 with the following:

"The HMO shall not deny coverage to the employee or member due to the employer's failure to provide notice pursuant to this Section to the employee or member. Until January 1, 2010, in the event the employee or member contacts the HMO regarding continuation rights and advises that notice has not been provided by the employer or group policyholder, the HMO shall provide a written explanation to the employee or member of the employee's or member's continuation rights pursuant to this Section."; and

on page 14, line 25, after "presented", by inserting "or mailed"; and

on page 15, line 19, after "presented", by inserting "or mailed"; and

on page 16, line 1, by replacing "sent" with "presented or mailed".

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 3 to HOUSE BILL 2325 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 80

A bill for AN ACT concerning elections.

House Amendment No. 1 to SENATE BILL NO. 80.

House Amendment No. 2 to SENATE BILL NO. 80.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1783

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 1783.
House Amendment No. 3 to SENATE BILL NO. 1783.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

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

HOUSE BILL 152

A bill for AN ACT concerning insurance.

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

Senate Amendment No. 2 to HOUSE BILL NO. 152
Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 2 . Amend House Bill 152 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Organ Transplant Medication Notification Act.

Section 5. Applicability. This Act shall apply solely to cases of immunosuppressive therapy when (i) an immunosuppressant drug has been prescribed to a patient to prevent the rejection of transplanted organs and tissues and (ii) as set forth in Section 15 of this Act, a prescribing physician has indicated on a prescription "may not substitute". This Act does not apply to medication orders issued for immunosuppressant drugs for any in-patient care in a licensed hospital.

Section 10. Definitions. For the purpose of this Act:

"Health insurance policy or health care service plan" means any policy of health or accident insurance subject to the provisions of the Illinois Insurance Code, Health Maintenance Organization Act, Voluntary Health Services Plan Act, Counties Code, Municipal Code, School Code, and State Employees Group Insurance Act.

"Immunosuppressant drugs" mean drugs that are used in immunosuppressive therapy to inhibit or prevent the activity of the immune system. "Immunosuppressant drugs" are used clinically to prevent the rejection of transplanted organs and tissues. "Immunosuppressant drugs" do not include drugs for the treatment of autoimmune diseases or diseases that are most likely of autoimmune origin.

Section 15. Quality assurance in patient care. In accordance with the Pharmacy Practice Act, when a prescribing physician has indicated on a prescription "may not substitute", a health insurance policy or health care service plan that covers immunosuppressant drugs may not require or cause a pharmacist to interchange another immunosuppressant drug or formulation issued on behalf of a person to inhibit or prevent the activity of the immune system of a patient to prevent the rejection of transplanted organs and tissues without notification and the documented consent of the prescribing physician and the patient, or the parent or guardian if the patient is a child, or the spouse of a patient who is authorized to consent to the treatment of the person.

Except as provided by subsections (a), (b), and (c) of Section 20 of this Act, patient co-payments, deductibles, or other charges for the prescribed drug for which another immunosuppressant drug or formulation is not interchanged shall remain the same for the enrollment period established by the health insurance policy or plan.

Section 20. Provision of notice; formulary changes.

(a) At least 60 days prior to making any formulary change that alters the terms of coverage for a patient receiving immunosuppressant drugs or discontinues coverage for a prescribed immunosuppressant drug that a patient is receiving, a policy or plan sponsor must, to the extent possible, notify the prescribing physician and the patient, or the parent or guardian if the patient is a child, or the spouse of a patient who is authorized to consent to the treatment of the patient. The notification shall be in writing and shall disclose

the formulary change, indicate that the prescribing physician may initiate an appeal, and include information regarding the procedure for the prescribing physician to initiate the policy or plan sponsor's appeal process.

(b) As an alternative to providing written notice, a policy or plan sponsor may provide the notice electronically if, and only if, the patient affirmatively elects to receive such notice electronically. The notification shall disclose the formulary change, indicate that the prescribing physician may initiate an appeal, and include information regarding the procedure for the prescribing physician to initiate the policy or plan sponsor's appeal process.

(c) At the time a patient requests a refill of the immunosuppressant drug, a policy or plan sponsor may provide the patient with the written notification required under subsection (a) of this Section along with a 60-day supply of the immunosuppressant drug under the same terms as previously allowed.

(d) Nothing in this Section shall prohibit insurers or pharmacy benefit managers from using managed pharmacy care tools, including, but not limited to, formulary tiers, generic substitution, therapeutic interchange, prior authorization, or step therapy, so long as an exception process is in place allowing the prescriber to petition for coverage of a non-preferred drug if sufficient clinical reasons justify an exception to the normal protocol.".

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 152 was placed on the Calendar on the order of Concurrence.

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

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

SENATE BILL NO. 314

A bill for AN ACT concerning State government.

House Amendment No. 3 to SENATE BILL NO. 314.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

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

SENATE BILL NO. 807

A bill for AN ACT concerning children.

House Amendment No. 1 to SENATE BILL NO. 807.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

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

SENATE BILL NO. 1298

A bill for AN ACT concerning gaming.

House Amendment No. 1 to SENATE BILL NO. 1298.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1357

A bill for AN ACT concerning utilities.
House Amendment No. 1 to SENATE BILL NO. 1357.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1434

A bill for AN ACT concerning transportation.
House Amendment No. 1 to SENATE BILL NO. 1434.
House Amendment No. 2 to SENATE BILL NO. 1434.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1448

A bill for AN ACT concerning utilities.
House Amendment No. 1 to SENATE BILL NO. 1448.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1486

A bill for AN ACT concerning professional regulation.
House Amendment No. 1 to SENATE BILL NO. 1486.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1511

A bill for AN ACT concerning local government.
House Amendment No. 1 to SENATE BILL NO. 1511.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1556

A bill for AN ACT concerning civil law.

House Amendment No. 1 to SENATE BILL NO. 1556.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1570

A bill for AN ACT concerning schools.

House Amendment No. 1 to SENATE BILL NO. 1570.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1783

A bill for AN ACT concerning local government.

House Amendment No. 1 to SENATE BILL NO. 1783.

House Amendment No. 3 to SENATE BILL NO. 1783.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1906

A bill for AN ACT concerning State government.

House Amendment No. 3 to SENATE BILL NO. 1906.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1483

A bill for AN ACT concerning professional regulation.

House Amendment No. 1 to SENATE BILL NO. 1483.

House Amendment No. 2 to SENATE BILL NO. 1483.

House Amendment No. 3 to SENATE BILL NO. 1483.

House Amendment No. 4 to SENATE BILL NO. 1483.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1919

A bill for AN ACT concerning safety.

House Amendment No. 1 to SENATE BILL NO. 1919.

House Amendment No. 2 to SENATE BILL NO. 1919.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1925

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 1925.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 1938

A bill for AN ACT concerning courts.

House Amendment No. 1 to SENATE BILL NO. 1938.

House Amendment No. 3 to SENATE BILL NO. 1938.

House Amendment No. 4 to SENATE BILL NO. 1938.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 2046

A bill for AN ACT concerning revenue.
House Amendment No. 1 to SENATE BILL NO. 2046.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1140

A bill for AN ACT concerning regulation.
House Amendment No. 1 to SENATE BILL NO. 1140.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has receded from their amendment 1 to a bill of the following title, to-wit:

HOUSE BILL NO. 793

A bill for AN ACT concerning government.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 48

Concurred in the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 50

Concurred in the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1030

A bill for AN ACT concerning criminal law.
House Amendment No. 1 to SENATE BILL NO. 1030.

House Amendment No. 3 to SENATE BILL NO. 1030.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1267

A bill for AN ACT concerning regulation.
House Amendment No. 1 to SENATE BILL NO. 1267.
House Amendment No. 3 to SENATE BILL NO. 1267.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1342

A bill for AN ACT concerning intermodal facilities.
House Amendment No. 1 to SENATE BILL NO. 1342.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1350

A bill for AN ACT concerning employment.
House Amendment No. 1 to SENATE BILL NO. 1350.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 55

Together with the attached amendment thereto, in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE JOINT RESOLUTION NO. 55
Concurred in the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Joint Resolution 55 on page 3, by replacing lines 1 through 3 with the following:

"have filed rules to create a demonstration project; and"; and
on page 3, by replacing lines 5 and 6 with the following:
"Aging - Comprehensive Care In Residential Settings - could allow dementia programs;"; and
on page 3, line 10, before "establish", by inserting "may"; and
on page 3, by replacing lines 12 and 13 with the following:
"builds off existing programs; and be"; and
on page 3, line 16, by replacing "permitted to participate" with "considered for participation"; and
on page 3, by replacing lines 20 through 22 with the following:
"RESOLVED, That the program be designed to permit the State to access federal matching funds."; and
on page 4, by deleting lines 1 through 4.

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE JOINT RESOLUTION 55 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 2

Concurred in the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 71

WHEREAS, The Illinois Medicaid program is a joint federal-state program to support medical services for certain portions of the low income population; and

WHEREAS, Approximately 2.5 million Illinois residents receive some Medicaid services and it is the primary source of medical coverage for more than one out of six residents; and

WHEREAS, Illinois Medicaid expenses have grown from $11.8 billion in FY2005 to $12.4 billion in FY2008; and

WHEREAS, FY2009 expenses are likely to exceed $13 billion or about one-quarter of the State's annual operating appropriations; and

WHEREAS, The State operating budget is difficult to understand as it pertains to Medicaid since it confounds changes in payment cycles, eligibility standards, and inflation-related adjustments built into existing programs; and

WHEREAS, The State of Illinois will receive federal stimulus money from the American Recovery and Reinvestment Act of 2009 (ARRA) to support Medicaid services; and

WHEREAS, ARRA has temporarily raised the rate of Illinois federal Medicaid match to 60.48% from 50.32%, which is expected to generate an additional $2.9 billion in federal Medicaid funds between October 1, 2008 and December 31, 2010; and

WHEREAS, Upon the expiration of ARRA in 2011, the State of Illinois will experience a Medicaid budget gap of at least $1.3 billion; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the General Assembly of the State of Illinois hereby establishes a joint legislative and gubernatorial commission to launch a review of the future financing of the State's Medicaid program; and be it further

RESOLVED, That the review must include a plan to compensate for the expiration of the federal

stimulus program on December 31, 2010; and be it further

RESOLVED, That the commission recommend the creation of an executive-level Medicaid management group to address program issues that cut across specific agencies and budgetary categories; and be it further

RESOLVED, That the commission recommend the issuance of a comprehensive annual report on Illinois Medicaid in a prescribed format that would provide essential data and evaluate the program's operations and effectiveness; and be it further

RESOLVED, That the commission will be composed of four members appointed by the Illinois House of Representatives, two by the Speaker of the House and two by the Minority Leader; four members appointed by the Illinois Senate, two by the Senate President and two by the Minority Leader; and three members appointed by the Governor of Illinois.

Adopted by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 68

WHEREAS, In 2006, the federal Secretaries of State, Education, and Defense and the Director of National Intelligence joined together to take part in an initiative to dramatically increase the number of Americans learning and teaching foreign languages of critical need for reasons of national security and global competitiveness; and

WHEREAS, In 2008, the initiative, entitled the National Security Language Initiative, designated certain languages to be categorized as "Critical Need"; and

WHEREAS, The National Security Language Initiative was implemented on the notion that recognizes that "speaking another's language promotes understanding; conveys respect; strengthens our ability to engage foreign peoples and governments; and provides others with an opportunity to learn more about America and its people"; and

WHEREAS, In 2008, Arabic was one of the languages designated as a "Critical Need" language; and

WHEREAS, The National Security Language Initiative provides for federal funding for language instruction under Foreign Language Assistance Program grants; and

WHEREAS, In 2008, federal grants have been used to aid in instruction of Arabic in Illinois programs, such as grants totaling $240,000 allowing for summer instruction for Chicago public school students to intensify their Arabic at the University of Chicago; and

WHEREAS, To date, this State still remains to be startlingly under-represented among Foreign Language Assistant Program grant recipients; and

WHEREAS, The State Board of Education also designates funding for an Arabic Language Initiative under its Arts and Foreign Language Education Grant Program; and

WHEREAS, In May 2008, Mayor Richard M. Daley announced that Chicago public schools were initiating a $1,000,000 expansion of the Critical Languages Program; and

WHEREAS, Concerned local communities of this State have initiated a concerted effort since the creation of the National Security Language Initiative to propose the introduction of Arabic as a foreign language option for high school, junior high, and elementary school students; and

WHEREAS, The concerted effort has included numerous signed petitions, town hall meetings, and numerous personal one-on-one meetings with principals, students, teachers, parents, and superintendents; and

WHEREAS, These concerned communities have continued their efforts to maintain the goal of building a competitive advantage for Illinois students in a changing global dynamic; and

WHEREAS, A few public schools in this State have already begun to offer Arabic as a foreign language, such as Lindblom Math & Science Academy, Lincoln Park High School, Roosevelt High School,

Volta Elementary School, Durkin Park Elementary School, and Peck Elementary School; and

WHEREAS, Funding options, research, and community interest have shown Arabic to be a foreign language that will be a welcomed option in school districts, providing competitive advantage for students in this State; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we encourage school districts in this State to explore the introduction of Arabic as a foreign language in their curriculum, particularly school districts that have constituencies with an interest in the instruction of Arabic, through a transparent and collaborative process with the community that takes full advantage of State and federal funding resources; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the school districts of this State.

Adopted by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 63

WHEREAS, Clean water is a precious resource that should be readily available for all of the State's residents; and

WHEREAS, Studies conducted on waters in the State indicate various level of pharmaceutical contamination; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that, in order to affirm the importance of clean and safe water in the State, there is hereby created a Clean Water Commission consisting of the following 17 members:

(1) 2 individuals appointed by the Governor, one of whom shall serve as co-chair of the Commission;

(2) 2 individuals appointed by the Director of the Illinois Environmental Protection Agency, one of whom shall serve as co-chair of the Commission;

(3) one member of the Illinois House of Representatives, appointed by the Speaker of the Illinois House of Representatives;

(4) one member of the Illinois House of Representatives, appointed by the Minority Leader of the Illinois House of Representatives;

(5) one member of the Illinois Senate, appointed by the President of the Illinois Senate;

(6) one member of the Illinois Senate, appointed by the Minority Leader of the Illinois Senate;

(7) one individual appointed by the Director of Public Health;

(8) one individual from the Metropolitan Water Reclamation District, appointed by the co-chairs of the Commission;

(9) one individual from a Sanitary District in Central Illinois, appointed by the co-chairs of the Commission;

(10) one individual from a Sanitary District in Southern Illinois, appointed by the co-chairs of the Commission;

(11) one individual from the Pharmaceutical Research and Manufacturers of America, appointed by the co-chairs of the Commission;

(12) one individual from the Illinois Farm Bureau, appointed by the co-chairs of the Commission;

(13) one individual from the Illinois Hospital Association, appointed by the co-chairs of the Commission;

(14) one individual from a consumer protection organization, appointed by the co-chairs of the Commission; and

(15) one individual from a solid waste agency, appointed by the co-chairs of the Commission; and be it further

RESOLVED, That the Clean Water Commission shall, in cooperation with the Illinois Environmental Protection Agency, have select State waters tested quarterly for the presence of pharmaceuticals and contaminants that may be harmful to human health or the environment; and be it further

RESOLVED, That the Clean Water Commission shall, when selecting areas to sample, pay particular attention to areas where there have been past reports of contamination; and be it further

RESOLVED, That the Clean Water Commission shall, on a quarterly basis, report its findings to the Illinois Department of Public Health and the Illinois Environmental Protection Agency and make those findings available online for public consumption; and be it further

RESOLVED, That the Clean Water Commission shall, within one year after the adoption of this resolution and as needed thereafter, report its findings to the General Assembly; and be it further

RESOLVED, That the Illinois Environmental Protection Agency shall provide administrative and other support to the Clean Water Commission.

Adopted by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 65

WHEREAS, There is no official statewide data on the health needs of our diverse student populations or the level of services required to meet these needs in this State; and

WHEREAS, Unmet health needs interfere with a student's ability to focus on learning and achieve his or her highest potential; and

WHEREAS, It is our intent to ensure that students are healthy and ready to learn and to provide health service resources to enable all students to access education equally; and

WHEREAS, It is also our intent to support and sustain the healthy development of youth in partnership with parents, schools, health care providers, community organizations, and governmental agencies in keeping with the goals and objectives of Healthy People 2010; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we respectfully request that the State Board of Education, the Department of Human Services School Health Program, and the Department of Public Health Division of Chronic Disease Prevention and Control establish a task force to study and compile a report on:

(1) Identification of current student health needs and the level of health services required to address such needs;

(2) Regulatory conflicts that limit delivery of school health services to students in need along with possible solutions; and

(3) Needed support for and monitoring of school health services; and be it further

RESOLVED, That the task force shall consist of no more than 15 members appointed jointly by a working group of the three State agencies; the task force shall include one member from each of the agencies as well as additional members that shall be selected by the working group from organizations representing, at a minimum, the following interests: school administrators, school board members, school nurses, nurses, school health advocates, school health centers, physician groups, teacher unions, and parents; additional members may be determined at the discretion of the State agencies; and be it further

RESOLVED, That the task force shall submit its report to the General Assembly by January 1, 2010; and be it further

RESOLVED, That suitable copies of this resolution shall be delivered to the State Superintendent of Education, the Secretary of Human Services, and the Director of Public Health.

Adopted by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 30

WHEREAS, The United States Supreme Court in Olmstead v. L.C. Ex Rel. Zimring, 119 S. Ct. 2176 (1999), held that the unjustifiable institutionalization of a person with a disability who could live in the community with appropriate supports and services, and wishes to do so, is unlawful discrimination in violation of the Americans with Disabilities Act (ADA); and

WHEREAS, Many individuals with developmental disabilities in Illinois who desire home- or community-based residential services are unable to obtain them due to the lack of funding for such options; and

WHEREAS, As a result of insufficient home- and community-based service options for individuals with developmental disabilities in Illinois, many individuals and their families must choose between living with their parents or other family members without the supports and services they need, or living in an Intermediate Care Facility, or an Intermediate Care Facility/DD 15 and under, or a State-operated developmental center, even if they could live successfully in a less restrictive setting with appropriate supports and services; and

WHEREAS, There are now over 16,000 individuals with developmental disabilities in Illinois with documented crisis, emerging crisis, or future service needs who are on the Department of Human Services' Priority of Urgency of Need of Services (PUNS) waiting list database for services and supports, and the need is probably greater because this number only represents those individuals who have actually signed up for the PUNS waiting list database; and

WHEREAS, Almost 10 years after the Olmstead decision, a report titled "The State of the States in Disabilities 2008" by the Department of Psychiatry and Coleman Institute for Cognitive Disabilities of the University of Colorado ranks the State of Illinois 40th nationally in fiscal effort for services for individuals with developmental disabilities, including all programs - home based, group home, and congregate care; 43rd in State fiscal effort for community services; 47th in home- and community-based waiver spending per capita; and 51st in serving people with developmental disabilities in environments of 6 or less; and

WHEREAS, Other studies, including but not limited to, "State Funding of Community Agencies for Services to Illinois Residents with Mental Illness and/or Developmental Disabilities: Final Report to the Illinois General Assembly", "The Report of the Community Integrated Living Arrangement Nursing Services Work Group", and "The Illinois Direct Support Professional Workforce Initiative" address the issues with the Illinois system; and

WHEREAS, "The Blueprint for System Redesign in Illinois" reviewed the findings of these studies as well as the results of a gaps analysis and created a framework for restructuring the current service system for people with developmental disabilities and their families; and

WHEREAS, These studies and numerous legislative measures and lawsuits over the last decade have attempted to address the shortcomings of Illinois' fragmented and inadequate system of services and supports to individuals with developmental disabilities; and

WHEREAS, In order to meet the urgent need for quality home- and community-based services in Illinois, major systemic fiscal and policy changes are necessary and must be a real priority for the State; and

WHEREAS, The workers who provide direct support in the community to individuals with developmental disabilities should be paid fair and adequate wages; and

WHEREAS, Until the State breaks the cycle of underfunding and lack of significant growth of home- and community-based services and supports for people with developmental disabilities and their families which perpetuates short-term measures to address crises in the system and which, in the long term, has maintained and fostered the competition among many for scarce public resources, the community-based system will continue to be fragmented and inadequately funded; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Department of Human Services, Division of Developmental Disabilities, shall develop a 7-year Plan with yearly benchmarks to enhance and expand access to quality community services and supports as informed by the "Blueprint for System Redesign" (January 2008), "State Funding of Community Agencies for Services to Illinois Residents with Mental Illness and/or Developmental Disabilities: Final Report to the Illinois General Assembly", "The Report of the Community Integrated Living Arrangement Nursing Services Work Group", and "The Illinois Direct Support Professional Workforce Initiative" by December 1, 2009; and be it further

RESOLVED, That increases in the resources available to the Department shall be appropriated to services and supports consistent with the Benchmarks of the 7-year Plan considering factors including, but not limited to, fair and adequate wages and benefits for Direct Support Professionals, funding incentives, identifying new revenue sources, maximizing current revenue sources, creating opportunities for capacity building, and new rate methodologies that enhance quality service and quality assurance, crisis intervention, and workforce development; and be it further

RESOLVED, That the Secretary of Human Services shall provide an annual report on the implementation of the Plan, including a year-by-year fiscal impact statement on each aspect of the Plan, to the Governor and to each Member of the General Assembly by not later than July 1st of each year and interim progress reports to the Governor and to the Members of the General Assembly not later than December 31st of each year until the Plan is fully implemented; and be it further

RESOLVED, That appropriate committees of the House of Representatives and the Senate shall convene at least one hearing not later than July 1st of each year on the subject of the Plan; and be it further

RESOLVED, That copies of this resolution be sent to the Governor, the Secretary of the Department of Human Services, the Director of the Governor's Office of Management and Budget, and all Members of the General Assembly.

Adopted by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

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

SENATE BILL NO. 1579

A bill for AN ACT concerning professions and occupations.

House Amendment No. 1 to SENATE BILL NO. 1579.

House Amendment No. 2 to SENATE BILL NO. 1579.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

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

SENATE BILL NO. 1739

A bill for AN ACT concerning revenue.

House Amendment No. 1 to SENATE BILL NO. 1739.

Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1934

A bill for AN ACT concerning real property.
House Amendment No. 1 to SENATE BILL NO. 1934.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 2172

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2172.
House Amendment No. 2 to SENATE BILL NO. 2172.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has receded from their amendment 3 to a bill of the following title, to-wit:

HOUSE BILL NO. 445

A bill for AN ACT concerning criminal law.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has receded from their amendments 1 and 3 to a bill of the following title, to-wit:

HOUSE BILL NO. 797

A bill for AN ACT concerning transportation.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

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

SENATE BILL NO. 2190

A bill for AN ACT concerning local government.
Passed by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 2172

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 2172.
House Amendment No. 2 to SENATE BILL NO. 2172.
Action taken by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 174

A bill for AN ACT concerning revenue.
Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 2 to HOUSE BILL NO. 174
Senate Amendment No. 3 to HOUSE BILL NO. 174
Senate Amendment No. 4 to HOUSE BILL NO. 174
Senate Amendment No. 5 to HOUSE BILL NO. 174
Passed the Senate, as amended, May 30, 2009.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 2 . Amend House Bill 174 by replacing everything after the enacting clause with the following:

"Section 5. The State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-20 as follows:

(15 ILCS 20/50-20) (was 15 ILCS 20/38.3)

Sec. 50-20. Responsible Education Funding Law.

(a) The Governor shall submit to the General Assembly a proposed budget for elementary and secondary education in which total General Revenue Fund appropriations are no less than the total General Revenue Fund appropriations of the previous fiscal year. In addition, the Governor shall specify the total amount of funds to be transferred from the General Revenue Fund to the Common School Fund during the budget year, which shall be no less than the total amount transferred during the previous fiscal year. The Governor may submit a proposed budget in which the total appropriated and transferred amounts are less than the previous fiscal year if the Governor declares in writing to the General Assembly the reason for the lesser amounts.

(b) The General Assembly shall appropriate amounts for elementary and secondary education from the General Revenue Fund for each fiscal year so that the total General Revenue Fund appropriation is no less than the total General Revenue Fund appropriation for elementary and secondary education for the previous fiscal year. In addition, the General Assembly shall legislatively transfer from the General Revenue Fund to the Common School Fund for the fiscal year a total amount that is no less than the total amount transferred

for the previous fiscal year. The General Assembly may appropriate or transfer lesser amounts if it declares by Joint Resolution the reason for the lesser amounts.

(b-5) In fiscal year 2010, no appropriation made from General funds to the State Board of Education, the Board of Higher Education, the Community College Board, the Student Assistance Commission, or any public university may be decreased from its fiscal year 2009 general appropriation level. An exception may be made only if a program's appropriation is based on actual cost and that cost has been determined by the Board or university to require a lesser appropriation; however, the aggregate appropriation to those Boards or universities for fiscal year 2010 shall not under any circumstances represent a decrease from the fiscal year 2009 aggregate general fund appropriation level for that Board or university.

(b-10) Beginning in fiscal year 2011 and in each fiscal year thereafter, in addition to the amounts required to be transferred under subsection (b), an amount equal to the first 33 1/3% of the amount of additional revenue generated through the taxes imposed by this amendatory Act of the 96th General Assembly in that fiscal year shall be transferred from the General Revenue Fund to the Common School Fund. In addition, beginning in fiscal year 2011 and in each fiscal year thereafter, an amount equal to the next 16 2/3% of the amount of additional revenue generated through those taxes shall be transferred from the General Revenue Fund to the Higher Education Fund.

(b-15) The Higher Education Fund is created as a special fund in the State treasury. Moneys in this Fund may be used only for purposes related to higher education. The Higher Education Fund is not subject to administrative charges that would in any way transfer any funds from the Higher Education Fund into any other fund of the State.

(c) This Section may be cited as the Responsible Education Funding Law.

(Source: P.A. 91-239, eff. 1-1-00.)

Section 10. The State Finance Act is amended by adding Sections 5.719, 5.720, 5.721, and 5.723 as follows:

(30 ILCS 105/5.719 new)

Sec. 5.719. The Education Financial Award System Fund.

(30 ILCS 105/5.720 new)

Sec. 5.720. The Digital Learning Technology Grant Fund.

(30 ILCS 105/5.721 new)

Sec. 5.721. The STEM Education Center Grant Fund.

(30 ILCS 105/5.723 new)

Sec. 5.723. The Higher Education Fund.

Section 15. The Illinois Income Tax Act is amended by changing Sections 201, 204, 208, 212, 804, and 901 and by adding Sections 202.5 and 218 as follows:

(35 ILCS 5/201) (from Ch. 120, par. 2-201)

Sec. 201. Tax Imposed.

(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):

(1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989 and ending before July 1, 2009, an amount equal to 3% of the taxpayer's net income for the taxable year.

(4) In the case of an individual, trust, or estate, for taxable years beginning prior to July 1, 2009 and ending after June 30, 2009, an amount equal to the sum of (i) 3% of the taxpayer's net income for the period prior to July 1, 2009, as calculated under Section 202.5, and (ii) 5% of the taxpayer's net income for the period after June 30, 2009, as calculated under Section 202.5. ~~(Blank).~~

(5) In the case of an individual, trust ,or estate, for taxable years beginning on or after July 1, 2009, an amount equal to 5% of the taxpayer's net income for the taxable year. ~~(Blank).~~

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, and ending prior to July 1, 2009 an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(9) In the case of a corporation, for taxable years beginning prior to July 1, 2009 and ending after June 30, 2009, an amount equal to the sum of (i) 4.8% of the taxpayer's net income for the period prior to July 1, 2009, as calculated under Section 202.5, and (ii) 7.2% of the taxpayer's net income for the period after June 30, 2009, as calculated under Section 202.5.

(10) In the case of a corporation, for taxable years beginning after June 30, 2009, an amount equal to 7.2% of the taxpayer's net income for the taxable year.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code,

equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all

credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).

This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than the year in which the property was placed in service in Illinois. For tax years ending on or after December 31, 1987, and on or before December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years if the taxpayer (i) makes investments which cause the creation of a minimum of 2,000 full-time equivalent jobs in Illinois, (ii) is located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act and (iii) is certified by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) as complying with the requirements specified in clause (i) and (ii) by July 1, 1986. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall notify the Department of Revenue of all such certifications immediately. For tax years ending after December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings and signs that are real property, but not including land or improvements to real property that are not a structural component of a building such as landscaping, sewer lines, local access roads, fencing, parking lots, and other appurtenances;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing, or was placed in service on or after July 1, 2006 in a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act; and

(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this

subsection (e), the term "retailing" means the sale of tangible personal property or services rendered in conjunction with the sale of tangible consumer goods or commodities.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2008, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2008.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and

(E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) There shall be allowed an additional credit equal to 0.5% of the basis of qualified property placed in service during the taxable year in a River Edge Redevelopment Zone, provided such property is placed in service on or after July 1, 2006, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is 0.5% and the denominator of which is 1%, but shall not exceed 0.5%.

(g) Jobs Tax Credit; Enterprise Zone, River Edge Redevelopment Zone, and Foreign Trade Zone or Sub-Zone.

(1) A taxpayer conducting a trade or business in an enterprise zone or a High Impact Business designated by the Department of Commerce and Economic Opportunity or for taxable years ending on or after December 31, 2006, in a River Edge Redevelopment Zone conducting a trade or business in a federally designated Foreign Trade Zone or Sub-Zone shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section in the amount of $500 per eligible employee hired to work in the zone during the taxable year.

(2) To qualify for the credit:

(A) the taxpayer must hire 5 or more eligible employees to work in an enterprise zone, River Edge Redevelopment Zone, or federally designated Foreign Trade Zone or Sub-Zone during the taxable year;

(B) the taxpayer's total employment within the enterprise zone, River Edge Redevelopment Zone, or federally designated Foreign Trade Zone or Sub-Zone must increase by 5 or more full-time employees beyond the total employed in that zone at the end of the previous tax year for which a jobs tax credit under this Section was taken, or beyond the total employed by the taxpayer as of December 31, 1985, whichever is later; and

(C) the eligible employees must be employed 180 consecutive days in order to be deemed hired for purposes of this subsection.

(3) An "eligible employee" means an employee who is:

(A) Certified by the Department of Commerce and Economic Opportunity as "eligible for services" pursuant to regulations promulgated in accordance with Title II of the Job Training Partnership Act, Training Services for the Disadvantaged or Title III of the Job Training Partnership Act, Employment and Training Assistance for Dislocated Workers Program.

(B) Hired after the enterprise zone, River Edge Redevelopment Zone, or federally designated Foreign Trade Zone or Sub-Zone was designated or the trade or business was located in that zone, whichever is later.

(C) Employed in the enterprise zone, River Edge Redevelopment Zone, or Foreign Trade Zone or Sub-Zone. An employee is employed in an enterprise zone or federally designated Foreign Trade Zone or Sub-Zone if his services are rendered there or it is the base of operations for the services performed.

(D) A full-time employee working 30 or more hours per week.

(4) For tax years ending on or after December 31, 1985 and prior to December 31, 1988, the credit shall be allowed for the tax year in which the eligible employees are hired. For tax years ending on or after December 31, 1988, the credit shall be allowed for the tax year immediately following the tax year in which the eligible employees are hired. If the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(5) The Department of Revenue shall promulgate such rules and regulations as may be deemed necessary to carry out the purposes of this subsection (g).

(6) The credit shall be available for eligible employees hired on or after January 1, 1986.

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit

provided by this subsection (h);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and

(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes

of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit.

For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from this amendatory Act of the 91st General Assembly in construing this Section for taxable years beginning before January 1, 1999.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related

party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed $500 <u>for taxable years ending on or before December 31, 2009 and $1,000 for taxable years ending on or after January 1, 2010</u>. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:

"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.

(i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14a of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency

approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(iv) This subsection is exempt from the provisions of Section 250.

(Source: P.A. 94-1021, eff. 7-12-06; 95-454, eff. 8-27-07.)

(35 ILCS 5/202.5 new)

Sec. 202.5. Net income attributable to the period prior to July 1, 2009 and net income attributable to the period after June 30, 2009.

(a) In general. With respect to the taxable year of a taxpayer beginning prior to July 1, 2009, and ending after June 30, 2009, net income for the period after June 30, 2009, is that amount that bears the same ratio to the taxpayer's net income for the entire taxable year as the number of days in that year after June 30, 2009, bears to the total number of days in that year, and the net income for the period prior to July 1, 2009 is that amount that bears the same ratio to the taxpayer's net income for the entire taxable year as the number of days in that year prior to July 1, 2009, bears to the total number of days in that year.

(b) Election to attribute income and deduction items specifically to the respective portions of a taxable year prior to July 1, 2009, and after June 30, 2009. In the case of a taxpayer with a taxable year beginning prior to July 1, 2009, and ending after June 30, 2009, the taxpayer may elect, instead of the procedure established in subsection (a) of this Section, to determine net income on a specific accounting basis for the 2 portions of his or her taxable year:

(i) from the beginning of the taxable year through June 30, 2009; and

(ii) from July 1, 2009 through the end of the taxable year.

The election provided by this subsection (b) must be made in the form and manner that the Department requires by rule, and must be made no later than the due date (including any extensions thereof) for the filing of the return for the taxable year, and is irrevocable.

(c) If the taxpayer elects specific accounting under subsection (b):

(1) there shall be taken into account in computing base income for each of the 2 portions of the taxable year only those items earned, received, paid, incurred or accrued in each such period;

(2) for purposes of apportioning business income of the taxpayer, the provisions in Article 3 shall be applied on the basis of the taxpayer's full taxable year, without regard to this Section;

(3) the net loss carryforward deduction for the taxable year under Section 207 may not exceed combined net income of both portions of the taxable year, and shall be used against the income of the portion of the taxable year from the beginning of the taxable year through June 30, 2009, before any remaining amount is used against the income of the latter portion of the year; and

(d) Under subsection (a) or (b):

(1) the exemptions and credits allowed under Sections 204, 208, and 212, respectively, for the period prior to July 1, 2009, shall be equal to the total exemptions or credits, as applicable, that would be allowed for the taxable year under Sections 204, 208, and 212, respectively, as in effect before the effective date of this amendatory Act of 2009, multiplied by the number of months in the portion of the taxable year ending on or before June 30, 2009 and divided by 12; and

(2) the exemptions and credits allowed under Sections 204, 208, and 212, respectively, for the period after June 30, 2009, through the end of the taxable year shall equal to the total exemptions or credits, as applicable, allowed under Sections 204, 208, or 212, as applicable, for the taxable year, multiplied by the number of months in the taxable year for the period beginning on July 1, 2009 and divided by 12.

(35 ILCS 5/204) (from Ch. 120, par. 2-204)

Sec. 204. Standard Exemption.

(a) Allowance of exemption. In computing net income under this Act, there shall be allowed as an exemption the sum of the amounts determined under subsections (b), (c) and (d), multiplied by a fraction the numerator of which is the amount of the taxpayer's base income allocable to this State for the taxable year and the denominator of which is the taxpayer's total base income for the taxable year.

(b) Basic amount. For the purpose of subsection (a) of this Section, except as provided by subsection (a) of Section 205 and in this subsection, each taxpayer shall be allowed a basic amount of $1000, except that for corporations the basic amount shall be zero for tax years ending on or after December 31, 2003, and for individuals the basic amount shall be:

(1) for taxable years ending on or after December 31, 1998 and prior to December 31, 1999, $1,300;

(2) for taxable years ending on or after December 31, 1999 and prior to December 31, 2000, $1,650;

(3) for taxable years ending on or after December 31, 2000 and prior to July 1, 2009, $2,000;

(4) for taxable years ending after June 30, 2009 and prior to December 31, 2010, $3,000, except that, for taxable years beginning before July 1, 2009, and ending after June 30, 2009, the exemption for the taxable year shall be determined under Section 202.5(d); and

(5) for taxable years ending on or after December 31, 2010, $3,000.

For taxable years ending on or after December 31, 1992, a taxpayer whose Illinois base income exceeds the basic amount and who is claimed as a dependent on another person's tax return under the Internal Revenue Code of 1986 shall not be allowed any basic amount under this subsection.

(c) Additional amount for individuals. In the case of an individual taxpayer, there shall be allowed for the purpose of subsection (a), in addition to the basic amount provided by subsection (b), an additional exemption equal to the basic amount for each exemption in excess of one allowable to such individual taxpayer for the taxable year under Section 151 of the Internal Revenue Code.

(d) Additional exemptions for an individual taxpayer and his or her spouse. In the case of an individual taxpayer and his or her spouse, he or she shall each be allowed additional exemptions as follows:

(1) Additional exemption for taxpayer or spouse 65 years of age or older.

(A) For taxpayer. An additional exemption of $1,000 for the taxpayer if he or she has attained the age of 65 before the end of the taxable year.

(B) For spouse when a joint return is not filed. An additional exemption of $1,000 for the spouse of the taxpayer if a joint return is not made by the taxpayer and his spouse, and if the spouse has attained the age of 65 before the end of such taxable year, and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

(2) Additional exemption for blindness of taxpayer or spouse.

(A) For taxpayer. An additional exemption of $1,000 for the taxpayer if he or she is blind at the end of the taxable year.

(B) For spouse when a joint return is not filed. An additional exemption of $1,000 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse is blind and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer. For purposes of this paragraph, the determination of whether the spouse is blind shall be made as of the end of the taxable year of the taxpayer; except that if the spouse dies during such taxable year such determination shall be made as of the time of such death.

(C) Blindness defined. For purposes of this subsection, an individual is blind only if his or her central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his or her visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of

vision such that the widest diameter of the visual fields subtends an angle no greater than 20 degrees.

(e) Cross reference. See Article 3 for the manner of determining base income allocable to this State.

(f) Application of Section 250. Section 250 does not apply to ~~the amendments to~~ this Section ~~made by Public Act 90-613~~.

(Source: P.A. 93-29, eff. 6-20-03.)

(35 ILCS 5/208) (from Ch. 120, par. 2-208)

Sec. 208. Tax credit for residential real property taxes. Beginning with tax years ending on or after December 31, 1991 and prior to July 1, 2009, every individual taxpayer shall be entitled to a tax credit equal to 5% of real property taxes paid by such taxpayer during the taxable year on the principal residence of the taxpayer. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes which is attributable to such principal residence.

For tax years ending after June 30, 2009 and prior to December 31, 2010, every individual taxpayer shall be entitled to a tax credit equal to 10% of real property taxes paid by the taxpayer during the taxable year on the principal residence of the taxpayer; except that, for taxable years beginning before July 1, 2009, and ending after June 30, 2009, the credit for the taxable year shall be determined under Section 202.5(d). In the case of multi-unit or multi-use structures, the taxes on the taxpayer's principal residence shall be that portion of the total taxes that is attributable to the principal residence.

For tax years ending on or after December 31, 2010, every individual taxpayer shall be entitled to a tax credit equal to 10% of real property taxes paid by the taxpayer during the taxable year on the principal residence of the taxpayer. In the case of multi-unit or multi-use structures, the taxes on the taxpayer's principal residence shall be that portion of the total taxes that is attributable to the principal residence.

For tax years ending after June 30, 2009, the credit under this Section shall not exceed $1,500. For tax years thereafter, the $1,500 cap shall be increased by a percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all Urban Consumers for the then most recently compiled calendar year.

For each taxable year ending on or after December 31, 2009, if the amount of the credit exceeds the income tax liability for the applicable tax year, then the excess credit shall be refunded to the taxpayer. The amount of a refund shall not be included in the taxpayer's income or resources for the purposes of determining eligibility or benefit level in any means-tested benefit program administered by a governmental entity unless required by federal law.

(Source: P.A. 87-17.)

(35 ILCS 5/212)

Sec. 212. Earned income tax credit.

(a) With respect to the federal earned income tax credit allowed for the taxable year under Section 32 of the federal Internal Revenue Code, 26 U.S.C. 32, each individual taxpayer is entitled to a credit against the tax imposed by subsections (a) and (b) of Section 201 in an amount equal to the following:

(1) for each taxable year beginning on or after January 1, 2000 and ending before or during calendar year 2008, the amount of the credit is 5% of the federal tax credit;

(2) for each taxable year ending during calendar year 2009 and thereafter, the amount of the credit is 15% of the federal tax credit. ~~5% of the federal tax credit for each taxable year beginning on or after January 1, 2000.~~

For a non-resident or part-year resident, the amount of the credit under this Section shall be in proportion to the amount of income attributable to this State.

(b) For taxable years beginning before January 1, 2003, in no event shall a credit under this Section reduce the taxpayer's liability to less than zero. For each taxable year beginning on or after January 1, 2003, if the amount of the credit exceeds the income tax liability for the applicable tax year, then the excess credit shall be refunded to the taxpayer. The amount of a refund shall not be included in the taxpayer's income or resources for the purposes of determining eligibility or benefit level in any means-tested benefit program administered by a governmental entity unless required by federal law.

(c) This Section is exempt from the provisions of Section 250.

(Source: P.A. 95-333, eff. 8-21-07.)

(35 ILCS 5/804) (from Ch. 120, par. 8-804)

Sec. 804. Failure to Pay Estimated Tax.

(a) In general. In case of any underpayment of estimated tax by a taxpayer, except as provided in subsection (d) or (e), the taxpayer shall be liable to a penalty in an amount determined at the rate prescribed by Section 3-3 of the Uniform Penalty and Interest Act upon the amount of the underpayment (determined

under subsection (b)) for each required installment.

(b) Amount of underpayment. For purposes of subsection (a), the amount of the underpayment shall be the excess of:

(1) the amount of the installment which would be required to be paid under subsection (c), over

(2) the amount, if any, of the installment paid on or before the last date prescribed for payment.

(c) Amount of Required Installments.

(1) Amount.

(A) In General. Except as provided in paragraph (2), the amount of any required installment shall be 25% of the required annual payment.

(B) Required Annual Payment. For purposes of subparagraph (A), the term "required annual payment" means the lesser of

(i) 90% of the tax shown on the return for the taxable year, or if no return is filed, 90% of the tax for such year, ~~or~~

(ii) for installments due prior to April 1, 2010, and installments due after April 1, 2011, 100% of the tax shown on the return of the taxpayer for the preceding taxable year if a return showing a liability for tax was filed by the taxpayer for the preceding taxable year and such preceding year was a taxable year of 12 months; or ~~.~~

(iii) for installments due after April 1, 2010 and prior to April 1, 2011, 120% of the tax shown on the return of the taxpayer for the preceding taxable year if a return showing a liability for tax was filed by the taxpayer for the preceding taxable year and that preceding year was a taxable year of 12 months; except that the amount due for the first installment due after April 1, 2010, shall equal the amount that, when added to the total of all prior installments paid for that taxable year, equals the total of the installments that would be due if this item (iii) had applied to all installments due for that taxable year.

(2) Lower Required Installment where Annualized Income Installment is Less Than Amount Determined Under Paragraph (1).

(A) In General. In the case of any required installment if a taxpayer establishes that the annualized income installment is less than the amount determined under paragraph (1),

(i) the amount of such required installment shall be the annualized income installment, and

(ii) any reduction in a required installment resulting from the application of this subparagraph shall be recaptured by increasing the amount of the next required installment determined under paragraph (1) by the amount of such reduction, and by increasing subsequent required installments to the extent that the reduction has not previously been recaptured under this clause.

(B) Determination of Annualized Income Installment. In the case of any required installment, the annualized income installment is the excess, if any, of

(i) an amount equal to the applicable percentage of the tax for the taxable year computed by placing on an annualized basis the net income for months in the taxable year ending before the due date for the installment, over

(ii) the aggregate amount of any prior required installments for the taxable year.

(C) Applicable Percentage.

In the case of the following required installments:	The applicable percentage is:
1st	22.5%
2nd	45%
3rd	67.5%
4th	90%

(D) Annualized Net Income; Individuals. For individuals, net income shall be placed on an annualized basis by:

(i) multiplying by 12, or in the case of a taxable year of less than 12 months, by the number of months in the taxable year, the net income computed without regard to the standard exemption for the months in the taxable year ending before the month in which the installment is required to be paid;

(ii) dividing the resulting amount by the number of months in the taxable year

ending before the month in which such installment date falls; and

(iii) deducting from such amount the standard exemption allowable for the taxable year, such standard exemption being determined as of the last date prescribed for payment of the installment.

(E) Annualized Net Income; Corporations. For corporations, net income shall be placed on an annualized basis by multiplying by 12 the taxable income

(i) for the first 3 months of the taxable year, in the case of the installment required to be paid in the 4th month,

(ii) for the first 3 months or for the first 5 months of the taxable year, in the case of the installment required to be paid in the 6th month,

(iii) for the first 6 months or for the first 8 months of the taxable year, in the case of the installment required to be paid in the 9th month, and

(iv) for the first 9 months or for the first 11 months of the taxable year, in the case of the installment required to be paid in the 12th month of the taxable year,

then dividing the resulting amount by the number of months in the taxable year (3, 5, 6, 8, 9, or 11 as the case may be).

(d) Exceptions. Notwithstanding the provisions of the preceding subsections, the penalty imposed by subsection (a) shall not be imposed if the taxpayer was not required to file an Illinois income tax return for the preceding taxable year, or, for individuals, if the taxpayer had no tax liability for the preceding taxable year and such year was a taxable year of 12 months. The penalty imposed by subsection (a) shall also not be imposed on any underpayments of estimated tax due before the effective date of this amendatory Act of 1998 which underpayments are solely attributable to the change in apportionment from subsection (a) to subsection (h) of Section 304. The provisions of this amendatory Act of 1998 apply to tax years ending on or after December 31, 1998.

(e) The penalty imposed for underpayment of estimated tax by subsection (a) of this Section shall not be imposed to the extent that the Director or his or her designate determines, pursuant to Section 3-8 of the Uniform Penalty and Interest Act that the penalty should not be imposed.

(f) Definition of tax. For purposes of subsections (b) and (c), the term "tax" means the excess of the tax imposed under Article 2 of this Act, over the amounts credited against such tax under Sections 601(b) (3) and (4).

(g) Application of Section in case of tax withheld under Article 7. For purposes of applying this Section:

(1) in the case of an individual, tax withheld from compensation for the taxable year shall be deemed a payment of estimated tax, and an equal part of such amount shall be deemed paid on each installment date for such taxable year, unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case the amounts so withheld shall be deemed payments of estimated tax on the dates on which such amounts were actually withheld;

(2) amounts timely paid by a partnership, Subchapter S corporation, or trust on behalf of a partner, shareholder, or beneficiary pursuant to subsection (f) of Section 502 or Section 709.5 and claimed as a payment of estimated tax shall be deemed a payment of estimated tax made on the last day of the taxable year of the partnership, Subchapter S corporation, or trust for which the income from the withholding is made was computed; and

(3) all other amounts pursuant to Article 7 shall be deemed a payment of estimated tax on the date the payment is made to the taxpayer of the amount from which the tax is withheld.

(g-5) Amounts withheld under the State Salary and Annuity Withholding Act. An individual who has amounts withheld under paragraph (10) of Section 4 of the State Salary and Annuity Withholding Act may elect to have those amounts treated as payments of estimated tax made on the dates on which those amounts are actually withheld.

(i) Short taxable year. The application of this Section to taxable years of less than 12 months shall be in accordance with regulations prescribed by the Department.

The changes in this Section made by Public Act 84-127 shall apply to taxable years ending on or after January 1, 1986.

(Source: P.A. 95-233, eff. 8-16-07.)

(35 ILCS 5/901) (from Ch. 120, par. 9-901)

Sec. 901. Collection Authority.

(a) In general.

The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS

2505/2505-650). Except as provided in subsections (c) and (e) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services.

(b) Local Government ~~Governmental~~ Distributive Fund.

Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/11 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month (ii) minus the following amounts: ~~,~~ beginning July 1, 2003 and ending June 30, 2004, $6,666,666 ; ~~, and~~ beginning July 1, 2004 and through July 1, 2009, zero; beginning August 1, 2009 and through July 1, 2009, $20,800,000, which shall be transferred to the Common School Fund; and beginning August 1, 2010, zero. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Educational Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 9.75%. For fiscal year 2007, the Annual Percentage shall be 9.75%. For fiscal year 2008, the Annual Percentage shall be 7.75%. For fiscal year 2009, the Annual Percentage shall be 9.75%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, minus the amounts transferred into the Income Tax Refund Fund from the Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 18% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual

Percentage. For fiscal years 1999, 2000, and 2001, the Annual Percentage shall be 19%. For fiscal year 2003, the Annual Percentage shall be 27%. For fiscal year 2004, the Annual Percentage shall be 32%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 24% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 20%. For fiscal year 2007, the Annual Percentage shall be 17.5%. For fiscal year 2008, the Annual Percentage shall be 15.5%. For fiscal year 2009, the Annual Percentage shall be 17.5%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(3) The Comptroller shall order transferred and the Treasurer shall transfer from the Tobacco Settlement Recovery Fund to the Income Tax Refund Fund (i) $35,000,000 in January, 2001, (ii) $35,000,000 in January, 2002, and (iii) $35,000,000 in January, 2003.

(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose, and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois

Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

(Source: P.A. 94-91, eff. 7-1-05; 94-839, eff. 6-6-06; 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; revised 10-23-08.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Sections 1 and 2 as follows:

(35 ILCS 120/1) (from Ch. 120, par. 440)

Sec. 1. Definitions. "Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use or consumption, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced byproduct of manufacturing. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price shall be deemed to be sales.

"Sale at retail" shall be construed to include any transfer of the ownership of or title to tangible personal property to a purchaser, for use or consumption by any other person to whom such purchaser may transfer the tangible personal property without a valuable consideration, and to include any transfer, whether made for or without a valuable consideration, for resale in any form as tangible personal property unless made in compliance with Section 2c of this Act.

Sales of tangible personal property, which property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, goes into and forms a part of tangible personal property subsequently the subject of a "Sale at retail", are not sales at retail as defined in this Act: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing.

"Sale at retail" includes all of the following services, as enumerated in the North American Industry Classification System Manual (NAICS), 1997, prepared by the United States Office of Management and Budget:

(1) Other warehousing and storage (household and specialty goods) (49319).
(2) Travel agent services (56151).
(3) Carpet and upholstery cleaning services (56174).
(4) Dating services (8129902).
(5) Dry cleaning and laundry, except coin-operated (81232).
(6) Consumer goods rental (5322).
(7) Health clubs, tanning parlors, reducing salons (81219).
(8) Linen supply (812331).
(9) Interior design services (54141).
(10) Other business services, including copy shops (561439).
(11) Bowling Centers (71395).
(12) Coin operated video games and pinball machines (71312).
(13) Membership fees in private clubs (71391).
(14) Admission to spectator sports (excluding horse tracks) (7112).
(15) Admission to cultural events (711).
(16) Billiard Parlors (71399).
(17) Scenic and sightseeing transportation (487).
(18) Taxi and Limousine services (4853).
(19) Unscheduled chartered passenger air transportation (481211).
(20) Motion picture theaters, except drive-in theaters (512131).
(21) Pet grooming (81291).

(22) Landscaping services (including lawn care) (56173).
(23) Income from intrastate transportation of persons (485).
(24) Mini-storage (53113).
(25) Household goods storage (49311).
(26) Cold storage (49312).
(27) Marina Service (docking, storage, cleaning, repair) (71393).
(28) Marine towing service (including tugboats) (48833).
(29) Gift and package wrapping service (5619).
(30) Laundry and dry cleaning services, coin-operated (81231).
(31) Other services to buildings and dwellings (56179).
(32) Water softening and conditioning (5619902).
(33) Internet Service Providers (518111).
(34) Short term auto rental (532111).
(35) Information Services (519190).
(36) Amusement park admission and rides (71311).
(37) Circuses and fairs -- admission and games (7113).
(38) Cable and other program distribution (5175).
(39) Rental of video tapes for home viewing (53223).

"Sale at retail" shall be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is engaged in the business of selling tangible personal property at retail with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. The provisions of this paragraph shall not apply to nor subject to taxation occasional dinners, socials or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not engaged in the business of selling tangible personal property at retail with respect to such transactions.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of or title to tangible personal property for a valuable consideration.

"Reseller of motor fuel" means any person engaged in the business of selling or delivering or transferring title of motor fuel to another person other than for use or consumption. No person shall act as a reseller of motor fuel within this State without first being registered as a reseller pursuant to Section 2c or a retailer pursuant to Section 2a.

"Selling price" or the "amount of sale" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property, other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the

item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include charges that are added to prices by sellers on account of the seller's tax liability under this Act, or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by the Use Tax Act, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit, on account of the seller's tax liability under any local occupation tax administered by the Department, or, except as otherwise provided with respect to any cigarette tax imposed by a home rule unit on account of the seller's duty to collect, from the purchasers, the tax that is imposed under any local use tax administered by the Department. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the sellers' duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Gross receipts" from the sales of tangible personal property at retail means the total selling price or the amount of such sales, as hereinbefore defined. In the case of charge and time sales, the amount thereof shall be included only as and when payments are received by the seller. Receipts or other consideration derived by a seller from the sale, transfer or assignment of accounts receivable to a wholly owned subsidiary will not be deemed payments prior to the time the purchaser makes payment on such accounts.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail, or a sale through a bulk vending machine, does not constitute engaging in a business of selling such tangible personal property at retail within the meaning of this Act; provided that any person who is engaged in a business which is not subject to the tax imposed by this Act because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate or a construction contract to engineer, install, and maintain an integrated system of products, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate or was not engineered and installed, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is engaged in the business of selling tangible personal property at retail to the extent of the value of the tangible personal property so transferred. If, in such a transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purpose of this Act, shall be the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property. Construction contracts for the improvement of real estate consisting of engineering, installation, and maintenance of voice, data, video, security, and all telecommunication systems do not constitute engaging in a business of selling tangible personal property at retail within the meaning of this Act if they are sold at one specified contract price.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a person engaged in the business of selling tangible personal property at retail hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are engaged in the business of selling such property at retail and shall be liable for and shall pay the tax imposed by this Act on the basis of the retail value of the property transferred upon redemption of such stamps.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than $0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 95-723, eff. 6-23-08.)

(35 ILCS 120/2) (from Ch. 120, par. 441)

Sec. 2. Tax imposed. A tax is imposed upon persons engaged in the business of selling at retail tangible personal property, including computer software, and including photographs, negatives, and positives that are the product of photoprocessing, but not including products of photoprocessing produced for use in motion pictures for public commercial exhibition, or engaged in the business of providing services as set forth in in Section 1 of this Act. Beginning January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under this Act regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed.

(Source: P.A. 91-51, eff. 6-30-99; 91-870, eff. 6-22-00.)

Section 25. The School Code is amended by changing Sections 1C-2, 2-3.25c, 2-3.25d, 3-7, 10-17a, 10-20.20, 10-22.45, 18-8.05, 19-3, 21A-5, 21A-10, 21A-15, 21A-20, 21A-25, 21A-30, 23-3, 23-6, and 29-5 and by adding Sections 2-3.25d-5, 2-3.148, 2-3.149, 2-3.150, 2-3.151, 2-3.152, 10-16.10, 10-17b, 10-17c, 10-17d, 10-20.46, 17-2.11c, 21A-3, and 23-5.5 as follows:

(105 ILCS 5/1C-2)

Sec. 1C-2. Block grants.

(a) For fiscal year 1999, and each fiscal year thereafter, the State Board of Education shall award to school districts block grants as described in subsection (c). The State Board of Education may adopt rules and regulations necessary to implement this Section. In accordance with Section 2-3.32, all state block grants are subject to an audit. Therefore, block grant receipts and block grant expenditures shall be recorded to the appropriate fund code.

(b) (Blank).

(c) An Early Childhood Education Block Grant shall be created by combining the following programs: Preschool Education, Parental Training and Prevention Initiative. These funds shall be distributed to school districts and other entities on a competitive basis. Eleven percent of this grant shall be used to fund programs for children ages 0-3.

(d) For fiscal year 2010, the General Assembly shall appropriate no less than $380,261,400 to the Early Childhood Education Block Grant for the programs specified in subsection (c) of this Section.

(Source: P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/2-3.25c) (from Ch. 122, par. 2-3.25c)

Sec. 2-3.25c. Financial and other awards ~~Rewards and acknowledgements~~.

(a) The State Board of Education shall implement a system of rewards for school districts, and the schools themselves, whose students and schools consistently meet adequate yearly progress criteria for 2 or more consecutive years and a system to acknowledge schools and districts that meet adequate yearly progress criteria in a given year as specified in Section 2-3.25d of this Code.

(b) Financial awards shall be provided to the schools that the State Superintendent of Education determines have demonstrated the greatest improvement in achieving the education goals of improved student achievement and improved school completion, subject to appropriation by the General Assembly and any limitation set by the State Superintendent on the total amount that may be awarded to a school or school district; provided that such financial awards must not be used to enhance the compensation of staff in school districts having a population not exceeding 500,000.

(c) The State Superintendent of Education may present proclamations or certificates to schools and school systems determined to have met or exceeded the State's education goals under Section 2-3.64 of this Code.

(d) The Education Financial Award System Fund is created as a special fund in the State treasury. All money in the Fund shall be used, subject to appropriation, by the State Board of Education for the purpose of funding financial awards under this Section. The Fund shall consist of all moneys appropriated to the fund by the General Assembly and any gifts, grants, donations, and other moneys received by the State Board of Education for implementation of the awards system.

Any unexpended or unencumbered moneys remaining in the Education Financial Award System Fund at the end of a fiscal year shall remain in the Fund and shall not revert or be credited or transferred to the General Revenue Fund nor be transferred to any other fund. Any interest derived from the deposit and

investment of moneys in the Education Financial Award System Fund shall remain in the Fund and shall not be credited to the General Revenue Fund. The Education Financial Award System Fund must be appropriated and expended only for the awards system. The awards are subject to audit requirements established by the State Board of Education.

(e) If a school or school district meets adequate yearly progress criteria for 2 consecutive school years, that school or district shall be exempt from review and approval of its improvement plan for the next 2 succeeding school years.

(Source: P.A. 93-470, eff. 8-8-03.)

(105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)

Sec. 2-3.25d. Academic early warning and watch status.

(a) Beginning with the 2005-2006 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those schools that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on academic early warning status for the next school year. Schools on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic early warning status. Schools on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on initial academic watch status. Schools on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic watch status. Schools on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be considered as having met expectations and shall be removed from any status designation.

The school district of a school placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

A school district that has one or more schools on academic early warning or academic watch status shall prepare a revised School Improvement Plan or amendments thereto setting forth the district's expectations for removing each school from academic early warning or academic watch status and for improving student performance in the affected school or schools. Districts operating under Article 34 of this Code may prepare the School Improvement Plan required under Section 34-2.4 of this Code.

The revised School Improvement Plan for a school that is initially placed on academic early warning status or that remains on academic early warning status after a third annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that is initially placed on academic watch status after a fourth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that remains on academic watch status after a fifth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code). In addition, the district must develop a school restructuring plan for the school that must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code).

A school on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved school restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(b) Beginning with the 2005-2006 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those school districts that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on academic early warning status for the next school year. Districts on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic early warning status. Districts on academic early warning status that do not meet

adequate yearly progress criteria for a fourth annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall be placed on initial academic watch status. Districts on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic watch status. Districts on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be considered as having met expectations and shall be removed from any status designation.

A district placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

Districts on academic early warning or academic watch status shall prepare a District Improvement Plan or amendments thereto setting forth the district's expectations for removing the district from academic early warning or academic watch status and for improving student performance in the district.

All District Improvement Plans must be approved by the school board.

(c) All new and revised School and District Improvement Plans shall be developed in collaboration with parents, staff in the affected school or school district, and outside experts. All revised School and District Improvement Plans shall be developed, submitted, and monitored pursuant to rules adopted by the State Board of Education. The ~~revised~~ Improvement Plan shall address measurable outcomes for improving student performance so that such performance meets adequate yearly progress criteria as specified by the State Board of Education and shall include a staff professional development plan developed in cooperation with staff. All school districts required to revise a School Improvement Plan in accordance with this Section shall establish a peer review process for the evaluation of School Improvement Plans.

(d) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

(e) The State Board of Education, from any moneys it may have available for this purpose, must implement and administer a grant program that provides 2-year grants to school districts on the academic watch list and other school districts that have the lowest achieving students, as determined by the State Board of Education, to be used to improve student achievement. In order to receive a grant under this program, a school district must establish an accountability program. The accountability program must involve the use of statewide testing standards and local evaluation measures. A grant shall be automatically renewed when achievement goals are met. The Board may adopt any rules necessary to implement and administer this grant program.

(f) In addition to any moneys available under subsection (e) of this Section, a school district required to maintain School and District Improvement Plans under this Section, including a school district organized under Article 34 of this Code, shall annually receive from the State, subject to appropriation, an amount equal to $150 times the number of full-time certified teachers and administrators it employs for developing and implementing its mandatory School and District Improvement Plans, including its staff professional development plan.

(Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04; 94-666, eff. 8-23-05; 94-875, eff. 7-1-06.)

(105 ILCS 5/2-3.25d-5 new)

Sec. 2-3.25d-5. Educational improvement plan.

(a) Except for school districts required to develop School and District Improvement Plans under Section 2-3.25d of this Code, each school district shall develop, in compliance with rules promulgated by the State Board of Education, an educational improvement plan that must include (i) measures for improving school district, school building, and individual student performance and (ii) a staff professional development plan developed at least in cooperation with staff or, if applicable, the exclusive bargaining representatives of the staff. The district shall develop the educational improvement plan in collaboration with parents, staff, and the staff's exclusive bargaining representatives, if any.

(105 ILCS 5/2-3.148 new)

Sec. 2-3.148. The Digital Learning Technology Grant Program.

(a) As used in this Section, unless the context otherwise requires, "information technology education" means education in the development, design, use, maintenance, repair, and application of information technology systems or equipment, including, but not limited to, computers, the Internet, telecommunications devices and networks, and multi-media techniques.

(b) There is created the Digital Learning Technology Grant Program to provide money to school districts and charter schools to use in integrating information technology and scientific equipment as tools to measurably improve teaching and learning in grades 9 through 12 in this State's public schools. The State Board of Education shall administer the grant program through the acceptance, review, and

recommendation of applications submitted pursuant to this Section.

(c) Grants awarded through the grant program created under this Section shall continue for 4 fiscal years and may be renewed as provided by rule of the State Board of Education. Grants awarded through the program shall be paid out of any money appropriated or credited to the Digital Learning Technology Grant Fund. A school district or charter school shall use any moneys obtained through the grant program to integrate information technology education into the 9th grade through 12th grade curriculum. In the case of a school district, such integration shall be accomplished in one or more public schools in the district. The school district or charter school may contract with one or more private entities for assistance in integrating information technology education into the curriculum. In addition, school districts and charter schools are encouraged to partner with businesses for assistance in integrating information technology education into the curriculum.

(d) The State Board of Education shall adopt rules for the administration and implementation of the grant program created under this Section. Subject to appropriation, the grants shall be awarded through the program for the 2010-2011 school year and annually thereafter.

(e) Any school district or charter school that seeks to participate in the grant program created under this Section shall submit an application to the State Board of Education in the form and according to the deadlines established by rule of the State Board of Education. The application shall include the following information:

(1) if the applicant is a school district, the names of the schools that will receive the benefits of the grant;

(2) the current level of information technology education integration at the recipient schools;

(3) the school district's or charter school's plan for integrating information technology education into the 9th grade through 12th grade curriculum, including any specific method or program to be used, and any entities with whom the school district or charter school plans to contract or cooperate in achieving the integration;

(4) the specific, measurable goals to be achieved and the actual deliverables to be produced through the integration of information technology education into the curriculum, a deadline for achieving those goals, and a proposed method of measuring whether the goals were achieved;

(5) any businesses with which the school district or charter school has partnered to improve the availability and integration of information technology education within the curriculum; and

(6) any other information that may be specified by rule of the State Board of Education.

(f) In recommending and awarding grants through the program, the State Board of Education shall consider the following criteria:

(1) the degree to which information technology education is already integrated into the curriculum of the applying school district or charter school to ensure that those school districts and charter schools with the least degree of integration receive the grants first;

(2) the degree to which the applicant's proposed plan for using the grant moneys will result in integration of information technology tools and scientific equipment in a manner that measurably improves teaching and learning;

(3) the validity, clarity, and measurability of the goals established by the applicant and the validity of the proposed methods for measuring achievement of the goals;

(4) the accountability system of specific measures and deliverables to determine a baseline and annually assess improvements in teaching and learning;

(5) any other financial resources available to the applicant for integrating information technology education into the curriculum;

(6) the degree to which the applicant is cooperating or partnering with businesses to improve the availability and integration of information technology education in the curriculum; the State Board of Education shall apply this criteria with the goal of encouraging such partnerships;

(7) the strength and capacity of the applicant to collaborate with the science, technology, engineering and mathematics education center network under Section 4.5 of the Illinois Mathematics and Science Academy Law and to provide open source networking with other public schools in this State; and

(8) any other criteria established by rule of the State Board of Education to ensure that grants are awarded to school districts and charter schools that demonstrate the greatest need and the most valid, effective plan for integrating information technology education into the curriculum.

(g) In awarding grants through the grant program, the State Board of Education shall ensure, to the extent possible, that the grants are awarded to school districts and charter schools in all areas of this State.

(h) Nothing in this Section shall be construed to limit or otherwise affect any school district's ability to

enter into an agreement with or receive funds from any private entity.

(i) Each school district and charter school that receives a grant through the grant program created under this Section shall, by August 1 of the school year for which the grant was awarded, submit to the State Board of Education a report specifying the following information:

(1) the manner in which the grant moneys were used;

(2) the progress made toward achieving the goals specified in the grant recipient's application;

(3) any additional entities and businesses with whom the grant recipient has contracted or partnered with the goal of achieving greater integration of information technology education in the 9th grade through 12th grade curriculum;

(4) the recipient school district's and charter school's plan for continuing the integration of information technology education into the curriculum, regardless of whether the grant is renewed; and

(5) any other information specified by rule of the State Board of Education.

(j) Notwithstanding subsection (i) of this Section, a recipient school need not submit a report for any academic year in which no grants are made through the grant program.

(k) The Digital Learning Technology Grant Fund is created as a special fund in the State treasury. All money in the Fund shall be used, subject to appropriation, by the State Board of Education for the purpose of funding grants under this Section.

(l) The State Board of Education may solicit and accept money in the form of gifts, contributions, and grants to be deposited into the Digital Learning Technology Grant Fund. The acceptance of federal grants for purposes of this Section does not commit State funds nor place an obligation upon the General Assembly to continue the purposes for which the federal funds are made available.

(105 ILCS 5/2-3.149 new)

Sec. 2-3.149. Best practices clearinghouse.

(a) Beginning July 1, 2010 and subject to appropriation, the State Board of Education shall establish an online clearinghouse of information relating to best practices of campuses and school districts regarding instruction, public school finance, resource allocation, and business practices. To the extent practicable, the State Board of Education shall ensure that information provided through the online clearinghouse is specific, actionable information relating to the best practices of high-performing and highly efficient school districts rather than general guidelines relating to school district operation. The information must be accessible by school districts and interested members of the public.

(b) The State Board of Education shall solicit and collect from exemplary or recognized school districts, charter schools, and other institutions determined by the State Board of Education examples of best practices relating to instruction, public school finance, resource allocation, and business practices, including best practices relating to curriculum, scope and sequence, compensation and incentive systems, bilingual education and special language programs, compensatory education programs, and the effective use of instructional technology, including online courses.

(c) The State Board of Education may contract for the services of one or more third-party contractors to develop, implement, and maintain a system of collecting and evaluating the best practices of campuses and school districts as provided by this Section. In addition to any other considerations required by law, the State Board of Education must consider an applicant's demonstrated competence and qualifications in analyzing school district practices in awarding a contract under this subsection (c).

(d) The State Board of Education may purchase from available funds curriculum and other instructional tools identified under this Section to provide for use by school districts.

(105 ILCS 5/2-3.150 new)

Sec. 2-3.150. The Science, Technology, Engineering, and Mathematics Education Center Grant Program.

(a) As used in this Section, unless the context otherwise requires:

"Grant program" means the science, technology, engineering, and mathematics education center grant program created in this Section.

"Science, technology, engineering, and mathematics education" or "STEM" means learning experiences that integrate innovative curricular, instructional, and assessment strategies and materials, laboratory and mentorship experiences, and authentic inquiry-based and problem centered instruction to stimulate learning in the areas of science, technology, engineering, and mathematics.

"Science, technology, engineering, and mathematics education innovation center" means a center operated by a school district, a charter school, the Illinois Mathematics and Science Academy, or a joint collaborative partnership that provides STEM teaching and learning experiences, materials, laboratory and mentorship experiences, and educational seminars, institutes or workshops for students and teachers.

(b) Subject to appropriation, the Illinois Mathematics and Science Academy, in consultation and

partnership with the State Board of Education, the Board of Higher Education, the business community, the entrepreneurial technology community, and professionals, including teachers, in the field of science, technology, engineering, and mathematics shall create a strategic plan for developing a whole systems approach to redesigning prekindergarten through grade 12 STEM education in this State, including, but not limited to, designing and creating integrative teaching and learning networks among science, technology, engineering, and mathematics innovation education centers, university and corporate research facilities, and established STEM laboratories, businesses, and the Illinois Mathematics and Science Academy.

(c) At a minimum, the plan shall provide direction for program design and development, including the following:

(1) continuous generation and sharing of curricular, instructional, assessment, and program development materials and information about STEM teaching and learning throughout the network;

(2) identification of curricular, instructional, and assessment goals that reflect the research in cognition and the development of creativity in STEM fields and the systemic changes in STEM education, so as to be consistent with inquiry-based and problem-centered instruction in science, technology, engineering, and mathematics. Such goals shall also reflect current frameworks, standards, and guidelines, such as those defined by the National Research Council (National Academy of Science), the American Association for the Advancement of Science, the National Council of Teachers of Mathematics, the National Science Teachers Association, and professional associations in STEM fields;

(3) identification of essential teacher competencies and a comprehensive plan for recruiting, mentoring, and retaining STEM teachers, especially those in under-resourced schools and school districts; creation of a community of practice among STEM center educators and other teachers of science, technology, engineering, and mathematics as part of a network of promising practices in teaching; and the establishment of recruitment, mentoring, and retention plans for Golden Apple teachers in STEM fields and Illinois STEM teachers who have received national board certification and are also part of the STEM innovation network;

(4) a statement of desired competencies for STEM learning by students;

(5) a description of recommended courses of action to improve educational experiences, programs, practices, and service;

(6) the improvement of access and availability of STEM courses, especially for rural school districts and particularly to those groups which are traditionally underrepresented through the Illinois Virtual High School; the plan shall include goals for using telecommunications facilities as recommended by a telecommunications advisory commission;

(7) expectations and guidelines for designing and developing a dynamic, creative, and engaged teaching network;

(8) a description of the laboratory and incubator model for the STEM centers;

(9) support for innovation and entrepreneurship in curriculum, instruction, assessment, and professional development; and

(10) cost estimates.

(d) The plan shall provide a framework that enables the teachers, school districts, and institutions of higher education to operate as an integrated system. The plan shall provide innovative mechanisms and incentives to the following:

(1) educational providers, as well as professional associations, business and university partners, and educational receivers (students and teachers) at the prekindergarten through grade 12 and postsecondary levels to design and implement innovative curricula, including experiences, mentorships, institutes, and seminars and to develop new materials and activities for these;

(2) course providers and receivers for leveraging distance learning technologies through the Illinois Virtual High School and applying distance learning instructional design techniques, taking into consideration the work of a telecommunications advisory commission;

(3) prekindergarten through grade 12 teachers to encourage them to take graduate STEM courses and degree programs; such incentives may include a tuition matching program;

(4) appropriate State agencies, federal agencies, professional organizations, public television stations, and businesses and industries to involve them in the development of the strategic plan; and

(5) businesses, industries, and individuals for volunteering their time and community resources.

(e) The plan shall provide a mechanism for incorporating the cost for accomplishing these goals into the ongoing operating budget beginning in 2010.

(f) There is created the Science and Technology Education Center Grant Program to provide development and operating moneys in the form of matching funds for existing or proposed nonprofit STEM

education centers. At a minimum, each STEM center that receives a grant shall not only provide STEM education activities to students enrolled in the school district or charter school and materials and educational workshops to teachers employed by the school district or charter school, but also, as part of generative and innovative teaching and learning network, shall share information with all STEM centers, the Illinois Mathematics and Science Academy, and partner associations or businesses.

(g) School districts, charter schools, the Illinois Mathematics and Science Academy, and joint collaborative partnerships may establish science and technology education centers or may contract with regional offices of education, intermediate service centers, public community colleges, 4-year institutions of higher education, non-profit or for-profit education providers, youth service agencies, community-based organizations, or other appropriate entities to establish science and technology education centers within the public school system. Districts and charter schools may individually operate alternative learning opportunities programs or may collaborate with 2 or more districts or charter schools or do both to create and operate science and technology education centers.

(h) Beginning with the 2010-2011 school year, the State Board of Education shall, subject to available appropriations, annually award one or more science, technology, engineering, and mathematics education center grants for the development and operation of STEM centers.

A school district, a charter school, the Illinois Mathematics and Science Academy, or a joint collaborative partnership may apply for a STEM center grant pursuant to procedures and time lines specified by rule of the State Board of Education.

(i) The State Board of Education, in selecting one or more school districts, charter schools, or joint collaborative partnerships or the Illinois Mathematics and Science Academy for receipt of a grant, shall give priority to applicants that are geographically located farthest from other STEM centers or applicants that have less opportunity for science, technology, engineering, and mathematics resource support. The State Board shall also consider the following factors:

(1) the facility, equipment, and technology that are or will be provided and the activities and range of programs that are or will be offered by the STEM education center;

(2) the strength and capacity of the school district or charter school to work as a network cooperatively with the Illinois Mathematics and Science Academy, other STEM centers, universities and STEM laboratories, businesses, and industries; and

(3) recommendations of the Illinois P-20 Council and the Illinois Mathematics and Science Academy.

(j) A STEM center grant shall be payable from moneys appropriated to the STEM Education Center Grant Fund.

The State Board of Education shall specify the amount to be awarded to each school district, charter school, or joint collaborative partnership that is selected to receive a grant and to the Illinois Mathematics and Science Academy, if selected to receive a grant. The amount awarded to a new STEM center for start-up costs shall not exceed $1,000,000 for the first fiscal year and may not be renewed. The amount awarded to an operating STEM center for operating costs shall not exceed $500,000 for one fiscal year and shall be renewed annually for 5 consecutive years if the STEM center is meeting its accountability goals and its role as an active partner in a generative teaching and learning network.

(k) Each school district, charter school, or joint collaborative partnership that receives a grant pursuant to the grant program and the Illinois Mathematics and Science Academy, if selected to receive a grant, shall demonstrate, prior to receiving any actual moneys, that the center has received or has a written commitment for matching funds from other public or private sources in the amount of a dollar-for-dollar match with the amount of the grant. This requirement may be waived upon application to and approval by the State Board of Education based on a showing of continued need or financial hardship.

(l) The State Board of Education shall promulgate such rules as are required in this Section and such additional rules as may be required for implementation of the grant program.

(m) Each school district or charter school that receives a grant through the grant program shall, by the close of each school year for which the grant was awarded, submit to the Illinois Mathematics and Science Academy and the State Board of Education a report specifying the following information:

(1) the manner in which the grant money was used;

(2) the progress made toward achieving the goals and producing the deliverables specified in the grant recipient's application;

(3) any additional entities and businesses with whom the grant recipient has contracted or partnered with the goal of achieving greater integration of information technology education in prekindergarten through grade 12 curriculum;

(4) the recipient school district's or charter school's plan for continuing the integration of information

technology education into the curriculum, regardless of whether the grant is renewed;

(5) the documentation demonstrating effective digital collaboration and networking, technological cooperation and sharing, and personal networking via innovative, entrepreneurial networks;

(6) a description of innovative instructional methods;

(7) evidence of staff training and outreach to teachers beyond those working in the STEM education center; and

(8) any other information specified by rule of the State Board of Education.

(n) Notwithstanding the other provisions of this Section, a recipient school need not submit a report for any academic year in which no grants are made through the grant program.

(o) The STEM Education Center Grant Fund is created as a special fund in the State treasury. All money in the Fund shall be used, subject to appropriation, by the State Board of Education for the purpose of funding science, technology, engineering, and mathematics education center grants awarded under this Section.

(p) The State Board of Education may solicit and accept money in the form of gifts, contributions, and grants to be deposited in the STEM Education Center Grant Fund. The acceptance of federal grants for purposes of this Section does not commit State funds nor place an obligation upon the General Assembly to continue the purposes for which the federal funds are made available.

(105 ILCS 5/2-3.151 new)

Sec. 2-3.151. School Improvement Partnership Pool Fund.

(a) The School Improvement Partnership Pool Fund is created as a special fund in the State treasury. All interest earned on moneys in the Fund shall be deposited into the Fund. The School Improvement Partnership Pool Fund shall not be subject to sweeps, administrative charges, or charge-backs, such as, but not limited to, those authorized under Section 8h of the State Finance Act, nor any other fiscal or budgetary maneuver that would in any way transfer any funds from the School Improvement Partnership Pool Fund into any other fund of the State.

(b) Beginning in Fiscal Year 2011, moneys in the School Improvement Partnership Pool Fund shall be used, subject to appropriation, by the State Board of Education for a competitive grant program to provide school districts with demonstrated academic and financial need quality, integrated support systems, such as training for staff, tutoring programs for students, small school initiatives, literacy coaching, proven programs such as reduced class size, extended learning time, and after school and summer school programs, programs to engage parents, and other systems as determined by the State Board of Education.

(c) School districts eligible to apply to the State Board of Education for a grant under subsection (b) of this Section shall be limited to those (i) with any school that has not met adequate yearly progress under the federal No Child Left Behind Act of 2001 for at least 2 consecutive years or (ii) that have been designated through the State Board of Education's School District Financial Profile System as on financial warning or financial watch status. The State Board may, by rule, establish any additional procedures with respect to this grant program.

(105 ILCS 5/2-3.152 new)

Sec. 2-3.152. Resource management service.

(a) Subject to appropriation, the State Board of Education shall establish and maintain an Internet web-based resource management service for all school districts on or before July 1, 2013. If no State funds are provided to school districts specifically for implementation of this Section, school districts are relieved from implementing all requirements under this Section.

(b) The resource management service shall identify resource configurations that contribute to improving internal resources for instructional programs, provide action-oriented analysis and solutions, and give school districts the ability to explore different scenarios of resource allocation.

(c) Annually, by the first day of October, an Internet web-based preliminary resource allocation report must be generated for each school district and delivered via the Internet to each district superintendent for use by the management team and the exclusive bargaining agents of the school district's employees. This report shall identify potential cost savings or resource reallocation opportunities for the district in 5 core areas of school district spending. These core areas are instruction, operation and maintenance, transportation, food service, and central services. This analysis shall show district spending in detailed subcategories compared to demographically or operationally similar peer school districts. The web-based resource allocation reports generated under this Section constitute preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed or policies or actions are formulated and therefore exempt from disclosure under subdivision (f) of subsection (1) of Section 7 of the Freedom of Information Act.

(d) Each school district shall have the ability through the on-line resource allocation report to test various resource allocation scenarios relative to pre-defined peers as well as geographic peers and the most efficient peers statewide. Each district shall have the ability to choose specific combinations of districts for comparison.

(e) The resource management service shall contain, based on the spending and demographic profile of the school district, action-oriented information, such as effective best practices in schools districts, diagnostic questions, and other management or community considerations that may be implemented to capture savings identified in the resource allocation report.

(f) The resource management service may be initiated and maintained through a contract between the State Board of Education and an independent third party specializing in school market research within this State and the United States. Any contract with a third party must be awarded through the State Board of Education's standard request for proposal procedure. Up to 25% of the annual appropriation may be allocated by the State Board of Education to hire personnel and facilitate data collection. No less than 25% of the annual appropriation shall be utilized by the State Board of Education to deliver training to school district personnel in the use of the management service. Such training shall be delivered by certificated school business officials or State Board of Education trained personnel and may be provided through administrator academies and mentoring programs. The State Board of Education may establish contracts with other organizations to provide such training and mentoring.

In the event that a district does not employ a certificated school business official, if State funds are provided specifically for this purpose, at least one employee must be trained and certified in the use of the resource management service. In addition, a representative of the exclusive bargaining agents of the school district's employees shall be invited to be trained and certified.

(g) The State Board of Education shall identify the data required to implement the resource management service and develop annual data reporting instruments designed to collect the information from each school district.

The State Board of Education may provide grants to school districts to permit those school districts to develop and implement a plan for a shared services agreement in the following areas: operation and maintenance and central services.

(h) Annually, the certificated school business official or resource management service trained employee in each school district shall review and certify that the resource allocation report has been received and reviewed by the management team and the exclusive bargaining agent of the district. Subsequently, a report must be filed with the State Board of Education identifying the considerations that will be studied as a result of such analysis. In addition, any implementation of strategies or reallocation of resources associated with the resource management service must be annually reported to the Board of Education, the exclusive bargaining agents of the school district's employees, and, subsequently, the State Board of Education. The State Board shall annually prepare a cumulative report to be posted electronically containing those initiatives studied and implemented on a statewide basis.

(105 ILCS 5/3-7) (from Ch. 122, par. 3-7)

Sec. 3-7. Failure to prepare and forward information. If the trustees of schools of any township in Class II county school units, or any school district which forms a part of a Class II county school unit but which is not subject to the jurisdiction of the trustees of schools of any township in which such district is located, or any school district in any Class I county school units fail to prepare and forward or cause to be prepared and forwarded to the regional superintendent of schools, reports required by this Act, the regional superintendent of schools shall furnish such information or he shall employ a person or persons to furnish such information, as far as practicable. Such person shall have access to the books, records and papers of the school district to enable him or them to prepare such reports, and the school district shall permit such person or persons to examine such books, records and papers at such time and such place as such person or persons may desire for the purpose aforesaid. For such services the regional superintendent of schools shall bill the district an amount to cover the cost of preparation of such reports if he employs a person to prepare such reports.

Each school district shall, as of June 30 of each year, cause an audit of its accounts to be made by a person lawfully qualified to practice public accounting as regulated by the Illinois Public Accounting Act. Such audit shall include (i) development of a risk assessment of district internal controls, (ii) an annual review and update of the risk assessment, and (iii) an annual management letter that analyzes significant risk assessment findings, recommends changes for strengthening controls and reducing identified risks, and specifies timeframes for implementation of these recommendations, as well as financial statements of the district applicable to the type of records required by other sections of this Act and in addition shall set forth

the scope of audit and shall include the professional opinion signed by the auditor, or if such an opinion is denied by the auditor, shall set forth the reasons for such denial. Each school district shall on or before October 15 of each year, submit an original and one copy of the ~~such~~ audit to the regional superintendent of schools in the educational service region having jurisdiction in which case the regional superintendent of schools shall be relieved of responsibility in regard to the accounts of the school district. If any school district fails to supply the regional superintendent of schools with a copy of such audit report on or before October 15, or within such time extended by the regional superintendent of schools from that date, not to exceed 60 days, then it shall be the responsibility of the regional superintendent of schools having jurisdiction to cause such audit to be made by employing an accountant licensed to practice in the State of Illinois to conduct such audit and shall bill the district for such services, or shall with the personnel of his office make such audit to his satisfaction and bill the district for such service. In the latter case, if the audit is made by personnel employed in the office of the regional superintendent of schools having jurisdiction, then the regional superintendent of schools shall not be relieved of the responsibility as to the accountability of the school district. The copy of the audit shall be forwarded by the regional superintendent to the State Board of Education on or before November 15 of each year and shall be filed by the State Board of Education. Beginning on July 1, 2010, all school districts shall utilize a competitive request for proposals process at least once every 5 years when contracting for such an annual audit, provided that school districts with existing contracts of less than 5 years in length that are in effect on July 1, 2010 shall utilize a competitive request for proposals process when contracting for an annual audit after the expiration date of the existing contract.

Each school district that is the administrative district for several school districts operating under a joint agreement as authorized by this Act shall, as of June 30 each year, cause an audit of the accounts of the joint agreement to be made by a person lawfully qualified to practice public accounting as regulated by the Illinois Public Accounting Act. Such audit shall include (i) development of a risk assessment of district internal controls, (ii) an annual review and update of the risk assessment, and (iii) an annual management letter that analyzes significant risk assessment findings, recommends changes for strengthening controls and reducing identified risks, and specifies timeframes for implementation of these recommendations, as well as financial statements of the operation of the joint agreement applicable to the type of records required by this Act and, in addition, shall set forth the scope of the audit and shall include the professional opinion signed by the auditor, or if such an opinion is denied, the auditor shall set forth the reason for such denial. Each administrative district of a joint agreement shall on or before October 15 each year, submit an original and one copy of such audit to the regional superintendent of schools in the educational service region having jurisdiction in which case the regional superintendent of schools shall be relieved of responsibility in regard to the accounts of the joint agreement. The copy of the audit shall be forwarded by the regional superintendent to the State Board of Education on or before November 15 of each year and shall be filed by the State Board of Education. The cost of such an audit shall be apportioned among and paid by the several districts who are parties to the joint agreement, in the same manner as other costs and expenses accruing to the districts jointly. Beginning on July 1, 2010, all school districts operating under a joint agreement shall utilize a competitive request for proposals process at least once every 5 years when contracting for such an annual audit, provided that all school districts operating under a joint agreement with existing contracts of less than 5 years in length that are in effect on July 1, 2010 shall utilize a competitive request for proposals process when contracting for an annual audit after the expiration date of the existing contract.

The State Board of Education shall determine the adequacy of the audits. All audits shall be kept on file in the office of the State Board of Education.

(Source: P.A. 86-1441; 87-473.)

(105 ILCS 5/10-16.10 new)

Sec. 10-16.10. Board member leadership training.

(a) This Section shall apply to all school board members serving pursuant to Section 10-10 of this Code who have been elected on or after the effective date of this amendatory Act of the 96th General Assembly or appointed to fill a vacancy of at least one year's duration on or after the effective date of this amendatory Act of the 96th General Assembly.

(b) It is the policy of this State to encourage every voting member of a board of education of a school district elected or appointed for a term beginning on or after the effective date of this amendatory Act of the 96th General Assembly, within a year after the effective date of this amendatory Act of the 96th General Assembly or the first year of his or her term, to complete a minimum of 4 hours of professional development leadership training covering topics in education and labor law, financial oversight and

accountability, and fiduciary responsibilities of a school board member.

(c) The training on financial oversight, accountability, and fiduciary responsibilities may be provided by an association established under this Code for the purpose of training school board members or by other qualified providers approved by the State Board of Education, in conjunction with an association so established.

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. Better schools accountability.

(1) Policy and Purpose. It shall be the policy of the State of Illinois that each school district in this State, including special charter districts and districts subject to the provisions of Article 34, shall submit to parents, taxpayers of such district, the Governor, the General Assembly, and the State Board of Education a school report card assessing the performance of its schools and students. The report card shall be an index of school performance measured against statewide and local standards and will provide information to make prior year comparisons and to set future year targets through the school improvement plan.

(2) Reporting Requirements. Each school district shall prepare a report card in accordance with the guidelines set forth in this Section which describes the performance of its students by school attendance centers and by district and the district's financial resources and use of financial resources. Such report card shall be presented at a regular school board meeting subject to applicable notice requirements, posted on the school district's Internet web site, if the district maintains an Internet web site, made available to a newspaper of general circulation serving the district, and, upon request, sent home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card. In addition, each school district shall submit the completed report card to the office of the district's Regional Superintendent which shall make copies available to any individuals requesting them.

The report card shall be completed and disseminated prior to October 31 in each school year. The report card shall contain, but not be limited to, actual local school attendance center, school district and statewide data indicating the present performance of the school, the State norms and the areas for planned improvement for the school and school district.

(3) (a) The report card shall include the following applicable indicators of attendance center, district, and statewide student performance: percent of students who exceed, meet, or do not meet standards established by the State Board of Education pursuant to Section 2-3.25a; longitudinal data system assessment estimates for each district, subject to a statewide longitudinal data system being established and data being available; composite and subtest means on nationally normed achievement tests for college bound students; student attendance rates; chronic truancy rate; dropout rate; graduation rate; and student mobility, turnover shown as a percent of transfers out and a percent of transfers in.

(b) The report card shall include the following descriptions for the school, district, and State: average class size; amount of time per day devoted to mathematics, science, English and social science at primary, middle and junior high school grade levels; number of students taking the Prairie State Achievement Examination under subsection (c) of Section 2-3.64, the number of those students who received a score of excellent, and the average score by school of students taking the examination; pupil-teacher ratio; pupil-administrator ratio; operating expenditure per pupil; district expenditure by fund; average administrator salary; and average teacher salary. The report card shall also specify the amount of money that the district receives from all sources, including without limitation subcategories specifying the amount from local property taxes, the amount from general State aid, the amount from other State funding, and the amount from other income.

(c) The report card shall include applicable indicators of parental involvement in each attendance center. The parental involvement component of the report card shall include the percentage of students whose parents or guardians have had one or more personal contacts with the students' teachers during the school year concerning the students' education, and such other information, commentary, and suggestions as the school district desires. For the purposes of this paragraph, "personal contact" includes, but is not limited to, parent-teacher conferences, parental visits to school, school visits to home, telephone conversations, and written correspondence. The parental involvement component shall not single out or identify individual students, parents, or guardians by name.

(d) The report card form shall be prepared by the State Board of Education and provided to school districts by the most efficient, economic, and appropriate means.

(e) The report card shall include an indicator describing whether the school district has improved, declined, or remained stable in the aggregate percentage of students making at least one-year's academic growth each year, subject to a statewide longitudinal data system being established and data being available.

(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/10-17b new)

Sec. 10-17b. Financial policies. Beginning with the second fiscal year after the effective date of this amendatory Act of the 96th General Assembly, each school board shall adopt a formal, written financial policy. The policy may include information in the following areas:

(1) Debt capacity, issuance, and management.

(2) Capital asset management.

(3) Reserve or stabilization fund goals.

(4) Periodic budget to actual comparison reports.

(5) Fees and charges.

(6) The use of one-time revenue.

(7) Risk management related to internal controls.

(8) Purchasing.

(9) Vehicle acquisition and maintenance.

The school board shall make the policy publicly available.

(105 ILCS 5/10-17c new)

Sec. 10-17c. Long-term financial plan. Beginning with the second fiscal year after the effective date of this amendatory Act of the 96th General Assembly, each school board shall develop a long-term financial plan that extends over at least a 3-year period and that is updated and approved annually. The plan must include multi-year forecasts of revenues, expenditures, and debt. The school board may make the plan available to the public by publishing it as a separate document and submitting it with the annual budget or by posting the plan as a document on the school district's Internet website, if any. The forecasts that are the foundation of the plan must be available to participants in the budget process before budgetary decisions are made. The public must be provided opportunities for providing dialog with respect to the long-term financial planning process. Public access and review shall take place as part of the official budget hearing process in accordance with Section 17-1 of this Code, which requires the posting of notice and making documents available to the general public at least 30 days in advance of the budget hearing.

(105 ILCS 5/10-17d new)

Sec. 10-17d. Capital improvement plan. Beginning with the second fiscal year after the effective date of this amendatory Act of the 96th General Assembly, each school board shall develop a 5-year capital improvement plan that is updated and approved annually. The plan must include a summary list of the description of the capital projects to be completed over the next 5 years, along with projected expenditures, and revenue sources. The school board shall make the plan available to the public. The school board shall hold a public hearing on the capital improvement plan, which hearing may be held at a regularly scheduled meeting of the board. This hearing shall be held in the same manner and subject to the same notice and other requirements as the public hearing required prior to adoption of the budget in conformity with Section 17-1 of this Code, which requires the posting of notice and making documents available to the general public at least 30 days in advance of the budget hearing.

(105 ILCS 5/10-20.20) (from Ch. 122, par. 10-20.20)

Sec. 10-20.20. Protection from suit.) To indemnify and protect school districts, members of school boards, employees, volunteer personnel authorized in Sections 10-22.34, 10-22.34a and 10-22.34b of this Code , mentors of certified staff as authorized in Article 21A and Sections 2-3.53a, 2-3.53b, and 34-18.33 of this Code, and student teachers against civil rights damage claims and suits, constitutional rights damage claims and suits and death and bodily injury and property damage claims and suits, including defense thereof, when damages are sought for negligent or wrongful acts alleged to have been committed in the scope of employment or under the direction of the board or related to any mentoring services provided to certified staff of the school district. Such indemnification and protection shall extend to persons who were members of school boards, employees of school boards, authorized volunteer personnel, mentors of certified staff, or student teachers at the time of the incident from which a claim arises. No agent may be afforded indemnification or protection unless he was a member of a school board, an employee of a board, an authorized volunteer, a mentor of certified staff, or a student teacher at the time of the incident from which the claim arises.

(Source: P.A. 79-210.)

(105 ILCS 5/10-20.46 new)

Sec. 10-20.46. School district financial accountability.

(a) A school board shall annually include a user-friendly executive summary as part of the district's budget. The executive summary shall include all of the following:

(1) The district's major goals and objectives.

(2) A discussion of the major financial factors and trends affecting the budget, such as changes in revenues, enrollment, and debt.

(3) A description of the budget process.

(4) An overview of revenues and expenditures for all funds, including at least 3 to 5 years of prior and future trends, based on data from the annual financial report.

(5) An explanation of significant financial and demographic trends.

(6) An explanation of the reasons for a budget deficit and an explanation of how the deficit is being addressed in accordance with Section 17-1 of this Code.

(7) A budget forecast for at least 3 to 5 years in the future.

(8) Student enrollment trends, including a future forecast.

(9) The number of personnel by type.

(10) Changes in both the long term and short term debt burden.

(b) Beginning with the second fiscal year after the effective date of this amendatory Act of the 96th General Assembly, a school board shall annually include in the full budget document the following items; any or all of the following items may be published as separate documents provided that they are explicitly referenced in the annual budget and attached thereto and provided that they are made publicly available at the same time as the tentative budget document:

(1) An organizational chart.

(2) Formal financial policies pursuant to Section 10-17b of this Code.

(3) The district's long-term financial plan pursuant to Section 10-17c of this Code or a summary of the long-term financial plan.

(4) The district's capital improvement plan pursuant to Section 10-17d of this Code or a summary of the capital improvement plan.

(105 ILCS 5/10-22.45) (from Ch. 122, par. 10-22.45)

Sec. 10-22.45. A school board shall ~~To~~ establish an audit committee, which may include ~~and to appoint~~ members of the board , ~~or~~ other appropriate officers , or persons who do not serve on the board ~~to the committee~~, to review audit reports and any other financial reports and documents, including management letters prepared by or on behalf of the board. Nothing in this Section prohibits a school district from maintaining its own internal audit function.

(Source: P.A. 82-644.)

(105 ILCS 5/17-2.11c new)

Sec. 17-2.11c. Non-referendum bonds. Upon the certification of an architect and subsequent approval by the regional superintendent of schools and the State Board of Education, a board of education governing a school district having not more than 500,000 inhabitants may issue non-referendum bonds for the purposes described in Section 19-3 of this Code. Such bonds may be issued in excess of any statutory limitation as to debt prescribed in Article 19 of this Code.

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts

under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9 and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is $4,225. For the 1999-2000 school year, the Foundation Level of support is $4,325. For the 2000-2001 school year, the Foundation Level of support is $4,425. For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is $4,560. For the 2003-2004 school year, the Foundation Level of support is $4,810. For the 2004-2005 school year, the Foundation Level of support is $4,964. For the 2005-2006 school year, the Foundation Level of support is $5,164. For the 2006-2007 school year, the Foundation Level of support is $5,334. For the 2007-2008 school year, the Foundation Level of support is $5,734.

(3) For the 2008-2009 school year ~~and each school year thereafter~~, the Foundation Level of support is $5,959 ~~or such greater amount as may be established by law by the General Assembly~~.

(4) It is the intention of the 96th General Assembly that the Foundation Level of support be increased to the Education Funding Advisory Board's recommendation for the 2006-2007 school year and be inflation

adjusted to the 2013-2014 school year, which would create a Foundation Level of $8,410, and that this Foundation Level of support be reached as soon as practicable using the additional revenue generated by the tax increases provided by this amendatory Act of the 96th General Assembly.

For the 2010-2011 school year, the Foundation Level of support is $6,190. For each school year thereafter, the Foundation Level of support shall be no less than $6,190.

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance. Calculation of Available Local Resources shall exclude any tax amnesty funds received as a result of Public Act 93-26.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

For partial elementary unit districts created pursuant to Article 11E of this Code, local property tax revenues per pupil shall be calculated as the product of the equalized assessed valuation for property within the partial elementary unit district for elementary purposes, as defined in Article 11E of this Code, multiplied by 2.06% and divided by the district's Average Daily Attendance figure, plus the product of the equalized assessed valuation for property within the partial elementary unit district for high school purposes, as defined in Article 11E of this Code, multiplied by 0.94% and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the

product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of $218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to

the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(i) On the days when the Prairie State Achievement Examination is administered under subsection (c) of Section 2-3.64 of this Code, the day of attendance for a pupil whose school day must be shortened to accommodate required testing procedures may be less than 5 clock hours and shall be counted towards the 176 days of actual pupil attendance required under Section 10-19 of this Code, provided that a sufficient number of minutes of school work in excess of 5 clock hours are first completed on other school days to compensate for the loss of school work on the examination days.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

The Department of Revenue shall add to the equalized assessed value of all taxable property of each school district situated entirely or partially within a county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code (a) an amount equal to the total amount by which the homestead exemption allowed under Section 15-176 or 15-177 of the Property Tax Code for real property situated in that school district exceeds the total amount that would have been allowed in that school district if the maximum reduction under Section 15-176 was (i) $4,500 in Cook County or $3,500 in all other

counties in tax year 2003 or (ii) $5,000 in all counties in tax year 2004 and thereafter and (b) an amount equal to the aggregate amount for the taxable year of all additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. The county clerk of any county that is or was subject to the provisions of Section 15-176 or 15-177 of the Property Tax Code shall annually calculate and certify to the Department of Revenue for each school district all homestead exemption amounts under Section 15-176 or 15-177 of the Property Tax Code and all amounts of additional exemptions under Section 15-175 of the Property Tax Code for owners with a household income of $30,000 or less. It is the intent of this paragraph that if the general homestead exemption for a parcel of property is determined under Section 15-176 or 15-177 of the Property Tax Code rather than Section 15-175, then the calculation of Available Local Resources shall not be affected by the difference, if any, between the amount of the general homestead exemption allowed for that parcel of property under Section 15-176 or 15-177 of the Property Tax Code and the amount that would have been allowed had the general homestead exemption for that parcel of property been determined under Section 15-175 of the Property Tax Code. It is further the intent of this paragraph that if additional exemptions are allowed under Section 15-175 of the Property Tax Code for owners with a household income of less than $30,000, then the calculation of Available Local Resources shall not be affected by the difference, if any, because of those additional exemptions.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).

"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation

utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.

"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

Partial elementary unit districts created in accordance with Article 11E of this Code shall not be eligible for the adjustment in this subsection (G)(3) until the fifth year following the effective date of the reorganization.

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed $14,000,000. Claims shall be prorated if they exceed $14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for supplemental general State aid based upon the concentration level of children from low-income households within the school district. Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section. If the appropriation in any fiscal year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students

exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be $800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be $1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be $1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be $1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to $1,243, $1,600, and $2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be $1,273, $1,640, and $2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be $675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be $1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be $1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be $1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the

grant for each school year shall be $2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be $355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be $294.25 added to the product of $2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year and each school year thereafter through the 2008-2009 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the 2009-2010 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the 2010-2011 school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33. Notwithstanding the provisions of this paragraph to the contrary, if for any school year supplemental general State aid grants are prorated as provided in paragraph (1) of this subsection (H), then the grants under this paragraph shall be prorated.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than $261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

(d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio, enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures

which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(I) (Blank).

(J) Supplementary Grants in Aid.

(1) Notwithstanding any other provisions of this Section, the amount of the aggregate general State aid in combination with supplemental general State aid under this Section for which each school district is eligible shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-98 school year, pursuant to the provisions of that Section as it was then in effect. If a school district qualifies to receive a supplementary payment made under this subsection (J), the amount of the aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional

superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A laboratory school may not have more than 1,000 students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then

serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subsection (B) ~~subdivision (B)(3)~~ of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(P) Public Act 93-838 and Public Act 93-808 make inconsistent changes to this Section. Under Section 6 of the Statute on Statutes there is an irreconcilable conflict between Public Act 93-808 and Public Act 93-838. Public Act 93-838, being the last acted upon, is controlling. The text of Public Act 93-838 is the law regardless of the text of Public Act 93-808.

(Source: P.A. 94-69, eff. 7-1-05; 94-438, eff. 8-4-05; 94-835, eff. 6-6-06; 94-1019, eff. 7-10-06; 94-1105, eff. 6-1-07; 95-331, eff. 8-21-07; 95-644, eff. 10-12-07; 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff. 8-25-08; revised 9-5-08.)

(105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

Sec. 19-3. Boards of education. Any school district governed by a board of education and having a population of not more than 500,000 inhabitants, and not governed by a special Act may borrow money for the purpose of building, equipping, altering or repairing school buildings or purchasing or improving school sites, or acquiring and equipping playgrounds, recreation grounds, athletic fields, and other buildings or land used or useful for school purposes or for the purpose of purchasing a site, with or without a building or buildings thereon, or for the building of a house or houses on such site, or for the building of a house or houses on the school site of the school district, for residential purposes of the superintendent, principal, or teachers of the school district, and issue its negotiable coupon bonds therefor signed by the president and secretary of the board, in denominations of not less than $100 nor more than $5,000, payable at such place and at such time or times, not exceeding 20 years from date of issuance, as the board of education may prescribe, and bearing interest at a rate not to exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, payable annually, semiannually or quarterly, but, with the exception of those bonds described in Section 17-2.11c of this Code, no such bonds shall be issued unless the proposition to issue them is submitted to the voters of the district at a referendum held at a regularly scheduled election after the board has certified the proposition to the proper election authorities in accordance with the general election law, a majority of all the votes cast on the proposition is in favor of the proposition, and notice of such bond referendum has been given either (i) in accordance with the second paragraph of Section 12-1 of the Election Code irrespective of whether such notice included any reference to the public question as it appeared on the ballot, or (ii) for an election held on or after November 1, 1998, in accordance with Section 12-5 of the Election Code, or (iii) by publication of a true and legible copy of the specimen ballot label containing the proposition in the form in which it appeared or will appear on the official ballot label on the day of the election at least 5 days before the day of the election in at least one newspaper published in and having a general circulation in the district, irrespective of any other requirements of Article 12 or Section 24A-18 of the Election Code, nor shall any residential site be acquired unless such proposition to acquire a site is submitted to the voters of the district at a referendum held at a regularly scheduled election after the board has certified the proposition to the proper election authorities in accordance with the general election law and a majority of all the votes cast on the proposition is in favor of the proposition. Nothing in this Act or in any other law shall be construed to require the notice of the bond referendum to be published over the name or title of the

election authority or the listing of maturity dates of any bonds either in the notice of bond election or ballot used in the bond election. The provisions of this Section concerning notice of the bond referendum apply only to (i) consolidated primary elections held prior to January 1, 2002 and the consolidated election held on April 17, 2007 at which not less than 60% of the voters voting on the bond proposition voted in favor of the bond proposition, and (ii) other elections held before July 1, 1999; otherwise, notices required in connection with the submission of public questions shall be as set forth in Section 12-5 of the Election Code. Such proposition may be initiated by resolution of the school board.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

The proceeds of any bonds issued under authority of this Section shall be deposited and accounted for separately within the Site and Construction/Capital Improvements Fund.

(Source: P.A. 95-30, eff. 8-7-07.)

(105 ILCS 5/21A-3 new)

Sec. 21A-3. Goals. The New Teacher Induction and Mentoring Program under this Article shall accomplish the following goals:

(1) provide an effective transition into the teaching career for first year and second-year teachers in Illinois;

(2) improve the educational performance of pupils through improved training, information, and assistance for new teachers;

(3) ensure professional success and retention of new teachers;

(4) ensure that mentors provide intensive individualized support and assistance to each participating beginning teacher;

(5) ensure that an individual induction plan is in place for each beginning teacher and is based on an ongoing assessment of the development of the beginning teacher; and

(6) ensure continuous program improvement through ongoing research, development and evaluation.

(105 ILCS 5/21A-5)

Sec. 21A-5. Definitions. In this Article:

"New teacher" or "beginning teacher" means the holder of an Initial Teaching Certificate, as set forth in Section 21-2 of this Code, an Alternative Teaching Certificate, or a Transitional Bilingual Teaching Certificate, who is employed by a public school and who has not previously participated in a new teacher induction and mentoring program required by this Article, except as provided in Section 21A-25 of this Code.

"Public school" means any school operating pursuant to the authority of this Code, including without limitation a school district, a charter school, a cooperative or joint agreement with a governing body or board of control, and a school operated by a regional office of education or State agency.

(Source: P.A. 93-355, eff. 1-1-04.)

(105 ILCS 5/21A-10)

Sec. 21A-10. Development of program required. Prior to the 2011-2012 ~~During the 2003-2004~~ school year, each public school or 2 or more public schools acting jointly shall develop, in conjunction with its exclusive representative or their exclusive representatives, if any, a new teacher induction and mentoring program that meets the requirements set forth in Section 21A-20 of this Code to assist new teachers in developing the skills and strategies necessary for instructional excellence, provided that funding is made available by the State Board of Education from an appropriation made for this purpose. ~~A public school that has an existing induction and mentoring program that does not meet the requirements set forth in Section 21A-20 of this Code may have school years 2003-2004 and 2004-2005 to develop a program that does meet those requirements and may receive funding as described in Section 21A-25 of this Code, provided that the funding is made available by the State Board of Education from an appropriation made for this purpose. A public school with such an existing induction and mentoring program may receive funding for the 2005-2006 school year for each new teacher in the second year of a 2-year program that does not meet the requirements set forth in Section 21A-20, as long as the public school has established the~~

~~required new program by the beginning of that school year as described in Section 21A-15 and provided that funding is made available by the State Board of Education from an appropriation made for this purpose as described in Section 21A-25.~~

(Source: P.A. 93-355, eff. 1-1-04.)

(105 ILCS 5/21A-15)

Sec. 21A-15. When program is to be established and implemented. Notwithstanding any other provisions of this Code, by the beginning of the 2011-2012 ~~2004-2005~~ school year ~~(or by the beginning of the 2005-2006 school year for a public school that has been given an extension of time to develop a program under Section 21A-10 of this Code)~~, each public school or 2 or more public schools acting jointly shall establish and implement, in conjunction with its exclusive representative or their exclusive representatives, if any, the new teacher induction and mentoring program required to be developed under Section 21A-10 of this Code, provided that funding is made available by the State Board of Education, from an appropriation made for this purpose, as described in Section 21A-25 of this Code. A public school may contract with an institution of higher education or other independent party to assist in implementing the program.

(Source: P.A. 93-355, eff. 1-1-04.)

(105 ILCS 5/21A-20)

Sec. 21A-20. Program requirements. Each new teacher induction and mentoring program must be based on a plan that at least does all of the following:

(1) Assigns a mentor teacher to each new teacher to provide structured and intensive mentoring, as defined by the State Board of Education, for a period of at least 2 school years.

(1.5) Ensures mentors are:

(A) carefully selected from experienced, exemplary teachers using a clearly articulated, well-defined, explicit criteria and open processes that may involve key school partners;

(B) rigorously trained using best practices in the field to ensure they are well prepared to assume their responsibilities and are consistently supported in their efforts to assist beginning teachers;

(C) provided with sufficient release time from teaching to allow them to meet their responsibilities as mentors, including regular contacts with their beginning teachers and frequent observations of their teaching practice; and

(D) equipped and selected to provide classroom-focused and content-focused support whenever possible.

(2) Aligns with the Illinois Professional Teaching Standards, content area standards, and applicable local school improvement and professional development plans, if any.

(3) (Blank). ~~Addresses all of the following elements and how they will be provided:~~

~~(A) Mentoring and support of the new teacher.~~

~~(B) Professional development specifically designed to ensure the growth of the new teacher's knowledge and skills.~~

~~(C) Formative assessment designed to ensure feedback and reflection, which must not be used in any evaluation of the new teacher.~~

(4) Describes the role of mentor teachers, the criteria and process for their selection, and how they will be trained, provided that each mentor teacher shall demonstrate the best practices in teaching his or her respective field of practice. A mentor teacher may not directly or indirectly participate in the evaluation of a new teacher pursuant to Article 24A of this Code or the evaluation procedure of the public school, unless the school district and exclusive bargaining representative of its teachers negotiate and agree to it as part of an alternative evaluation plan under Section 24A-5 or 24A-8 of this Code.

(5) Provides ongoing professional development for both beginning teachers and mentors.

(A) Beginning teachers shall participate in an ongoing, formal network of novice colleagues for the purpose of professional learning, problem-solving, and mutual support. These regular learning opportunities shall begin with an orientation to the induction and mentoring program prior to the start of the school year and continue throughout the academic year. The group shall address issues of pedagogy, classroom management and content knowledge, beginning teachers' assessed needs, and local instructional needs or priorities.

(B) Mentors shall participate in an ongoing professional learning community that supports their practice and their use of mentoring tools, protocols, and formative assessment in order to tailor and deepen mentoring skills and advance induction practices, support program implementation, provide for mentor accountability in a supportive environment, and provide support to each mentor's emerging leadership.

(6) Provides for ongoing assessment of beginning teacher practice. Beginning teachers shall be subject to a system of formative assessment in which the novice and mentor collaboratively collect and analyze multiple sources of data and reflect upon classroom practice in an ongoing process. This assessment system shall be based on the Illinois Professional Teaching Standards (IPTS), the IPTS Continuum of Teacher Development, or a nationally recognized teaching framework, as well as evidence of teacher practice, including student work. The assessment information shall be used to determine the scope, focus, and content of professional development activities that are the basis of the beginning teacher's individual learning plan. The program shall provide time to ensure that the quality of the process (such as observations, data collection, and reflective conversations) is not compromised.

(7) Identifies clear roles and responsibilities for both administrators and site mentor leaders who are to work collectively to ensure induction practices are integrated into existing professional development initiatives and to secure assignments and establish working conditions for beginning teachers that maximize their chances for success. Administrators and site mentor leaders must have sufficient knowledge and experience to understand the needs of beginning teachers and the role of principals in supporting each component of the program. Site administrators must take time to meet and communicate concerns with beginning teachers and their mentors.

(8) Provides for ongoing evaluation of the New Teacher Induction and Mentoring Program pursuant to Section 21A-30 of this Code.

(Source: P.A. 93-355, eff. 1-1-04.)

(105 ILCS 5/21A-25)

Sec. 21A-25. Funding. From a separate appropriation made for the purposes of this Article, for each new teacher ~~participating in a new teacher induction and mentoring program~~ that meets the requirements set forth in Section 21A-20 of this Code ~~or in an existing program that is in the process of transition to a program that meets those requirements~~, the State Board of Education shall pay the public school $6,000 ~~$1,200~~ annually for each of 2 school years for the purpose of providing one or more of the following:

(1) Mentor teacher compensation.

(2) Mentor teacher training and other resources, ~~or~~ new teacher training and other resources, or both.

(3) Release time, including costs associated with replacing a mentor teacher or new teacher in his or her regular classroom.

(4) Site-based program administration, not to exceed 10% of the total program cost.

However, if a new teacher, after participating in the new teacher induction and mentoring program for one school year, becomes employed by another public school, the State Board of Education shall pay the teacher's new school $6,000 ~~$1,200~~ for the second school year and the teacher shall continue to be a new teacher as defined in this Article. Each public school shall determine, in conjunction with its exclusive representative, if any, how the $6,000 ~~$1,200~~ per school year for each new teacher shall be used, provided that if a mentor teacher receives additional release time to support a new teacher, the total workload of other teachers regularly employed by the public school shall not increase in any substantial manner. If the appropriation is insufficient to cover the $6,000 ~~$1,200~~ per school year for each new teacher, public schools are not required to develop or implement the program established by this Article. In the event of an insufficient appropriation, a public school or 2 or more schools acting jointly may submit an application for a grant administered by the State Board of Education and awarded on a competitive basis to establish a new teacher induction and mentoring program that meets the criteria set forth in Section 21A-20 of this Code. The State Board of Education may retain up to $1,000,000 of the appropriation for new teacher induction and mentoring programs to train mentor teachers, administrators, and other personnel, to provide best practices information, and to conduct an evaluation of these programs' impact and effectiveness.

(Source: P.A. 93-355, eff. 1-1-04.)

(105 ILCS 5/21A-30)

Sec. 21A-30. Evaluation of programs. The State Board of Education and the State Teacher Certification Board shall jointly contract with an independent party to conduct a comprehensive evaluation of new teacher induction and mentoring programs established pursuant to this Article. The first report of this evaluation shall be presented to the General Assembly on or before January 1, 2013 ~~2009~~. Subsequent evaluations shall be conducted and reports presented to the General Assembly on or before January 1 of every third year thereafter. Additionally, the State Board of Education shall prepare an annual program report for the General Assembly on or before December 31 each year. It shall summarize local program design, indicate the number of teachers served, and document rates of new teacher attrition and retention.

(Source: P.A. 93-355, eff. 1-1-04.)

(105 ILCS 5/23-3) (from Ch. 122, par. 23-3)

Sec. 23-3. Filing copy of constitution, by-laws and amendments. Within 30 days after the adoption by any such association of its constitution or by-laws or any amendment thereto, it shall file a copy thereof, certified by its president and executive director, with the Governor, the State Superintendent of Education, ~~Public Instruction~~ and the regional ~~county~~ superintendent of schools of each region ~~county~~ in which it has any membership.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/23-5.5 new)

Sec. 23-5.5. Professional development and training. Any such association shall offer professional development and training to school board members on topics that include, but are not limited to, basics of school finance, financial oversight and accountability, labor law and collective bargaining, ethics, duties and responsibilities of a school board member, and board governance principles. Every school board member is expected to receive at least 4 hours of professional development and training per year.

(105 ILCS 5/23-6) (from Ch. 122, par. 23-6)

Sec. 23-6. Annual report. Each association shall make an annual report within 60 days after the close of its fiscal year to the Governor, the State Board of Education and the regional superintendent of schools of each region in which it has members, setting forth the activities of the association for the preceding fiscal year, the institutes held, the subjects discussed, and the attendance, and shall furnish the Governor, the State Board of Education and such regional superintendents with copies of all publications sent to its members. The association shall include the board training topics offered and the number of school board members that availed themselves of professional development and training.

(Source: P.A. 81-1508.)

(105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

Sec. 29-5. Reimbursement by State for transportation. Any school district, maintaining a school, transporting resident pupils to another school district's vocational program, offered through a joint agreement approved by the State Board of Education, as provided in Section 10-22.22 or transporting its resident pupils to a school which meets the standards for recognition as established by the State Board of Education which provides transportation meeting the standards of safety, comfort, convenience, efficiency and operation prescribed by the State Board of Education for resident pupils in pre-kindergarten, kindergarten, or any of grades 1 through 12 who: (a) reside at least 1 1/2 miles as measured by the customary route of travel, from the school attended; or (b) reside in areas where conditions are such that walking constitutes a hazard to the safety of the child when determined under Section 29-3; and (c) are transported to the school attended from pick-up points at the beginning of the school day and back again at the close of the school day or transported to and from their assigned attendance centers during the school day, shall be reimbursed by the State as hereinafter provided in this Section.

The State will pay the cost of transporting eligible pupils less the assessed valuation in a dual school district maintaining secondary grades 9 to 12 inclusive times a qualifying rate of .05%; in elementary school districts maintaining any of grades pre-K ~~K~~ to 8 times a qualifying rate of .06%; and in unit districts maintaining any of grades pre-K ~~K~~ to 12, including optional elementary unit districts and combined high school - unit districts, times a qualifying rate of .07%; provided that for optional elementary unit districts and combined high school - unit districts, assessed valuation for high school purposes, as defined in Article 11E of this Code, must be used. To be eligible to receive reimbursement in excess of 4/5 of the cost to transport eligible pupils, a school district shall have a Transportation Fund tax rate of at least .12%. If a school district does not have a .12% Transportation Fund tax rate, the amount of its claim in excess of 4/5 of the cost of transporting pupils shall be reduced by the sum arrived at by subtracting the Transportation Fund tax rate from .12% and multiplying that amount by the districts equalized or assessed valuation, provided, that in no case shall said reduction result in reimbursement of less than 4/5 of the cost to transport eligible pupils.

The minimum amount to be received by a district is $16 times the number of eligible pupils transported.

Any such district transporting resident pupils during the school day to an area vocational school or another school district's vocational program more than 1 1/2 miles from the school attended, as provided in Sections 10-22.20a and 10-22.22, shall be reimbursed by the State for 4/5 of the cost of transporting eligible pupils.

School day means that period of time which the pupil is required to be in attendance for instructional purposes.

If a pupil is at a location within the school district other than his residence for child care purposes at the time for transportation to school, that location may be considered for purposes of determining the 1 1/2 miles from the school attended.

Claims for reimbursement that include children who attend any school other than a public school shall show the number of such children transported.

Claims for reimbursement under this Section shall not be paid for the transportation of pupils for whom transportation costs are claimed for payment under other Sections of this Act.

The allowable direct cost of transporting pupils for regular, vocational, and special education pupil transportation shall be limited to the sum of the cost of physical examinations required for employment as a school bus driver; the salaries of full or part-time drivers and school bus maintenance personnel; employee benefits excluding Illinois municipal retirement payments, social security payments, unemployment insurance payments and workers' compensation insurance premiums; expenditures to independent carriers who operate school buses; payments to other school districts for pupil transportation services; pre-approved contractual expenditures for computerized bus scheduling; the cost of gasoline, oil, tires, and other supplies necessary for the operation of school buses; the cost of converting buses' gasoline engines to more fuel efficient engines or to engines which use alternative energy sources; the cost of travel to meetings and workshops conducted by the regional superintendent or the State Superintendent of Education pursuant to the standards established by the Secretary of State under Section 6-106 of the Illinois Vehicle Code to improve the driving skills of school bus drivers; the cost of maintenance of school buses including parts and materials used; expenditures for leasing transportation vehicles, except interest and service charges; the cost of insurance and licenses for transportation vehicles; expenditures for the rental of transportation equipment; plus a depreciation allowance of 20% for 5 years for school buses and vehicles approved for transporting pupils to and from school and a depreciation allowance of 10% for 10 years for other transportation equipment so used. Each school year, if a school district has made expenditures to the Regional Transportation Authority or any of its service boards, a mass transit district, or an urban transportation district under an intergovernmental agreement with the district to provide for the transportation of pupils and if the public transit carrier received direct payment for services or passes from a school district within its service area during the 2000-2001 school year, then the allowable direct cost of transporting pupils for regular, vocational, and special education pupil transportation shall also include the expenditures that the district has made to the public transit carrier. In addition to the above allowable costs school districts shall also claim all transportation supervisory salary costs, including Illinois municipal retirement payments, and all transportation related building and building maintenance costs without limitation.

Special education allowable costs shall also include expenditures for the salaries of attendants or aides for that portion of the time they assist special education pupils while in transit and expenditures for parents and public carriers for transporting special education pupils when pre-approved by the State Superintendent of Education.

Indirect costs shall be included in the reimbursement claim for districts which own and operate their own school buses. Such indirect costs shall include administrative costs, or any costs attributable to transporting pupils from their attendance centers to another school building for instructional purposes. No school district which owns and operates its own school buses may claim reimbursement for indirect costs which exceed 5% of the total allowable direct costs for pupil transportation.

The State Board of Education shall prescribe uniform regulations for determining the above standards and shall prescribe forms of cost accounting and standards of determining reasonable depreciation. Such depreciation shall include the cost of equipping school buses with the safety features required by law or by the rules, regulations and standards promulgated by the State Board of Education, and the Department of Transportation for the safety and construction of school buses provided, however, any equipment cost reimbursed by the Department of Transportation for equipping school buses with such safety equipment shall be deducted from the allowable cost in the computation of reimbursement under this Section in the same percentage as the cost of the equipment is depreciated.

On or before August 15, annually, the chief school administrator for the district shall certify to the State Superintendent of Education the district's claim for reimbursement for the school year ending on June 30 next preceding. The State Superintendent of Education shall check and approve the claims and prepare the vouchers showing the amounts due for district reimbursement claims. Each fiscal year, the State Superintendent of Education shall prepare and transmit the first 3 vouchers to the Comptroller on the 30th day of September, December and March, respectively, and the final voucher, no later than June 20.

If the amount appropriated for transportation reimbursement is insufficient to fund total claims for any fiscal year, the State Board of Education shall reduce each school district's allowable costs and flat grant amount proportionately to make total adjusted claims equal the total amount appropriated.

For purposes of calculating claims for reimbursement under this Section for any school year beginning

July 1, 1998, or thereafter, the equalized assessed valuation for a school district used to compute reimbursement shall be computed in the same manner as it is computed under paragraph (2) of subsection (G) of Section 18-8.05.

All reimbursements received from the State shall be deposited into the district's transportation fund or into the fund from which the allowable expenditures were made.

Notwithstanding any other provision of law, any school district receiving a payment under this Section or under Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may classify all or a portion of the funds that it receives in a particular fiscal year or from general State aid pursuant to Section 18-8.05 of this Code as funds received in connection with any funding program for which it is entitled to receive funds from the State in that fiscal year (including, without limitation, any funding program referenced in this Section), regardless of the source or timing of the receipt. The district may not classify more funds as funds received in connection with the funding program than the district is entitled to receive in that fiscal year for that program. Any classification by a district must be made by a resolution of its board of education. The resolution must identify the amount of any payments or general State aid to be classified under this paragraph and must specify the funding program to which the funds are to be treated as received in connection therewith. This resolution is controlling as to the classification of funds referenced therein. A certified copy of the resolution must be sent to the State Superintendent of Education. The resolution shall still take effect even though a copy of the resolution has not been sent to the State Superintendent of Education in a timely manner. No classification under this paragraph by a district shall affect the total amount or timing of money the district is entitled to receive under this Code. No classification under this paragraph by a district shall in any way relieve the district from or affect any requirements that otherwise would apply with respect to that funding program, including any accounting of funds by source, reporting expenditures by original source and purpose, reporting requirements, or requirements of providing services.

Any school district with a population of not more than 500,000 must deposit all funds received under this Article into the transportation fund and use those funds for the provision of transportation services.

(Source: P.A. 94-875, eff. 7-1-06; 95-903, eff. 8-25-08.)

(105 ILCS 5/3-6 rep.) (105 ILCS 5/3-6.1 rep.)

Section 90. The School Code is amended by repealing Sections 3-6 and 3-6.1.

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

AMENDMENT NO. 3 . Amend House Bill 174, AS AMENDED, as follows:

immediately below the title, by inserting the following:

"WHEREAS, This Act may be referred to as Senate Bill 750 of the 96th General Assembly; therefore"; and

in Section 5, Sec. 50-20, subsec. (b-5), the sentence beginning "In fiscal year 2010", by replacing "Community College Board" with "Illinois Community College Board"; and

in Section 5, Sec. 50-20, subsec. (b-5), the sentence beginning "In fiscal year 2010", by replacing "Student Assistance Commission," with "Illinois Student Assistance Commission, the Illinois Mathematics and Science Academy,"; and

in Section 5, Sec. 50-20, subsec. (b-5), the sentence beginning "An exception", by replacing "Board or university" each time it appears with "Board, Academy, or university"; and

in Section 5, Sec. 50-20, subsec. (b-5), the sentence beginning "An exception", by replacing "Boards or universities" with "Boards, Academy, or universities".

AMENDMENT NO. 4 . Amend House Bill 174, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 54, line 21, by replacing "2009" with "2010"; and

on page 122, line 11, by replacing "2010-2011" with "2009-2010".

AMENDMENT NO. 5 . Amend House Bill 174, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 6, line 24, by replacing "7.2%" with "5%"; and

on page 7, line 2, by replacing "7.2%" with "5%".

The foregoing message from the Senate reporting Senate Amendments numbered 2, 3, 4 and 5 to HOUSE BILL 174 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 62

WHEREAS, In an Act enacted by the Fifth General Assembly and approved on February 12, 1827, the road from Springfield to Peoria was declared a State Road; and

WHEREAS, The Springfield to Peoria Road became Illinois' major artery for trade, commerce, passenger stage and mail delivery in the early 19th century; and

WHEREAS, Abraham Lincoln traveled this road as an attorney in the Eighth Judicial Circuit and during his campaign for the Presidency and he also sponsored legislation affecting the road; and

WHEREAS, The description of the Trail is as follows: the route leading north from Springfield using present day nomenclature would be from the Springfield city street Peoria Road. This street joins with Business 55 and crosses the Sangamon River as Business 55. Before reaching the town of Sherman, the original route veers to the west side of Sherman onto Old Tipton School Road still heading north. At the "T" intersection which is Andrew Road, the route turns west until the next intersection which is Illinois Route 124 heading north. The route continues north on Illinois Route 124 through the intersection of Illinois Route 123 and becomes Fancy Prairie Road. The route now enters Menard County. Continue north on Fancy Prairie Road until the road curves to the east with an intersection to the north. Turn north onto Peoria Road and continue north to a "T" intersection which is Middletown Blacktop. Turn east to the town of Middletown. The route is now in Logan County. The route leads north from Middletown connecting with the town of New Holland via 100th East Avenue. Leading north from New Holland on 100th East Avenue continue north until reaching Illinois Route 136. Turn east on Illinois Route 136 and continue to 300th East Avenue. Turn north on 300th East Avenue, which is Delavan Road and continue to the town of Delavan. The route is now in Tazewell County. Leading north from Delavan on Locust Street, continue until intersecting Springfield Road at Mackinaw Creek. The route continues north on Springfield Road passing through the village of Dillon and on to the town of Groveland. From Groveland continue on Springfield Road to the city of East Peoria. At East Peoria, Springfield Road connects with East Washington Street. Turning west on Washington Street which crosses the Illinois River on the Bob Michel Bridge, ending near the Franklin Street Bridge Monument in Riverfront Park in the City of Peoria; and

WHEREAS, The original trail is still intact today; it has made a significant contribution to the development of Springfield, Peoria, and all points in between; and in conjunction with the Abraham Lincoln Bicentennial, a special designation for this scenic and historic corridor is appropriate; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the A. Lincoln and Springfield to Peoria Stage Road be designated along the route cited in this Resolution; and be it further

RESOLVED, That the Illinois Department of Transportation is requested, in consultation with the Lincoln Heritage Foundation of Logan County and others, to erect at suitable locations, consistent with State regulations, plaques or signs giving notice of the name; and be it further

RESOLVED, That units of local government that maintain any portion of the Road are urged to enhance areas along the road and to erect at suitable locations, plaques or signs that have been designed by the Illinois Department of Transportation in consultation with the Lincoln Heritage Foundation of Logan County and others that gives notice of the name; and be it further

RESOLVED, That the Illinois Historic Preservation Agency and the Illinois Bureau of Tourism are requested to post on their Agency websites, and to produce brochures and other related matter that makes the Road known to the public; and be it further

RESOLVED, That copies of this resolution be presented to the Illinois Secretary of Transportation, the Illinois Historic Preservation Agency, Illinois Bureau of Tourism, and the Lincoln Heritage Foundation of Logan County and each of the local governments having jurisdiction over any portion of the Road.

Adopted by the Senate, May 30, 2009.

Jillayne Rock, Secretary of the Senate

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Holbrook was removed as principal sponsor, and Representative Chapa LaVia became the new principal sponsor of SENATE BILL 321.

With the consent of the affected members, Representative Brauer was removed as principal sponsor, and Representative William Davis became the new principal sponsor of HOUSE BILL 852.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Bradley became the new principal sponsor of HOUSE BILL 314.

With the consent of the affected members, Representative Joyce was removed as principal sponsor, and Representative Graham became the new principal sponsor of HOUSE BILL 4046.

With the consent of the affected members, Representative Joyce was removed as principal sponsor, and Representative Colvin became the new principal sponsor of HOUSE BILL 1345.

With the consent of the affected members, Representative Currie was removed as principal sponsor, and Representative Bradley became the new principal sponsor of SENATE BILL 415.

With the consent of the affected members, Representative Brosnahan was removed as principal sponsor, and Representative Colvin became the new principal sponsor of SENATE BILL 52.

With the consent of the affected members, Representative Ryg was removed as principal sponsor, and Representative Bradley became the new principal sponsor of SENATE BILL 32.

With the consent of the affected members, Representative Careen Gordon was removed as principal sponsor, and Representative Mautino became the new principal sponsor of SENATE BILL 1433.

With the consent of the affected members, Representative Burke was removed as principal sponsor, and Representative Miller became the new principal sponsor of HOUSE BILL 174.

With the consent of the affected members, Representative Farnham was removed as principal sponsor, and Representative McCarthy became the new principal sponsor of SENATE BILL 268.

HOUSE RESOLUTION

The following resolution was offered and placed in the Committee on Rules.

HOUSE JOINT RESOLUTION 66

Offered by Representative Burns:

WHEREAS, The Chicago Park District has filed applications with the Illinois Department of Natural Resources, requesting permits to install harbor facilities at Chicago Gateway Harbor and the 31st Street Harbor both in Lake Michigan in the City of Chicago to accommodate the ever-increasing boating public in the Chicago and northeastern Illinois areas; and

WHEREAS, Section 18 of the Rivers, Lakes, and Streams Act provides that it is unlawful to commence the building of a harbor or mooring facility without (i) receiving a permit for the building of those facilities from the Department of Natural Resources, (ii) having the building of those facilities authorized by the General Assembly and approved by the Governor, and (iii) establishing that the building of those facilities shall be in aid of and not an interference with the public interest or navigation; and

WHEREAS, The Department of Natural Resources, in fulfilling its statutory responsibilities, finds that the proposed construction programs requested by the Chicago Park District will be in aid of and not an

interference with the public interest or navigation, as that phrase is defined in Section 18 of the Rivers, Lakes, and Streams Act, and the Department offers no objection to the building of such facilities; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Chicago Park District is hereby authorized to construct a floating marina, to be anchored to the bed of Lake Michigan, for the purpose of accommodating the mooring of 270 watercraft at the Chicago Gateway Harbor in accordance with the terms and conditions of the permits issued by the Department of Natural Resources under the provisions of the Rivers, Lakes, and Streams Act; and be it further

RESOLVED, That the Chicago Park District is hereby authorized to construct a floating marina, to be anchored to the bed of Lake Michigan, for the purpose of accommodating the mooring of 850 watercraft at the 31st Street Harbor in accordance with the terms and conditions of the permits issued by the Department of Natural Resources under the provisions of the Rivers, Lakes, and Streams Act; and be it further

RESOLVED, That the jurisdiction and control of the Department of Natural Resources over the bed of Lake Michigan under the Rivers, Lakes, and Streams Act shall in no way be diminished or limited by the authorizations and approvals granted herein and that the title to the bed of Lake Michigan under the floating marinas authorized to be constructed shall remain in the State of Illinois and no improvements, other than those herein authorized and approved, shall be made without the further authorization and approval of the Department of Natural Resources under the provisions of the Rivers, Lakes, and Streams Act; and be it further

RESOLVED, That the approval granted by this resolution with respect to a project is rescinded if the approval of the Governor has not been received prior to the commencement of any work in connection with the construction of that project, and this approval does not apply to any work that is not in conformance with the permit issued by the Department of Natural Resources; and be it further

RESOLVED, That a suitable copy of the resolution be immediately delivered to the Department of Natural Resources for filing with papers, documents, or other material, information, and data relating to the application for and processing of the permit for such work.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 490

Offered by Representative Rose:

Mourns the death of Steven Sell of Mattoon.

HOUSE RESOLUTION 491

Offered by Representative Rose:

Thanks Ron Hunt for his years of service to the City of Villa Grove.

HOUSE RESOLUTION 492

Offered by Representative Rose:

Thanks Bill Mitze for his years of service to the City of Monticello.

HOUSE RESOLUTION 493

Offered by Representative Bradley:

Honors the members of International Brotherhood of Electrical Workers Locals 9, 51, 196, 309, 649, and 702 for their heroic efforts in restoring power and order to the citizens of southern Illinois in dangerous conditions during the series of severe storms in May of 2009.

HOUSE RESOLUTION 494

Offered by Representative Bradley:
Congratulates the members of the West Frankfort High School bass fishing team on the occasion of winning the first Illinois High School Association bass fishing State title.

HOUSE RESOLUTION 495

Offered by Representative Bradley:
Mourns the death of Claude Smith Jr. of Herrin.

HOUSE RESOLUTION 496

Offered by Representative Osmond:
Congratulates Halie Hart on the occasion of becoming the Class AA pole vaulting State champion at the seventh-grade level.

HOUSE RESOLUTION 497

Offered by Representative Feigenholtz:
Honors Dr. Robert Bloom for all his achievements and his retirement as Executive Director of Jewish Child and Family Services of Chicago.

HOUSE RESOLUTION 498

Offered by Representative Howard:
Mourns the death of Edna Marshall.

RESOLUTIONS

Having been reported out of the Committee on International Trade & Commerce on April 22, 2009, HOUSE RESOLUTION 55 was taken up for consideration.

Representative Turner offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Resolution 55 on page 1, line 16 by replacing "requiring" with "encouraging".

The foregoing motion prevailed and the amendment was adopted.

Representative Turner requested that the resolution be held on the Order of Resolutions.

Having been reported out of the Committee on Railroad Industry on May 7, 2009, HOUSE RESOLUTION 68 was taken up for consideration.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Senger offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Resolution 68 by replacing everything after the heading with the following:

"WHEREAS, On December 24, 2008, the purchase of the Elgin, Joliet and Eastern (EJ&E) rail line by Canadian National (CN) was approved by the Surface Transportation Board (STB); the EJ&E is a stretch of train tracks from Waukegan to Gary, Indiana; and

WHEREAS, While many communities in the metro area of Chicago benefited by the shift in train traffic created by the merger, many other communities experienced a negative increase in train traffic; this increase is expected to have an impact on the day-to-day lives of working families along sections of the

EJ&E, such as traffic congestion and grade crossing safety concerns, emergency vehicle access, interruption of commuter rail service, hazardous materials transportation safety, noise pollution, decreased property values, and increased taxes to pay for mitigation expenses associated with infrastructure impact from the purchase of the EJ&E rail line; and

WHEREAS, The RTA has expressed concern about possible negative effects that the proposed EJ&E merger could have on construction of the proposed STAR Line, a mass-transit line which had hoped to use part of the EJ&E's right-of-way; and

WHEREAS, Railroad transport is one of the fastest growing means of fuel-efficient freight transport in the nation and is expected to continue to grow; and

WHEREAS, Significant growth is expected in rail freight traffic in the near and distant future creating environmental and safety concerns for those communities surrounding freight rail lines; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we encourage and support action by the 111th Congress of the United States to enact legislation to review the Surface Transportation Board to ensure adequate federal support to compensate impacted local communities for infrastructure upgrades due to shifts in track usage; and be it further

RESOLVED, That we believe that the federal government should help fund infrastructure upgrades for communities impacted by mergers, such as the CN and EJ&E merger, that cause significant fluctuation in rail traffic for the health and safety of both the employees of the rail carrier and the local communities such as improvements to State, municipal, and county streets, grade crossings, and commuter rail; and be it further

RESOLVED, That we encourage Congress and President Barack Obama to support H.R. 693, the Reaching the Star Act, creating a Suburban Transit Access Route or STAR line inter-suburban commuter rail to ease road traffic congestion in 100 communities from Joliet to O'Hare International Airport, providing safe and reliable transportation options for the more than 1.6 million area residents living in high-congestion areas; and be it further

RESOLVED, That a suitable copy of this resolution be sent to President Barack Obama, the Speaker and Minority Leader of the United State House of Representatives, the President Pro Tempore and the Minority Leader of the United States Senate, and to each member of the Illinois congressional delegation.".

The foregoing motion prevailed and the amendment was adopted.

Representative Senger requested that the resolution be held on the Order of Resolutions.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 12:40 o'clock p.m.

SENATE BILLS ON SECOND READING

SENATE BILL 321. Having been read by title a second time on May 27, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Chapa LaVia offered the following amendment and moved its adoption.

AMENDMENT NO. _2_. Amend Senate Bill 321, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 32.5 as follows:

(210 ILCS 50/32.5)

Sec. 32.5. Freestanding Emergency Center.

(a) The ~~Until June 30, 2009, the~~ Department shall issue an annual Freestanding Emergency Center (FEC) license to any facility that is located in a county that does not have a licensed general acute care hospital and whose application for a permit from the Illinois Health Facilities Planning Board has been deemed complete by the Department of Public Health by March 1, 2009 and:

(1) is located: (A) in a municipality with a population of 75,000 or fewer inhabitants;

(B) within 20 miles of the hospital that owns or controls the FEC; and (C) within 20 miles of the Resource Hospital affiliated with the FEC as part of the EMS System;

(2) is wholly owned or controlled by an Associate or Resource Hospital, but is not a part of the hospital's physical plant;

(3) meets the standards for licensed FECs, adopted by rule of the Department, including, but not limited to:

(A) facility design, specification, operation, and maintenance standards;

(B) equipment standards; and

(C) the number and qualifications of emergency medical personnel and other staff, which must include at least one board certified emergency physician present at the FEC 24 hours per day.

(4) limits its participation in the EMS System strictly to receiving a limited number of BLS runs by emergency medical vehicles according to protocols developed by the Resource Hospital within the FEC's designated EMS System and approved by the Project Medical Director and the Department;

(5) provides comprehensive emergency treatment services, as defined in the rules adopted by the Department pursuant to the Hospital Licensing Act, 24 hours per day, on an outpatient basis;

(6) provides an ambulance and maintains on site ambulance services staffed with paramedics 24 hours per day;

(7) maintains helicopter landing capabilities approved by appropriate State and federal authorities;

(8) complies with all State and federal patient rights provisions, including, but not limited to, the Emergency Medical Treatment Act and the federal Emergency Medical Treatment and Active Labor Act;

(9) maintains a communications system that is fully integrated with its Resource Hospital within the FEC's designated EMS System;

(10) reports to the Department any patient transfers from the FEC to a hospital within 48 hours of the transfer plus any other data determined to be relevant by the Department;

(11) submits to the Department, on a quarterly basis, the FEC's morbidity and mortality rates for patients treated at the FEC and other data determined to be relevant by the Department;

(12) does not describe itself or hold itself out to the general public as a full service hospital or hospital emergency department in its advertising or marketing activities;

(13) complies with any other rules adopted by the Department under this Act that relate to FECs;

(14) passes the Department's site inspection for compliance with the FEC requirements of this Act;

(15) submits a copy of the permit issued by the Illinois Health Facilities Planning Board indicating that the facility has complied with the Illinois Health Facilities Planning Act with respect to the health services to be provided at the facility;

(16) submits an application for designation as an FEC in a manner and form prescribed by the Department by rule; and

(17) pays the annual license fee as determined by the Department by rule.

(b) The Department shall:

(1) annually inspect facilities of initial FEC applicants and licensed FECs, and issue annual licenses to or annually relicense FECs that satisfy the Department's licensure requirements as set forth in subsection (a);

(2) suspend, revoke, refuse to issue, or refuse to renew the license of any FEC, after notice and an opportunity for a hearing, when the Department finds that the FEC has failed to comply with the standards and requirements of the Act or rules adopted by the Department under the Act;

(3) issue an Emergency Suspension Order for any FEC when the Director or his or her designee has determined that the continued operation of the FEC poses an immediate and serious danger to the public health, safety, and welfare. An opportunity for a hearing shall be promptly initiated after an Emergency Suspension Order has been issued; and

(4) adopt rules as needed to implement this Section.

(Source: P.A. 95-584, eff. 8-31-07.)

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

The foregoing motion prevailed and the amendment was adopted.

Floor Amendment No. 3 remained in the Committee on Rules.

There being no further amendment(s), the bill, as amended, was held on the order of Second Reading.

SENATE BILL 1602. Having been read by title a second time on May 19, 2009, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on State Government Administration, adopted and reproduced.

AMENDMENT NO. 1 . Amend Senate Bill 1602 by replacing everything after the enacting clause with the following:

"Section 5. The State Officials and Employees Ethics Act is amended by changing Section 5-10 as follows:

(5 ILCS 430/5-10)

Sec. 5-10. Ethics training. Each officer, member, and employee must complete, at least annually beginning in 2004, an ethics training program conducted by the appropriate State agency. Each ultimate jurisdictional authority must implement an ethics training program for its officers, members, and employees that is designed, at a minimum, to ensure comprehension of the substance of this Act. These ethics training programs shall be overseen by the appropriate Ethics Commission and Inspector General appointed pursuant to this Act in consultation with the Office of the Attorney General. The ethics training program must enable a person, upon completion, to certify in writing that the person has completed the training program, that the person understands that he or she is subject to the ethics laws and rules of this State, and that the person will not violate those ethics laws and rules. Each person required to complete an ethics training program must provide to his or her ethics officer a signed copy of that certification by the deadline for completion of the ethics training program.

Each Inspector General shall set standards and determine the hours and frequency of training necessary for each position or category of positions. A person who fills a vacancy in an elective or appointed position that requires training and a person employed in a position that requires training must complete his or her initial ethics training within one month ~~6 months~~ after commencement of his or her office or employment.

(Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

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

Floor Amendments numbered 2 and 3 remained in the Committee on Rules.

Representative Franks offered the following amendment and moved its adoption:

AMENDMENT NO. 4 . Amend Senate Bill 1602, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Gubernatorial Boards and Commissions Act.

Section 5. Definitions. As used in this Act:

"Board" means a board authorized or created by executive order of the Governor, statute, or the Illinois Constitution to which the Governor has authority (whether or not exercised) to appoint one or more members.

"Commission" means a commission or other body authorized or created by executive order of the Governor, statute, or the Illinois Constitution to which the Governor has authority (whether or not exercised) to appoint one or more members.

"Office" means the Governor's Office of Boards and Commissions, or a successor entity within the Governor's administration.

Section 10. Repository of board and commission membership. The Office shall establish and maintain on the Internet a centralized, searchable database, freely accessible to the public, of information relating to appointed positions on the State's boards and commissions.

The database shall include, at a minimum:

(1) The qualifications for, and the powers, duties, and responsibilities of, each

appointed position on each of the State's boards and commissions.

(2) The name and term of each current appointed member of a board or commission.

(3) Each current vacancy in appointed membership of each of the State's boards and commissions.

(4) Information as to how a person may apply for appointment to a board or commission, including a uniform application that may be downloaded and printed or that may be submitted electronically.

(5) A link to that section of the Secretary of State's website that allows the public to search Statements of Economic Interest filed with the Secretary of State.

Section 15. Eligibility for appointment or reappointment to certain boards and commissions.

(a) For the purpose of this Section, "appointment or reappointment" means appointment or reappointment by the Governor to:

(1) A board or commission composed of members whose appointment or reappointment requires the advice and consent of the Senate, and whose members: (i) are entitled to compensation for their service beyond reimbursement of expenses; (ii) have statutory authority to regulate or oversee the business or activities of individuals, private entities, or public bodies; (iii) have statutory authority to issue or approve professional licenses; (iv) have statutory authority to conduct, or review the decision resulting from, any arbitration, adjudication, administrative, or quasi-judicial proceeding; or (v) have statutory authority to award grants.

(2) The governing board of a retirement system established by Article 14, 15, or 16 of the Illinois Pension Code.

(3) The Illinois State Board of Investment.

(4) The Illinois Board of Higher Education.

(5) The governing board of a State university.

(b) a person is ineligible for appointment or reappointment after the effective date of this Act if the person fails to file a disclosure of conflicts of interests and a statement of economic interests as required by Section 3A-30 and Article 4A, respectively, of the Illinois Governmental Ethics Act.

(c) Nothing in this Section shall impair the ability of a person serving on a board or commission on the effective date of this Act to complete his or her current term of membership.

Section 20. Board or commission website. A board or commission that maintains a website and has a full-time information technology staff shall make freely available to the public on that website the following:

(1) Any audio or video recordings of each of its regular or special open meetings, for a period of at least 2 years after the date of the meeting.

(2) Minutes of each of its regular or special meetings, for a period of at least 2 years after the date of the meeting.

(3) A regularly updated schedule of its future meeting dates and agenda.

Section 40. Savings provision. Nothing in this Act shall be construed to contravene any State or federal law.

Section 90. The Illinois Governmental Ethics Act is amended by changing Section 4A-101 as follows:

(5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

Sec. 4A-101. Persons required to file. The following persons shall file verified written statements of economic interests, as provided in this Article:

(a) Members of the General Assembly and candidates for nomination or election to the General Assembly.

(b) Persons holding an elected office in the Executive Branch of this State, and candidates for nomination or election to these offices.

(c) Members of a Commission or Board created by the Illinois Constitution, and candidates for nomination or election to such Commission or Board.

(d) Persons whose appointment to office is subject to confirmation by the Senate <u>and persons appointed by the Governor to any other position on a board or commission described in subsection (a) of Section 15 of the Gubernatorial Boards and Commissions Act</u>.

(e) Holders of, and candidates for nomination or election to, the office of judge or associate judge of the Circuit Court and the office of judge of the Appellate or Supreme Court.

(f) Persons who are employed by any branch, agency, authority or board of the government of this State, including but not limited to, the Illinois State Toll Highway Authority, the Illinois Housing Development Authority, the Illinois Community College Board, and institutions under the jurisdiction of

the Board of Trustees of the University of Illinois, Board of Trustees of Southern Illinois University, Board of Trustees of Chicago State University, Board of Trustees of Eastern Illinois University, Board of Trustees of Governor's State University, Board of Trustees of Illinois State University, Board of Trustees of Northeastern Illinois University, Board of Trustees of Northern Illinois University, Board of Trustees of Western Illinois University, or Board of Trustees of the Illinois Mathematics and Science Academy, and are compensated for services as employees and not as independent contractors and who:

(1) are, or function as, the head of a department, commission, board, division, bureau, authority or other administrative unit within the government of this State, or who exercise similar authority within the government of this State;

(2) have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the State in the amount of $5,000 or more;

(3) have authority for the issuance or promulgation of rules and regulations within areas under the authority of the State;

(4) have authority for the approval of professional licenses;

(5) have responsibility with respect to the financial inspection of regulated nongovernmental entities;

(6) adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the State;

(7) have supervisory responsibility for 20 or more employees of the State; or

(8) negotiate, assign, authorize, or grant naming rights or sponsorship rights regarding any property or asset of the State, whether real, personal, tangible, or intangible.

(g) Persons who are elected to office in a unit of local government, and candidates for nomination or election to that office, including regional superintendents of school districts.

(h) Persons appointed to the governing board of a unit of local government, or of a special district, and persons appointed to a zoning board, or zoning board of appeals, or to a regional, county, or municipal plan commission, or to a board of review of any county, and persons appointed to the Board of the Metropolitan Pier and Exposition Authority and any Trustee appointed under Section 22 of the Metropolitan Pier and Exposition Authority Act, and persons appointed to a board or commission of a unit of local government who have authority to authorize the expenditure of public funds. This subsection does not apply to members of boards or commissions who function in an advisory capacity.

(i) Persons who are employed by a unit of local government and are compensated for services as employees and not as independent contractors and who:

(1) are, or function as, the head of a department, division, bureau, authority or other administrative unit within the unit of local government, or who exercise similar authority within the unit of local government;

(2) have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the unit of local government in the amount of $1,000 or greater;

(3) have authority to approve licenses and permits by the unit of local government; this item does not include employees who function in a ministerial capacity;

(4) adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the unit of local government;

(5) have authority to issue or promulgate rules and regulations within areas under the authority of the unit of local government; or

(6) have supervisory responsibility for 20 or more employees of the unit of local government.

(j) Persons on the Board of Trustees of the Illinois Mathematics and Science Academy.

(k) Persons employed by a school district in positions that require that person to hold an administrative or a chief school business official endorsement.

(l) Special government agents. A "special government agent" is a person who is directed, retained, designated, appointed, or employed, with or without compensation, by or on behalf of a statewide executive branch constitutional officer to make an ex parte communication under Section 5-50 of the State Officials and Employees Ethics Act or Section 5-165 of the Illinois Administrative Procedure Act.

(m) Members of the board of commissioners of any flood prevention district.

(n) Members of the board of any retirement system or investment board established under the Illinois Pension Code, if not required to file under any other provision of this Section.

(o) Members of the board of any pension fund established under the Illinois Pension Code, if not required to file under any other provision of this Section.

This Section shall not be construed to prevent any unit of local government from enacting financial disclosure requirements that mandate more information than required by this Act.

(Source: P.A. 95-719, eff. 5-21-08; 96-6, eff. 4-3-09.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Franks, SENATE BILL 1602 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:

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

(ROLL CALL 2)

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

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

SENATE BILL ON SECOND READING

SENATE BILL 1623. Having been read by title a second time on May 27, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Mautino offered the following amendment and moved its adoption.

AMENDMENT NO. 2 . Amend Senate Bill 1623, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Gas Use Tax Law is amended by changing Section 5-40 as follows:

(35 ILCS 173/5-40)

Sec. 5-40. Incorporation of applicable Sections. The Department shall have full power to administer and enforce this Law; 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 Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers, and duties, be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 2, 4, 5, 6, 7, 9 (except provisions relating to transaction returns and except that the due date for returns shall be the 15th day of each month for the preceding calendar month), 10, 11, 12, 12a, 12b, 13, 14, 15, 18, 19, 20, 21, and 22 of the Use Tax Act, and are not inconsistent with this Section, as fully as if those provisions were set forth herein.

Notwithstanding any other provision of this Chapter, a business enterprise classified under Standard Industrial Code (SIC) 3221 that (i) was located, on or before November 1, 2005, in an enterprise zone certified by the Department of Commerce and Economic Opportunity, (ii) was eligible for an exemption

under item (1) of Section 5-50 of this Act for the entire period of November 1, 2005, through October 31, 2008, (iii) was entitled to a refund of at least $75,000 during any 6-month period between November 1, 2005 and October 31, 2008, and (iv) paid the tax due under this Act for the period from November 1, 2005 through October 31, 2008, may request that the public utility file an amended return or returns with the Department reflecting the entire credit due to the business enterprise, and the utility shall file that amended return or returns. The business enterprise must make a written request to the public utility within 15 days after the effective date of this amendatory Act of the 96th General Assembly. The utility must file the amended return or returns within 45 days after receiving the request.
(Source: P.A. 93-31, eff. 10-1-03.)
Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Walker, SENATE BILL 1623 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:
117, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 3)
This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

SENATE BILLS ON SECOND READING

SENATE BILL 612. Having been read by title a second time on May 26, 2009, and held on the order of Second Reading, the same was again taken up.
Representative Jerry Mitchell offered the following amendment and moved its adoption.

AMENDMENT NO. 1 . Amend Senate Bill 612 by replacing everything after the enacting clause with the following:
"Section 5. The School Code is amended by changing Sections 27A-4, 27A-5, 27A-8, 27A-9, 27A-10, 27A-12, 34-1.1, 34-2.4b, 34-8.3, and 34-18 and by adding Section 27A-14 as follows:
(105 ILCS 5/27A-4)
Sec. 27A-4. General Provisions.
(a) The General Assembly does not intend to alter or amend the provisions of any court-ordered desegregation plan in effect for any school district. A charter school shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.
(b) The total number of charter schools operating under this Article at any one time shall not exceed 120 ~~60~~. Not more than 70 ~~30~~ charter schools shall operate at any one time in any city having a population exceeding 500,000 and ~~;~~ not more than 45 ~~15~~ charter schools shall operate at any one time in the ~~counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located; and not more than 15 charter schools shall operate at any one time in the~~ remainder of the State, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or

among boards of education, operating at any one time in the school district where the charter school is located. In addition to these charter schools, up to but no more than 5 charter schools devoted exclusively to re-enrolled high school dropouts may operate at any one time in any city having a population exceeding 500,000. Notwithstanding any provision to the contrary in subsection (b) of Section 27A-5 of this Code, each such dropout charter may operate up to 15 campuses within the city. Any of these dropout charters may have a maximum of 1,875 enrollment seats, any one of the campuses of the dropout charter may have a maximum of 165 enrollment seats, and each campus of the dropout charter must be operated by the same legal entity as that for which the charter is approved and certified.

For purposes of implementing this Section, the State Board shall assign a number to each charter submission it receives under Section 27A-6 for its review and certification, based on the chronological order in which the submission is received by it. The State Board shall promptly notify local school boards when the maximum numbers of certified charter schools authorized to operate have been reached.

(c) No charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school.

(d) Enrollment in a charter school shall be open to any pupil who resides within the geographic boundaries of the area served by the local school board, provided that the board of education in a city having a population exceeding 500,000 may designate attendance boundaries for no more than one-third of the charter schools permitted in the city if the board of education determines that attendance boundaries are needed to relieve overcrowding or to better serve low-income and at-risk students. Students residing within an attendance boundary may be given priority for enrollment, but must not be required to attend the charter school.

(e) Nothing in this Article shall prevent 2 or more local school boards from jointly issuing a charter to a single shared charter school, provided that all of the provisions of this Article are met as to those local school boards.

(f) No local school board shall require any employee of the school district to be employed in a charter school.

(g) No local school board shall require any pupil residing within the geographic boundary of its district to enroll in a charter school.

(h) If there are more eligible applicants for enrollment in a charter school than there are spaces available, successful applicants shall be selected by lottery. However, priority shall be given to siblings of pupils enrolled in the charter school and to pupils who were enrolled in the charter school the previous school year, unless expelled for cause, and priority may be given to pupils residing within the charter school's attendance boundary, if a boundary has been designated by the board of education in a city having a population exceeding 500,000. Dual enrollment at both a charter school and a public school or non-public school shall not be allowed. A pupil who is suspended or expelled from a charter school shall be deemed to be suspended or expelled from the public schools of the school district in which the pupil resides. Notwithstanding anything to the contrary in this subsection (h), any charter school with a mission exclusive to educating high school dropouts may restrict admission to students who are high school dropouts.

(i) (Blank).

(j) Notwithstanding any other provision of law to the contrary, a school district in a city having a population exceeding 500,000 shall not have a duty to collectively bargain with an exclusive representative of its employees over decisions to grant or deny a charter school proposal under Section 27A-8 of this Code, decisions to renew or revoke a charter under Section 27A-9 of this Code, and the impact of these decisions, provided that nothing in this Section shall have the effect of negating, abrogating, replacing, reducing, diminishing, or limiting in any way employee rights, guarantees, or privileges granted in Sections 2, 3, 7, 8, 10, 14, and 15 of the Illinois Educational Labor Relations Act.

(Source: P.A. 92-16, eff. 6-28-01; 93-3, eff. 4-16-03; 93-861, eff. 1-1-05.)

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory

Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. Annually, by December 1, every charter school must submit to the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service.

(g) A charter school shall comply with all provisions of this Article and its charter. A charter school is exempt from all other State laws and regulations in the School Code governing public schools and local school board policies, except the following:

(1) Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database of applicants for employment;

(2) Sections 24-24 and 34-84A of the School Code regarding discipline of students;

(3) The Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) The Abused and Neglected Child Reporting Act;

(6) The Illinois School Student Records Act; and

(7) Section 10-17a of the School Code regarding school report cards.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(Source: P.A. 93-3, eff. 4-16-03; 93-909, eff. 8-12-04; 94-219, eff. 7-14-05.)

(105 ILCS 5/27A-8)

Sec. 27A-8. Evaluation of charter proposals.

(a) This Section does not apply to a charter school established by referendum under Section 27A-6.5. In evaluating any charter school proposal submitted to it, the local school board shall give preference to proposals that:

(1) demonstrate a high level of local pupil, parental, community, business, and school personnel support;

(2) set rigorous levels of expected pupil achievement and demonstrate feasible plans

for attaining those levels of achievement; and

(3) are designed to enroll and serve a substantial proportion of at-risk children;

provided that nothing in the Charter Schools Law shall be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk children or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy.

(b) In the case of a proposal to establish a charter school by converting an existing public school or attendance center to charter school status, evidence that the proposed formation of the charter school has received majority support from certified teachers and from parents and guardians in the school or attendance center affected by the proposed charter, and, if applicable, from a local school council, shall be demonstrated by a petition in support of the charter school signed by certified teachers and a petition in support of the charter school signed by parents and guardians and, if applicable, by a vote of the local school council held at a public meeting. In the case of all other proposals to establish a charter school, evidence of sufficient support to fill the number of pupil seats set forth in the proposal may be demonstrated by a petition in support of the charter school signed by parents and guardians of students eligible to attend the charter school. In all cases, the individuals, organizations, or entities who initiate the proposal to establish a charter school may elect, in lieu of including any petition referred to in this subsection as a part of the proposal submitted to the local school board, to demonstrate that the charter school has received the support referred to in this subsection by other evidence and information presented at the public meeting that the local school board is required to convene under this Section.

(c) Within 45 days of receipt of a charter school proposal, the local school board shall convene a public meeting to obtain information to assist the board in its decision to grant or deny the charter school proposal.

(d) Notice of the public meeting required by this Section shall be published in a community newspaper published in the school district in which the proposed charter is located and, if there is no such newspaper, then in a newspaper published in the county and having circulation in the school district. The notices shall be published not more than 10 days nor less than 5 days before the meeting and shall state that information regarding a charter school proposal will be heard at the meeting. Copies of the notice shall also be posted at appropriate locations in the school or attendance center proposed to be established as a charter school, the public schools in the school district, and the local school board office.

(e) Within 30 days of the public meeting, the local school board shall vote, in a public meeting, to either grant or deny the charter school proposal.

(f) Within 7 days of the public meeting required under subsection (e), the local school board shall file a report with the State Board granting or denying the proposal. Within 14 days of receipt of the local school board's report, the State Board shall determine whether the approved charter proposal is consistent with the provisions of this Article and, if the approved proposal complies, certify the proposal pursuant to Section 27A-6; provided that for any charter proposal submitted to the State Board within one year after the effective date of this amendatory Act of the 96th General Assembly, the State Board shall have 60 days from receipt to determine such consistency and certify the proposal.

(Source: P.A. 90-548, eff. 1-1-98; 91-407, eff. 8-3-99.)

(105 ILCS 5/27A-9)

Sec. 27A-9. Term of charter; renewal.

(a) A charter may be granted for a period not less than 5 and not more than 10 school years. A charter may be renewed in incremental periods not to exceed 5 school years.

(b) A charter school renewal proposal submitted to the local school board or State Board, as the chartering entity, shall contain:

(1) A report on the progress of the charter school in achieving the goals, objectives,

pupil performance standards, content standards, and other terms of the initial approved charter proposal; and

(2) A financial statement that discloses the costs of administration, instruction, and

other spending categories for the charter school that is understandable to the general public and that will allow comparison of those costs to other schools or other comparable organizations, in a format required by the State Board.

(c) A charter may be revoked or not renewed if the local school board or State Board, as the chartering entity, clearly demonstrates that the charter school did any of the following, or otherwise failed to comply with the requirements of this law:

(1) Committed a material violation of any of the conditions, standards, or procedures

set forth in the charter.

(2) Failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter.

(3) Failed to meet generally accepted standards of fiscal management.

(4) Violated any provision of law from which the charter school was not exempted.

In the case of revocation, the local school board or State Board, as the chartering entity, shall notify the charter school in writing of the reason why the charter is subject to revocation. The charter school shall submit a written plan to the local school board or State Board, whichever is applicable, to rectify the problem. The plan shall include a timeline for implementation, which shall not exceed 2 years or the date of the charter's expiration, whichever is earlier. If the local school board or the State Board, as the chartering entity, finds that the charter school has failed to implement the plan of remediation and adhere to the timeline, then the chartering entity shall revoke the charter. Except in situations of an emergency where the health, safety, or education of the charter school's students is at risk, the revocation shall take place at the end of a school year. Nothing in this amendatory Act of the 96th General Assembly shall be construed to prohibit an implementation timetable that is less than 2 years in duration.

(d) (Blank).

(e) Notice of a local school board's decision to deny, revoke or not to renew a charter shall be provided to the State Board. The State Board may reverse a local board's decision if the State Board finds that the charter school or charter school proposal (i) is in compliance with this Article, and (ii) is in the best interests of the students it is designed to serve. The State Board may condition the granting of an appeal on the acceptance by the charter school of funding in an amount less than that requested in the proposal submitted to the local school board. Final decisions of the State Board shall be subject to judicial review under the Administrative Review Law.

(f) Notwithstanding other provisions of this Article, if the State Board on appeal reverses a local board's decision or if a charter school is approved by referendum, the State Board shall act as the authorized chartering entity for the charter school. The State Board shall approve and certify the charter and shall perform all functions under this Article otherwise performed by the local school board. The State Board shall report the aggregate number of charter school pupils resident in a school district to that district and shall notify the district of the amount of funding to be paid by the State Board to the charter school enrolling such students. The State Board shall require the charter school to maintain accurate records of daily attendance that shall be deemed sufficient to file claims under Section 18-8.05 notwithstanding any other requirements of that Section regarding hours of instruction and teacher certification. The State Board shall withhold from funds otherwise due the district the funds authorized by this Article to be paid to the charter school and shall pay such amounts to the charter school.

(Source: P.A. 91-96, eff. 7-9-99; 91-407, eff. 8-3-99; 92-16, eff. 6-28-01.)

(105 ILCS 5/27A-10)

Sec. 27A-10. Employees.

(a) A person shall be deemed to be employed by a charter school unless a collective bargaining agreement or the charter school contract otherwise provides.

(b) In all school districts, including special charter districts and districts located in cities having a population exceeding 500,000, the local school board shall determine by policy or by negotiated agreement, if one exists, the employment status of any school district employees who are employed by a charter school and who seek to return to employment in the public schools of the district. Each local school board shall grant, for a period of up to 5 years, a leave of absence to those of its teachers who accept employment with a charter school. At the end of the authorized leave of absence, the teacher must return to the school district or resign; provided, however, that if the teacher chooses to return to the school district, the teacher must be assigned to a position which requires the teacher's certification and legal qualifications. The contractual continued service status and retirement benefits of a teacher of the district who is granted a leave of absence to accept employment with a charter school shall not be affected by that leave of absence.

(c) Charter schools shall employ in instructional positions, as defined in the charter, individuals who are certificated under Article 21 of this Code or who possess the following qualifications:

(i) graduated with a bachelor's degree from an accredited institution of higher learning;

(ii) been employed for a period of at least 5 years in an area requiring application of the individual's education;

(iii) passed the tests of basic skills and subject matter knowledge required by Section 21-1a of the School Code; and

(iv) demonstrate continuing evidence of professional growth which shall include, but

not be limited to, successful teaching experience, attendance at professional meetings, membership in professional organizations, additional credits earned at institutions of higher learning, travel specifically for educational purposes, and reading of professional books and periodicals.

(c-5) Charter schools employing individuals without certification in instructional positions shall provide such mentoring, training, and staff development for those individuals as the charter schools determine necessary for satisfactory performance in the classroom.

At ~~Beginning with the 2006-2007 school year, at~~ least 50% of the individuals employed in instructional positions by a charter school that is operating in a city having a population exceeding 500,000 and that is established on or after April 16, 2003 ~~the effective date of this amendatory Act of the 93rd General Assembly~~ shall hold teaching certificates issued under Article 21 of this Code.

At ~~Beginning with the 2006-2007 school year, at~~ least 75% of the individuals employed in instructional positions by a charter school that is operating in a city having a population exceeding 500,000 and that was ~~is~~ established before April 16, 2003 ~~the effective date of this amendatory Act of the 93rd General Assembly~~ shall hold teaching certificates issued under Article 21 of this Code.

(c-10) Notwithstanding any provision in subsection (c-5) to the contrary, in any charter school established before the effective date of this amendatory Act of the 96th General Assembly, at least 75% of the individuals employed in instructional positions by the charter school shall hold teaching certificates issued under Article 21 of this Code beginning with the 2012-2013 school year. In any charter school established after the effective date of this amendatory Act of the 96th General Assembly, at least 75% of the individuals employed in instructional positions by a charter school shall hold teaching certificates issued under Article 21 of this Code by the beginning of the fourth school year during which a student is enrolled in the charter school. Charter schools may employ non-certificated staff in all other positions.

(c-15) Charter schools ~~operating in a city having a population exceeding 500,000~~ are exempt from any annual cap on new participants in an alternative certification program. The second and third phases of the alternative certification program may be conducted and completed at the charter school, and the alternative teaching certificate is valid for 4 years or the length of the charter (or any extension of the charter), whichever is longer.

~~Notwithstanding any other provisions of the School Code, charter schools may employ non-certificated staff in all other positions.~~

(d) A teacher at a charter school may resign his or her position only if the teacher gives notice of resignation to the charter school's governing body at least 60 days before the end of the school term, and the resignation must take effect immediately upon the end of the school term.

(Source: P.A. 93-3, eff. 4-16-03.)

(105 ILCS 5/27A-12)

Sec. 27A-12. Evaluation; ~~annual~~ report. The State Board shall compile annual evaluations of charter schools received from local school boards and shall prepare an annual report on charter schools.

On or before the second Wednesday of every even-numbered year ~~January, 1998, and on or before the second Wednesday of January of each subsequent calendar year~~, the State Board shall issue a report to the General Assembly and the Governor on its findings for the previous 2 school years; provided that the report issued in 2010 need only report on the 2008-2009 school year ~~year ending in the preceding calendar year~~.

In the ~~annual~~ report required by this Section, the State Board (i) shall compare the performance of charter school pupils with the performance of ethnically and economically comparable groups of pupils in other public schools who are enrolled in academically comparable courses, (ii) shall review information regarding the regulations and policies from which charter schools were released to determine if the exemptions assisted or impeded the charter schools in meeting their stated goals and objectives, and (iii) shall include suggested changes in State law necessary to strengthen charter schools.

In addition, the State Board shall undertake and report on periodic evaluations of charter schools that include evaluations of student academic achievement, the extent to which charter schools are accomplishing their missions and goals, the sufficiency of funding for charter schools, and the need for changes in the approval process for charter schools.

(Source: P.A. 91-407, eff. 8-3-99.)

(105 ILCS 5/27A-14 new)

(Section scheduled to be repealed on January 10, 2010)

Sec. 27A-14. Independent Charter School Authorizer Task Force.

(a) The State Board of Education shall convene an Independent Charter School Authorizer Task Force for the purpose of studying the need, if any, for an independent charter school authorizer in this State. The task force shall (i) compile a comparative analysis of charter school authorizing practices across the United

States; (ii) conduct an assessment of the capacity of school districts in this State to authorize charter schools; (iii) assess the ability and interest of this State's public universities in serving as charter school authorizers; (iv) analyze the capacity of the State Board as a charter school authorizer; and (v) make recommendations as to the amount of funding necessary to operate an independent authorizer and the system of support, at the State Board or otherwise, necessary for any such independent authorizer to operate successfully.

(b) The task force shall consist of all of the following voting members:

(1) A person appointed by the President of the Senate.

(2) A person appointed by the Minority Leader of the Senate.

(3) A person appointed by the Speaker of the House of Representatives.

(4) A person appointed by the Minority Leader of the House of Representatives.

(5) The State Superintendent of Education or his or her designee.

(6) A representative of a statewide professional teachers organization, appointed by the head of that organization.

(7) A representative of a different statewide professional teachers organization, appointed by the head of that organization.

(8) A representative of an organization representing principals in a city having a population exceeding 500,000, appointed by the head of that organization.

(9) A representative of an organization representing professional teachers in a city having a population exceeding 500,000, appointed by the head of that organization.

(10) The chief executive officer of a school district in a city having a population exceeding 500,000 or his or her designee.

(11) The chairperson of the board of the Illinois Network of Charter Schools or his or her designee.

(12) A nationally recognized expert on charter school authorization, appointed by the State Superintendent of Education.

(13) A principal of an established charter school in this State, appointed by the State Superintendent of Education.

(14) A representative of an organization representing the business community in this State, appointed by the head of that organization.

(15) A person appointed by a statewide organization representing school boards in this State.

(16) A person appointed by a statewide organization representing school district superintendents in this State.

(c) Members of the task force shall receive no compensation for their participation, but may be reimbursed by the State Board for expenses in connection with their participation, including travel, but only if funds at the State Board are available.

(d) The task force shall submit a final report of its findings and recommendations to the Governor and the General Assembly on or before January 1, 2010. The task force shall be abolished 10 days after this submission.

(e) This Section is repealed on January 10, 2010.

(105 ILCS 5/34-1.1) (from Ch. 122, par. 34-1.1)

Sec. 34-1.1. Definitions. As used in this Article:

"Academic Accountability Council" means the Chicago Schools Academic Accountability Council created under Section 34-3.4.

"Local School Council" means a local school council established under Section 34-2.1.

"School" and "attendance center" are used interchangeably to mean any attendance center operated pursuant to this Article and under the direction of one principal.

"Secondary Attendance Center" means a school which has students enrolled in grades 9 through 12 (although it may also have students enrolled in grades below grade 9).

"Local Attendance Area School" means a school which has a local attendance area established by the board.

"Multi-area school" means a school other than a local attendance area school.

"Contract school" means an attendance center managed and operated by a for-profit or not-for-profit private entity retained by the board to provide instructional and other services to a majority of the pupils enrolled in the attendance center.

"Contract turnaround school" means an experimental contract school created by the board to implement alternative governance in an attendance center subject to restructuring or similar intervention under federal law that has not made adequate yearly progress for 5 consecutive years or a time period set forth in federal

law.

"Parent" means a parent or legal guardian of an enrolled student of an attendance center.

"Community resident" means a person, 18 years of age or older, residing within an attendance area served by a school, excluding any person who is a parent of a student enrolled in that school; provided that with respect to any multi-area school, community resident means any person, 18 years of age or older, residing within the voting district established for that school pursuant to Section 34-2.1c, excluding any person who is a parent of a student enrolled in that school.

"School staff" means all certificated and uncertificated school personnel, including all teaching and administrative staff (other than the principal) and including all custodial, food service and other civil service employees, who are employed at and assigned to perform the majority of their employment duties at one attendance center served by the same local school council.

"Regular meetings" means the meeting dates established by the local school council at its annual organizational meeting.

(Source: P.A. 88-511; 89-15, eff. 5-30-95.)

(105 ILCS 5/34-2.4b) (from Ch. 122, par. 34-2.4b)

Sec. 34-2.4b. Limitation upon applicability. The provisions of Sections 34-2.1, 34-2.2, 34-2.3, 34-2.3a, 34-2.4 and 34-8.3, and those provisions of paragraph 1 of Section 34-18 and paragraph (c) of Section 34A-201a relating to the allocation or application -- by formula or otherwise -- of lump sum amounts and other funds to attendance centers, shall not apply to attendance centers that have applied for and been designated as a "Small School" by the Board, the Cook County Juvenile Detention Center and Cook County Jail schools, nor to the district's alternative schools for pregnant girls, nor to alternative schools established under Article 13A, nor to a contract school, nor to the Michael R. Durso School, the Jackson Adult Center, the Hillard Adult Center, the Alternative Transitional School, or any other attendance center designated by the Board as an alternative school, provided that the designation is not applied to an attendance center ~~a school building~~ that has in place a legally constituted local school council , except for contract turnaround schools. The ~~; and the~~ board of education shall have and exercise with respect to those schools and with respect to the conduct, operation, affairs and budgets of those schools, and with respect to the principals, teachers and other school staff there employed, the same powers which are exercisable by local school councils with respect to the other attendance centers, principals, teachers and school staff within the district, together with all powers and duties generally exercisable by the board of education with respect to all attendance centers within the district. The board of education shall develop appropriate alternative methods for involving parents, community members and school staff to the maximum extent possible in all of the activities of those schools, and may delegate to the parents, community members and school staff so involved the same powers which are exercisable by local school councils with respect to other attendance centers.

(Source: P.A. 90-566, eff. 1-2-98; 91-622, eff. 8-19-99.)

(105 ILCS 5/34-8.3) (from Ch. 122, par. 34-8.3)

Sec. 34-8.3. Remediation and probation of attendance centers.

(a) The general superintendent shall monitor the performance of the attendance centers within the district and shall identify attendance centers, pursuant to criteria that the board shall establish, in which:

(1) there is a failure to develop, implement, or comply with a school improvement plan;

(2) there is a pervasive breakdown in the educational program as indicated by factors, including, but not limited to, the absence of improvement in student reading and math achievement scores, an increased drop-out rate, a decreased graduation rate, and a decrease in rate of student attendance;

(3) (blank); or

(4) there is a failure or refusal to comply with the provisions of this Act, other applicable laws, collective bargaining agreements, court orders, or with Board rules which the Board is authorized to promulgate.

(b) If the general superintendent identifies a nonperforming school as described herein, he or she shall place the attendance center on remediation by developing a remediation plan for the center. The purpose of the remediation plan shall be to correct the deficiencies in the performance of the attendance center by one or more of the following methods:

(1) drafting a new school improvement plan;

(2) applying to the board for additional funding for training for the local school council;

(3) directing implementation of a school improvement plan;

(4) mediating disputes or other obstacles to reform or improvement at the attendance center.

If, however, the general superintendent determines that the problems are not able to be remediated by these methods, the general superintendent shall place the attendance center on probation. The board shall establish guidelines that determine the factors for placing an attendance center on probation.

(c) Each school placed on probation shall have a school improvement plan and school budget for correcting deficiencies identified by the board. The plan shall include specific steps that the local school council and school staff must take to correct identified deficiencies and specific objective criteria by which the school's subsequent progress will be determined. The school budget shall include specific expenditures directly calculated to correct educational and operational deficiencies identified at the school by the probation team.

(d) Schools placed on probation that, after a maximum of one year, fail to make adequate progress in correcting deficiencies are subject to the following actions ~~action~~ by the general superintendent with the approval of the board, after opportunity for a hearing:

(1) Ordering new local school council elections.

(2) Removing and replacing the principal.

(3) Replacement of faculty members, subject to the provisions of Section 24A-5.

(4) Reconstitution of the attendance center and replacement and reassignment by the general superintendent of all employees of the attendance center.

(5) Intervention under Section 34-8.4.

(5.5) Operating an attendance center as a contract turnaround school.

(6) Closing of the school.

(e) Schools placed on probation shall remain on probation from year to year until deficiencies are corrected, even if such schools make acceptable annual progress. The board shall establish, in writing, criteria for determining whether or not a school shall remain on probation. If academic achievement tests are used as the factor for placing a school on probation, the general superintendent shall consider objective criteria, not just an increase in test scores, in deciding whether or not a school shall remain on probation. These criteria shall include attendance, test scores, student mobility rates, poverty rates, bilingual education eligibility, special education, and English language proficiency programs, with progress made in these areas being taken into consideration in deciding whether or not a school shall remain on probation.

(f) Where the board has reason to believe that violations of civil rights, or of civil or criminal law have occurred, or when the general superintendent deems that the school is in educational crisis it may take immediate corrective action, including the actions specified in this Section, without first placing the school on remediation or probation. Nothing described herein shall limit the authority of the board as provided by any law of this State. The board shall develop criteria governing the determination regarding when a school is in educational crisis.

(g) All persons serving as subdistrict superintendent on May 1, 1995 shall be deemed by operation of law to be serving under a performance contract which expires on June 30, 1995, and the employment of each such person as subdistrict superintendent shall terminate on June 30, 1995. The board shall have no obligation to compensate any such person as a subdistrict superintendent after June 30, 1995.

(h) The general superintendent shall, in consultation with local school councils, conduct an annual evaluation of each principal in the district pursuant to guidelines promulgated by the Board of Education.

(Source: P.A. 91-219, eff. 1-1-00; 91-622, eff. 8-19-99; 92-16, eff. 6-28-01.)

(105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

Sec. 34-18. Powers of the board. The board shall exercise general supervision and jurisdiction over the public education and the public school system of the city, and, except as otherwise provided by this Article, shall have power:

1. To make suitable provision for the establishment and maintenance throughout the year or for such portion thereof as it may direct, not less than 9 months, of schools of all grades and kinds, including normal schools, high schools, night schools, schools for defectives and delinquents, parental and truant schools, schools for the blind, the deaf and the crippled, schools or classes in manual training, constructural and vocational teaching, domestic arts and physical culture, vocation and extension schools and lecture courses, and all other educational courses and facilities, including establishing, equipping, maintaining and operating playgrounds and recreational programs, when such programs are conducted in, adjacent to, or connected with any public school under the general supervision and jurisdiction of the board; provided that the calendar for the school term and any changes must be submitted to and approved by the State Board of Education before the calendar or changes may take effect, and provided that in

allocating funds from year to year for the operation of all attendance centers within the district, the board shall ensure that supplemental general State aid funds are allocated and applied in accordance with Section 18-8 or 18-8.05. To admit to such schools without charge foreign exchange students who are participants in an organized exchange student program which is authorized by the board. The board shall permit all students to enroll in apprenticeship programs in trade schools operated by the board, whether those programs are union-sponsored or not. No student shall be refused admission into or be excluded from any course of instruction offered in the common schools by reason of that student's sex. No student shall be denied equal access to physical education and interscholastic athletic programs supported from school district funds or denied participation in comparable physical education and athletic programs solely by reason of the student's sex. Equal access to programs supported from school district funds and comparable programs will be defined in rules promulgated by the State Board of Education in consultation with the Illinois High School Association. Notwithstanding any other provision of this Article, neither the board of education nor any local school council or other school official shall recommend that children with disabilities be placed into regular education classrooms unless those children with disabilities are provided with supplementary services to assist them so that they benefit from the regular classroom instruction and are included on the teacher's regular education class register;

2. To furnish lunches to pupils, to make a reasonable charge therefor, and to use school funds for the payment of such expenses as the board may determine are necessary in conducting the school lunch program;

3. To co-operate with the circuit court;

4. To make arrangements with the public or quasi-public libraries and museums for the use of their facilities by teachers and pupils of the public schools;

5. To employ dentists and prescribe their duties for the purpose of treating the pupils in the schools, but accepting such treatment shall be optional with parents or guardians;

6. To grant the use of assembly halls and classrooms when not otherwise needed, including light, heat, and attendants, for free public lectures, concerts, and other educational and social interests, free of charge, under such provisions and control as the principal of the affected attendance center may prescribe;

7. To apportion the pupils to the several schools; provided that no pupil shall be excluded from or segregated in any such school on account of his color, race, sex, or nationality. The board shall take into consideration the prevention of segregation and the elimination of separation of children in public schools because of color, race, sex, or nationality. Except that children may be committed to or attend parental and social adjustment schools established and maintained either for boys or girls only. All records pertaining to the creation, alteration or revision of attendance areas shall be open to the public. Nothing herein shall limit the board's authority to establish multi-area attendance centers or other student assignment systems for desegregation purposes or otherwise, and to apportion the pupils to the several schools. Furthermore, beginning in school year 1994-95, pursuant to a board plan adopted by October 1, 1993, the board shall offer, commencing on a phased-in basis, the opportunity for families within the school district to apply for enrollment of their children in any attendance center within the school district which does not have selective admission requirements approved by the board. The appropriate geographical area in which such open enrollment may be exercised shall be determined by the board of education. Such children may be admitted to any such attendance center on a space available basis after all children residing within such attendance center's area have been accommodated. If the number of applicants from outside the attendance area exceed the space available, then successful applicants shall be selected by lottery. The board of education's open enrollment plan must include provisions that allow low income students to have access to transportation needed to exercise school choice. Open enrollment shall be in compliance with the provisions of the Consent Decree and Desegregation Plan cited in Section 34-1.01;

8. To approve programs and policies for providing transportation services to students. Nothing herein shall be construed to permit or empower the State Board of Education to order, mandate, or require busing or other transportation of pupils for the purpose of achieving racial balance in any school;

9. Subject to the limitations in this Article, to establish and approve system-wide curriculum objectives and standards, including graduation standards, which reflect the multi-cultural diversity in the city and are consistent with State law, provided that for all purposes of this Article courses or proficiency in American Sign Language shall be deemed to constitute courses or proficiency in a foreign language; and to employ principals and teachers, appointed as provided in this Article, and

fix their compensation. The board shall prepare such reports related to minimal competency testing as may be requested by the State Board of Education, and in addition shall monitor and approve special education and bilingual education programs and policies within the district to assure that appropriate services are provided in accordance with applicable State and federal laws to children requiring services and education in those areas;

10. To employ non-teaching personnel or utilize volunteer personnel for: (i) non-teaching duties not requiring instructional judgment or evaluation of pupils, including library duties; and (ii) supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media such as computers, video, and audio, detention and discipline areas, and school-sponsored extracurricular activities. The board may further utilize volunteer non-certificated personnel or employ non-certificated personnel to assist in the instruction of pupils under the immediate supervision of a teacher holding a valid certificate, directly engaged in teaching subject matter or conducting activities; provided that the teacher shall be continuously aware of the non-certificated persons' activities and shall be able to control or modify them. The general superintendent shall determine qualifications of such personnel and shall prescribe rules for determining the duties and activities to be assigned to such personnel;

10.5. To utilize volunteer personnel from a regional School Crisis Assistance Team (S.C.A.T.), created as part of the Safe to Learn Program established pursuant to Section 25 of the Illinois Violence Prevention Act of 1995, to provide assistance to schools in times of violence or other traumatic incidents within a school community by providing crisis intervention services to lessen the effects of emotional trauma on individuals and the community; the School Crisis Assistance Team Steering Committee shall determine the qualifications for volunteers;

11. To provide television studio facilities in not to exceed one school building and to provide programs for educational purposes, provided, however, that the board shall not construct, acquire, operate, or maintain a television transmitter; to grant the use of its studio facilities to a licensed television station located in the school district; and to maintain and operate not to exceed one school radio transmitting station and provide programs for educational purposes;

12. To offer, if deemed appropriate, outdoor education courses, including field trips within the State of Illinois, or adjacent states, and to use school educational funds for the expense of the said outdoor educational programs, whether within the school district or not;

13. During that period of the calendar year not embraced within the regular school term, to provide and conduct courses in subject matters normally embraced in the program of the schools during the regular school term and to give regular school credit for satisfactory completion by the student of such courses as may be approved for credit by the State Board of Education;

14. To insure against any loss or liability of the board, the former School Board Nominating Commission, Local School Councils, the Chicago Schools Academic Accountability Council, or the former Subdistrict Councils or of any member, officer, agent or employee thereof, resulting from alleged violations of civil rights arising from incidents occurring on or after September 5, 1967 or from the wrongful or negligent act or omission of any such person whether occurring within or without the school premises, provided the officer, agent or employee was, at the time of the alleged violation of civil rights or wrongful act or omission, acting within the scope of his employment or under direction of the board, the former School Board Nominating Commission, the Chicago Schools Academic Accountability Council, Local School Councils, or the former Subdistrict Councils; and to provide for or participate in insurance plans for its officers and employees, including but not limited to retirement annuities, medical, surgical and hospitalization benefits in such types and amounts as may be determined by the board; provided, however, that the board shall contract for such insurance only with an insurance company authorized to do business in this State. Such insurance may include provision for employees who rely on treatment by prayer or spiritual means alone for healing, in accordance with the tenets and practice of a recognized religious denomination;

15. To contract with the corporate authorities of any municipality or the county board of any county, as the case may be, to provide for the regulation of traffic in parking areas of property used for school purposes, in such manner as is provided by Section 11-209 of The Illinois Vehicle Code, approved September 29, 1969, as amended;

16. (a) To provide, on an equal basis, access to a high school campus and student directory information to the official recruiting representatives of the armed forces of Illinois and the United States for the purposes of informing students of the educational and career opportunities available in the military if the board has provided such access to persons or groups whose purpose is to acquaint

students with educational or occupational opportunities available to them. The board is not required to give greater notice regarding the right of access to recruiting representatives than is given to other persons and groups. In this paragraph 16, "directory information" means a high school student's name, address, and telephone number.

(b) If a student or his or her parent or guardian submits a signed, written request to the high school before the end of the student's sophomore year (or if the student is a transfer student, by another time set by the high school) that indicates that the student or his or her parent or guardian does not want the student's directory information to be provided to official recruiting representatives under subsection (a) of this Section, the high school may not provide access to the student's directory information to these recruiting representatives. The high school shall notify its students and their parents or guardians of the provisions of this subsection (b).

(c) A high school may require official recruiting representatives of the armed forces of Illinois and the United States to pay a fee for copying and mailing a student's directory information in an amount that is not more than the actual costs incurred by the high school.

(d) Information received by an official recruiting representative under this Section may be used only to provide information to students concerning educational and career opportunities available in the military and may not be released to a person who is not involved in recruiting students for the armed forces of Illinois or the United States;

17. (a) To sell or market any computer program developed by an employee of the school district, provided that such employee developed the computer program as a direct result of his or her duties with the school district or through the utilization of the school district resources or facilities. The employee who developed the computer program shall be entitled to share in the proceeds of such sale or marketing of the computer program. The distribution of such proceeds between the employee and the school district shall be as agreed upon by the employee and the school district, except that neither the employee nor the school district may receive more than 90% of such proceeds. The negotiation for an employee who is represented by an exclusive bargaining representative may be conducted by such bargaining representative at the employee's request.

(b) For the purpose of this paragraph 17:

(1) "Computer" means an internally programmed, general purpose digital device capable of automatically accepting data, processing data and supplying the results of the operation.

(2) "Computer program" means a series of coded instructions or statements in a form acceptable to a computer, which causes the computer to process data in order to achieve a certain result.

(3) "Proceeds" means profits derived from marketing or sale of a product after deducting the expenses of developing and marketing such product;

18. To delegate to the general superintendent of schools, by resolution, the authority to approve contracts and expenditures in amounts of $10,000 or less;

19. Upon the written request of an employee, to withhold from the compensation of that employee any dues, payments or contributions payable by such employee to any labor organization as defined in the Illinois Educational Labor Relations Act. Under such arrangement, an amount shall be withheld from each regular payroll period which is equal to the pro rata share of the annual dues plus any payments or contributions, and the board shall transmit such withholdings to the specified labor organization within 10 working days from the time of the withholding;

19a. Upon receipt of notice from the comptroller of a municipality with a population of 500,000 or more, a county with a population of 3,000,000 or more, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or a housing authority of a municipality with a population of 500,000 or more that a debt is due and owing the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority by an employee of the Chicago Board of Education, to withhold, from the compensation of that employee, the amount of the debt that is due and owing and pay the amount withheld to the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority; provided, however, that the amount deducted from any one salary or wage payment shall not exceed 25% of the net amount of the payment. Before the Board deducts any amount from any salary or wage of an employee under this paragraph, the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing

authority shall certify that (i) the employee has been afforded an opportunity for a hearing to dispute the debt that is due and owing the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority and (ii) the employee has received notice of a wage deduction order and has been afforded an opportunity for a hearing to object to the order. For purposes of this paragraph, "net amount" means that part of the salary or wage payment remaining after the deduction of any amounts required by law to be deducted and "debt due and owing" means (i) a specified sum of money owed to the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority for services, work, or goods, after the period granted for payment has expired, or (ii) a specified sum of money owed to the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority pursuant to a court order or order of an administrative hearing officer after the exhaustion of, or the failure to exhaust, judicial review;

20. The board is encouraged to employ a sufficient number of certified school counselors to maintain a student/counselor ratio of 250 to 1 by July 1, 1990. Each counselor shall spend at least 75% of his work time in direct contact with students and shall maintain a record of such time;

21. To make available to students vocational and career counseling and to establish 5 special career counseling days for students and parents. On these days representatives of local businesses and industries shall be invited to the school campus and shall inform students of career opportunities available to them in the various businesses and industries. Special consideration shall be given to counseling minority students as to career opportunities available to them in various fields. For the purposes of this paragraph, minority student means a person who is:

(a) Black (a person having origins in any of the black racial groups in Africa);

(b) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean islands, regardless of race);

(c) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands); or

(d) American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

Counseling days shall not be in lieu of regular school days;

22. To report to the State Board of Education the annual student dropout rate and number of students who graduate from, transfer from or otherwise leave bilingual programs;

23. Except as otherwise provided in the Abused and Neglected Child Reporting Act or other applicable State or federal law, to permit school officials to withhold, from any person, information on the whereabouts of any child removed from school premises when the child has been taken into protective custody as a victim of suspected child abuse. School officials shall direct such person to the Department of Children and Family Services, or to the local law enforcement agency if appropriate;

24. To develop a policy, based on the current state of existing school facilities, projected enrollment and efficient utilization of available resources, for capital improvement of schools and school buildings within the district, addressing in that policy both the relative priority for major repairs, renovations and additions to school facilities, and the advisability or necessity of building new school facilities or closing existing schools to meet current or projected demographic patterns within the district;

25. To make available to the students in every high school attendance center the ability to take all courses necessary to comply with the Board of Higher Education's college entrance criteria effective in 1993;

26. To encourage mid-career changes into the teaching profession, whereby qualified professionals become certified teachers, by allowing credit for professional employment in related fields when determining point of entry on teacher pay scale;

27. To provide or contract out training programs for administrative personnel and principals with revised or expanded duties pursuant to this Act in order to assure they have the knowledge and skills to perform their duties;

28. To establish a fund for the prioritized special needs programs, and to allocate such funds and other lump sum amounts to each attendance center in a manner consistent with the provisions of part 4 of Section 34-2.3. Nothing in this paragraph shall be construed to require any additional appropriations of State funds for this purpose;

29. (Blank);

30. Notwithstanding any other provision of this Act or any other law to the contrary, to contract with third parties for services otherwise performed by employees, including those in a bargaining unit, and to layoff those employees upon 14 days written notice to the affected employees. Those contracts may be for a period not to exceed 5 years and may be awarded on a system-wide basis. The board may not operate more than 30 contract schools, provided that the board may operate an additional 5 contract turnaround schools pursuant to item (5.5) of subsection (d) of Section 34-8.3 of this Code;

31. To promulgate rules establishing procedures governing the layoff or reduction in force of employees and the recall of such employees, including, but not limited to, criteria for such layoffs, reductions in force or recall rights of such employees and the weight to be given to any particular criterion. Such criteria shall take into account factors including, but not be limited to, qualifications, certifications, experience, performance ratings or evaluations, and any other factors relating to an employee's job performance;

32. To develop a policy to prevent nepotism in the hiring of personnel or the selection of contractors;

33. To enter into a partnership agreement, as required by Section 34-3.5 of this Code, and, notwithstanding any other provision of law to the contrary, to promulgate policies, enter into contracts, and take any other action necessary to accomplish the objectives and implement the requirements of that agreement; and

34. To establish a Labor Management Council to the board comprised of representatives of the board, the chief executive officer, and those labor organizations that are the exclusive representatives of employees of the board and to promulgate policies and procedures for the operation of the Council.

The specifications of the powers herein granted are not to be construed as exclusive but the board shall also exercise all other powers that they may be requisite or proper for the maintenance and the development of a public school system, not inconsistent with the other provisions of this Article or provisions of this Code which apply to all school districts.

In addition to the powers herein granted and authorized to be exercised by the board, it shall be the duty of the board to review or to direct independent reviews of special education expenditures and services. The board shall file a report of such review with the General Assembly on or before May 1, 1990.

(Source: P.A. 92-109, eff. 7-20-01; 92-527, eff. 6-1-02; 92-724, eff. 7-25-02; 93-3, eff. 4-16-03; 93-1036, eff. 9-14-04.)

Section 90. The non-State agency parties that engaged in the negotiation of this Act shall, within 30 days after the effective date of this Act, enter into a memorandum of understanding, which shall include without limitation language whereby, through June 30, 2013, and subject to any legislative changes required by federal law, such parties shall not propose any changes to Article 27A of the School Code other than legislation to establish an independent, State-level, charter school authorizing entity.

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

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL 1959. Having been recalled on May 27, 2009, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

SENATE BILL 1995. Having been read by title a second time on May 19, 2009, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1 . Amend Senate Bill 1995 on page 1, line 14, and on page 3, line 18, by replacing "30" each time it appears with "25".

Representative Chapa LaVia offered and withdrew Amendment No. 2.

Floor Amendments numbered 3 and 4 remained in the Committee on Rules.

Representative Chapa LaVia offered the following amendment and moved its adoption:

AMENDMENT NO. 5 . Amend Senate Bill 1995, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Local Government Debt Reform Act is amended by changing Section 10 as follows:

(30 ILCS 350/10) (from Ch. 17, par. 6910)

Sec. 10. General provisions. Bonds authorized by applicable law may be issued in one or more series, bear such date or dates, become due at such time or times within 40 years, except as expressly limited by applicable law, provided that notwithstanding any such express limitation bonds issued by Lockport High School or Elgin Community College District No. 509 for the purpose of purchasing, constructing, or improving real property may become due within 25 years, bear interest payable at such intervals and at such rate or rates as authorized under applicable law, which rates may be fixed or variable, be in such denominations, be in such form, either coupon, registered or book-entry, carry such conversion, registration, and exchange privileges, be subject to defeasance upon such terms, have such rank or priority, be executed in such manner, be payable in such medium of payment at such place or places within or without the State of Illinois, make provision for a corporate trustee within or without the State with respect to such bonds, prescribe the rights, powers and duties thereof to be exercised for the benefit of the governmental unit and the protection of the bondholders, provide for the holding in trust, investment and use of moneys, funds and accounts held under an ordinance, provide for assignment of and direct payment of the moneys to pay such bonds or to be deposited into such funds or accounts directly to such trustee, be subject to such terms of redemption with or without premium, and be sold in such manner at private or public sale and at such price, all as the governing body shall determine. Whenever such bonds are sold at price less than par, they shall be sold at such price and bear interest at such rate or rates such that either the true interest cost (yield) or the net interest rate, as may be selected by the governing body, received upon the sale of such bonds does not exceed the maximum rate otherwise authorized by applicable law. Except for an ordinance required to be published by applicable law in connection with a backdoor referendum, any bond ordinance adopted by a governing body under applicable law shall, in all instances, become effective immediately without publication or posting or any further act or requirement.

(Source: P.A. 90-306, eff. 8-1-97.)

Section 10. The School Code is amended by changing Section 19-3 as follows:

(105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

Sec. 19-3. Boards of education. Any school district governed by a board of education and having a population of not more than 500,000 inhabitants, and not governed by a special Act may borrow money for the purpose of building, equipping, altering or repairing school buildings or purchasing or improving school sites, or acquiring and equipping playgrounds, recreation grounds, athletic fields, and other buildings or land used or useful for school purposes or for the purpose of purchasing a site, with or without a building or buildings thereon, or for the building of a house or houses on such site, or for the building of a house or houses on the school site of the school district, for residential purposes of the superintendent, principal, or teachers of the school district, and issue its negotiable coupon bonds therefor signed by the president and secretary of the board, in denominations of not less than $100 nor more than $5,000, payable at such place and at such time or times, not exceeding 20 years, with the exception of Lockport High School not exceeding 25 years, from date of issuance, as the board of education may prescribe, and bearing interest at a rate not to exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, payable annually, semiannually or quarterly, but no such bonds shall be issued unless the proposition to issue them is submitted to the voters of the district at a referendum held at a regularly scheduled election after the board has certified the proposition to the proper election authorities in accordance with the general election law, a majority of all the votes cast on the proposition is in favor of the proposition, and notice of such bond referendum has been given either (i) in accordance with the second paragraph of Section 12-1 of the Election Code irrespective of whether such notice included any reference to the public question as it appeared on the ballot, or (ii) for an election held on or after November 1, 1998, in accordance with Section 12-5 of the Election Code, or (iii) by publication of a true and legible copy of the specimen ballot label containing the proposition in the form in which it appeared or

will appear on the official ballot label on the day of the election at least 5 days before the day of the election in at least one newspaper published in and having a general circulation in the district, irrespective of any other requirements of Article 12 or Section 24A-18 of the Election Code, nor shall any residential site be acquired unless such proposition to acquire a site is submitted to the voters of the district at a referendum held at a regularly scheduled election after the board has certified the proposition to the proper election authorities in accordance with the general election law and a majority of all the votes cast on the proposition is in favor of the proposition. Nothing in this Act or in any other law shall be construed to require the notice of the bond referendum to be published over the name or title of the election authority or the listing of maturity dates of any bonds either in the notice of bond election or ballot used in the bond election. The provisions of this Section concerning notice of the bond referendum apply only to (i) consolidated primary elections held prior to January 1, 2002 and the consolidated election held on April 17, 2007 at which not less than 60% of the voters voting on the bond proposition voted in favor of the bond proposition, and (ii) other elections held before July 1, 1999; otherwise, notices required in connection with the submission of public questions shall be as set forth in Section 12-5 of the Election Code. Such proposition may be initiated by resolution of the school board.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

The proceeds of any bonds issued under authority of this Section shall be deposited and accounted for separately within the Site and Construction/Capital Improvements Fund.

(Source: P.A. 95-30, eff. 8-7-07.)

Section 15. The Public Community College Act is amended by changing Section 3A-1 as follows:

(110 ILCS 805/3A-1) (from Ch. 122, par. 103A-1)

Sec. 3A-1. Any community college district may borrow money for the purpose of building, equipping, altering or repairing community college buildings or purchasing or improving community college sites, or acquiring and equipping recreation grounds, athletic fields, and other buildings or land used or useful for community college purposes or for the purpose of purchasing a site, with or without a building or buildings thereon, or for the building of a house or houses on such site, or for the building of a house or houses on the site of the community college district, for residential purposes of the administrators or faculty of the community college district, and issue its negotiable coupon bonds therefor signed by the chairman and secretary of the board, in denominations of not less than $100 nor more than $5,000, payable at such place and at such time or times, not exceeding 20 years from date of issuance, as the board may prescribe, and bearing interest at a rate not to exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, payable annually, semiannually or quarterly, but no such bonds shall be issued unless the proposition to issue them is submitted to the voters of the community college district at a regular scheduled election in such district and the board shall certify the proposition to the proper election authorities for submission in accordance with the general election law and a majority of all the votes cast on the proposition is in favor of the proposition, nor shall any residential site be acquired unless such proposition to acquire a site is submitted to the voters of the district at a regular scheduled election and the board shall certify the proposition to the proper election authorities for submission to the electors in accordance with the general election law and a majority of all the votes cast on the proposition is in favor of the proposition. Nothing in this Act shall be construed as to require the listing of maturity dates of any bonds either in the notice of bond election or ballot used in the bond election.

Bonds issued in accordance with this Section for Elgin Community College District No. 509 may be payable at such time or times, not exceeding 25 years from date of issuance, as the board may prescribe, if the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2009.

(ii) Prior to the issuance of the bonds, the board determines, by resolution, that the projects built, acquired, altered, renovated, repaired, purchased, improved, installed, or equipped with the proceeds of the bonds are required as a result of a projected increase in the enrollment of students in the district, to meet demand in the fields of health care or public safety, to meet accreditation standards, or to maintain campus

safety and security.

(iii) The bonds are issued, in one more more bond issuances, on or before April 7, 2014.

(iv) The proceeds of the bonds are used to accomplish only those purposes approved by the voters at an election held in 2009.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

(Source: P.A. 86-4.)

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

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Chapa LaVia, SENATE BILL 1995 was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

86, Yeas; 31, Nays; 0, Answering Present.

(ROLL CALL 4)

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

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

SENATE BILL ON SECOND READING

SENATE BILL 2116. Having been read by title a second time on May 19, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Hamos offered the following amendments and moved their adoption.

AMENDMENT NO. 1. Amend Senate Bill 2116 by replacing everything after the enacting clause with the following:

"Section 5. The Local Government Energy Conservation Act is amended by changing Sections 20 and 25 as follows:

(50 ILCS 515/20)

Sec. 20. Guarantee. The guaranteed energy savings contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed within 20 ~~10~~ years the costs of the energy conservation measures. The qualified provider shall reimburse the unit of local government for any shortfall of guaranteed energy savings projected in the contract. A qualified provider shall provide a sufficient bond to the unit of local government for the installation and the faithful performance of all the measures included in the contract. The guaranteed energy savings contract may provide for payments over a period of time, not to exceed 20 ~~10~~ years from the date of the final installation of the measures.

(Source: P.A. 88-173; 88-615, eff. 9-9-94.)

(50 ILCS 515/25)

Sec. 25. Installment payment contract; lease purchase agreement; or other agreement.

(a) A unit of local government, or units of local government in combination, may enter into an installment payment contract, lease purchase agreement, or other agreement with a qualified provider or with a third party, as authorized by law, for the funding or financing of the purchase and installation of energy conservation measures by a qualified provider. Every unit of local government may issue certificates evidencing the indebtedness incurred pursuant to the contracts or agreements. Any such contract or agreement shall be valid whether or not an appropriation with respect thereto is first included in any annual or supplemental budget adopted by the unit of local government. Each contract or agreement entered into by a unit of local government pursuant to this Section shall be authorized by official action of the unit of local government's governing body. The authority granted under this Section is in addition to any other authority granted by law.

(b) If a potential bidder, including, but not limited to, a consultant, architect, engineer, or drafter of specifications, assists a unit of local government prior to the issuance of a request for proposal for the funding or financing of the purchase and installation of energy conservation measures, then:

(1) The unit of local government must use a standardized request for proposal form approved by the Department of Commerce and Economic Opportunity; or

(2) A substantial conflict of interest is presumed when a potential bidder (i) proposes the use of its own company's proprietary systems, (ii) provides restrictive equipment specifications in the request for proposal, (iii) mandates that specific improvements be included in the request for proposal in order to submit a proposal to the unit of local government, or (iv) performs fee for service consulting on the proposed project in order to prepare the unit of local government to issue the request for proposal. The presumption of a substantial conflict of interest under this subsection may be overcome if the body authorizing the contract or agreement states in writing on a form, as approved by the Department of Commerce and Economic Opportunity, that it has voted to waive any of the applicable conflicts listed in this subsection and states the reasons why the conflict does not prohibit the potential bidder's participation as a bidder. The form shall also include a statement that materials, references, and assistance in developing requests for proposal may be obtained through the Department of Commerce and Economic Opportunity. The form shall be signed and submitted for publication in the Capital Development Board Procurement Bulletin and the Illinois Procurement Bulletin with the request for proposal.

(c) If a potential bidder, including but not limited to a consultant, architect, engineer, or drafter of specifications, assists a unit of local government by performing a preliminary energy audit, whether for a fee or free of charge, prior to the issuance of a request for proposal for the funding or financing of the purchase and installation of energy conservation measures, then the preliminary energy audit shall be submitted to the Capital Development Board Procurement Bulletin and the Illinois Procurement Bulletin with the request for proposal.

(d) To implement the requirements of this Section, the Department of Commerce and Economic Opportunity shall promulgate rules and provide forms for both requests for proposals and conflict waivers, which shall be made available on the website of the Department of Commerce and Economic Opportunity.

(Source: P.A. 95-612, eff. 9-11-07.)

Section 10. The School Code is amended by changing Sections 19b-1.4, 19b-3, and 19b-5 as follows:

(105 ILCS 5/19b-1.4) (from Ch. 122, par. 19b-1.4)

Sec. 19b-1.4. Request for proposals. "Request for proposals" means a competitive selection achieved by negotiated procurement. The request for proposals shall be submitted to the administrators of the Capital Development Board Procurement Bulletin and ~~announced in~~ the Illinois Procurement Bulletin for publication and through at least one public notice, at least 30 ~~14~~ days before the request date in a newspaper published in the district or vocational center area, or if no newspaper is published in the district or vocational center area, in a newspaper of general circulation in the area of the district or vocational center, from a school district or area vocational center that will administer the program, requesting innovative solutions and proposals for energy conservation measures. Proposals submitted shall be sealed. The request for proposals shall include all of the following:

(1) The name and address of the school district or area vocation center.

(2) The name, address, title, and phone number of a contact person.

(3) Notice indicating that the school district or area vocational center is requesting qualified providers to propose energy conservation measures through a guaranteed energy savings contract.

(4) The date, time, and place where proposals must be received.

(5) The evaluation criteria for assessing the proposals.

(6) Any other stipulations and clarifications the school district or area vocational center may require.

(Source: P.A. 95-612, eff. 9-11-07.)

(105 ILCS 5/19b-3) (from Ch. 122, par. 19b-3)

Sec. 19b-3. Award of guaranteed energy savings contract. Sealed proposals must be opened by a member or employee of the school board or governing board of the area vocational center, whichever is applicable, at a public opening at which the contents of the proposals must be announced. Each person or entity submitting a sealed proposal must receive at least 13 days notice of the time and place of the opening. The school district or area vocational center shall select the qualified provider that best meets the needs of the district or area vocational center. The school district or area vocational center shall provide public notice of the meeting at which it proposes to award a guaranteed energy savings contract of the names of the parties to the proposed contract and of the purpose of the contract. The public notice shall be made at least 10 days prior to the meeting. After evaluating the proposals under Section 19b-2, a school district or area vocational center may enter into a guaranteed energy savings contract with a qualified provider if it finds that the amount it would spend on the energy conservation measures recommended in the proposal would not exceed the amount to be saved in either energy or operational costs, or both, within a 20-year period from the date of installation, if the recommendations in the proposal are followed. Contracts let or awarded must be submitted to the administrators of the Capital Development Board Procurement Bulletin and the ~~published in the next available subsequent~~ Illinois Procurement Bulletin for publication.

(Source: P.A. 95-612, eff. 9-11-07.)

(105 ILCS 5/19b-5) (from Ch. 122, par. 19b-5)

Sec. 19b-5. Installment payment contract; lease purchase agreement.

(a) A school district or school districts in combination or an area vocational center may enter into an installment payment contract or lease purchase agreement with a qualified provider or with a third-party ~~lender~~, as authorized by law, for the funding or financing of the purchase and installation of energy conservation measures by a qualified provider. Every school district or area vocational center may issue certificates evidencing the indebtedness incurred pursuant to the contracts or agreements. Any such contract or agreement shall be valid whether or not an appropriation with respect thereto is first included in any annual or supplemental budget adopted by the school district or area vocational center. Each contract or agreement entered into by a school district or area vocational center pursuant to this Section shall be authorized by official action ~~resolution~~ of the school board or governing board of the area vocational center, whichever is applicable. The authority granted in this Section is in addition to any other authority granted by law.

(b) If a potential bidder, including, but not limited to, a consultant, architect, engineer, or drafter of specifications, assists a school district or vocational center prior to the issuance of a request for proposal for the funding or financing of the purchase and installation of energy conservation measures, then:

(1) The school district or vocational center must use a standardized request for proposal form approved by the Department of Commerce and Economic Opportunity; or

(2) A substantial conflict of interest exists when a potential bidder (i) proposes the use of its own company's proprietary systems, (ii) provides restrictive equipment specifications in the request for proposal, (iii) mandates that specific improvements be included in the request for proposal in order to submit a proposal to the unit of local government, or (iv) performs fee for service consulting on the proposed project in order to prepare the unit of local government to issue the request for proposal. The presumption of a substantial conflict of interest under this subsection may be overcome if the body authorizing the contract or agreement states in writing on a form, as approved by the Department of Commerce and Economic Opportunity, that it has voted to waive any of the applicable conflicts listed in this subsection and states the reasons why the conflict does not prohibit the potential bidder's participation as a bidder. The form shall also include a statement that materials, references, and assistance in developing requests for proposal may be obtained through the Department of Commerce and Economic Opportunity. The form shall be signed and submitted for publication in the Capital Development Board Procurement Bulletin and the Illinois Procurement Bulletin with the request for proposal.

(c) If a potential bidder, including but not limited to a consultant, architect, engineer, or drafter of specifications, assists a school district or vocational center by performing a preliminary energy audit, whether for a fee or free of charge, prior to the issuance of a request for proposal for the funding or financing of the purchase and installation of energy conservation measures, then the preliminary energy

audit shall be submitted to the Capital Development Board Procurement Bulletin and the Illinois Procurement Bulletin with the request for proposal.

(d) To implement the requirements of this Section, the Department of Commerce and Economic Opportunity shall promulgate rules and provide forms for both requests for proposals and conflict waivers, which shall be made available on the website of the Department of Commerce and Economic Opportunity.

(Source: P.A. 95-612, eff. 9-11-07.)

Section 15. The Public University Energy Conservation Act is amended by changing Section 25 as follows:

(110 ILCS 62/25)

Sec. 25. Installment payment contract; lease purchase agreement. A public university or 2 or more public universities in combination may enter into an installment payment contract or lease purchase agreement with a qualified provider or with a third-party ~~lender~~, as authorized by law, for the funding or financing of the purchase and installation of energy conservation measures by a qualified provider. Each public university may issue certificates evidencing the indebtedness incurred pursuant to the contracts or agreements. Any such contract or agreement shall be valid whether or not an appropriation with respect thereto is first included in any annual or additional or supplemental budget proposal, request, or recommendation submitted by or made with respect to a public university under Section 8 of the Board of Higher Education Act or as otherwise provided by law. Each contract or agreement entered into by a public university pursuant to this Section shall be authorized by official action ~~resolution~~ of the board of trustees of that university. The authority granted in this Section is in addition to any other authority granted by law.

(Source: P.A. 95-612, eff. 9-11-07.)

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

AMENDMENT NO. 2 . Amend Senate Bill 2116, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 8, by replacing lines 19 through 22 with the following:

"proposal in order to submit a proposal to the school district or vocational center, or (iv) performs fee for service consulting on the proposed project in order to prepare the school district or vocational center to issue the request for proposal. The".

The foregoing motions prevailed and the amendments were adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Hamos, SENATE BILL 2116 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:

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

(ROLL CALL 5)

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

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

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 1 to HOUSE BILL 562, having been reproduced, was taken up for consideration.

Representative Mendoza moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 6)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 562.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2246, having been reproduced, was taken up for consideration.

Representative Fritchey moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 7)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 2246.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2448, having been reproduced, was taken up for consideration.

Representative Miller moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 8)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 2448.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2470, having been reproduced, was taken up for consideration.

Representative Jefferson moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

114, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 9)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 2470.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 3 to HOUSE BILL 2335, having been reproduced, were taken up for consideration.

Representative Saviano moved that the House concur with the Senate in the adoption of Senate Amendments numbered 1 and 3.

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

89, Yeas; 28, Nays; 0, Answering Present.

(ROLL CALL 10)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 3 to HOUSE BILL 2335.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2539, having been reproduced, was taken up for consideration.

Representative Saviano moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 11)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 2539.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 2 to HOUSE BILL 2542, having been reproduced, was taken up for consideration.

Representative Yarbrough moved that the House concur with the Senate in the adoption of Senate Amendment No. 2.

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

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

(ROLL CALL 12)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 2 to HOUSE BILL 2542.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 2 to HOUSE BILL 2625, having been reproduced, were taken up for consideration.

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

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

104, Yeas; 11, Nays; 2, Answering Present.

(ROLL CALL 13)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 2625.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2660, having been reproduced, was taken up for consideration.

Representative Bassi moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 14)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 2660.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 3 to HOUSE BILL 2675, having been reproduced, were taken up for consideration.

Representative Eddy moved that the House concur with the Senate in the adoption of Senate Amendments numbered 1 and 3.

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

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

(ROLL CALL 15)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 3 to HOUSE BILL 2675.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2686, having been reproduced, was taken up for consideration.

Representative Leitch moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 16)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 2686.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3325, having been reproduced, was taken up for consideration.

Representative Bassi moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 17)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3325.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 2 to HOUSE BILL 3641, having been reproduced, were taken up for consideration.

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

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

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

(ROLL CALL 18)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 3641.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3658, having been reproduced, was taken up for consideration.

Representative Hoffman moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 19)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3658.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3681, having been reproduced, was taken up for consideration.

Representative McAsey moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 20)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3681.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3714, having been reproduced, was taken up for consideration.

Representative Rose moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

102, Yeas; 14, Nays; 1, Answering Present.

(ROLL CALL 21)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3714.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3767, having been reproduced, was taken up for consideration.

Representative Coulson moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 22)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3767.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3785, having been reproduced, was taken up for consideration.

Representative Fritchey was recognized for a parliamentary inquiry regarding the applicability of extraordinary vote requirements for certain limitations on home rule units of local government.

The Chair ruled that a vote of three-fifths of the members elected (71 votes) was required for passage of the bill.

Representative Tryon moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

58, Yeas; 59, Nays; 0, Answering Present.

(ROLL CALL 23)

The motion failed.

Senate Amendment No. 1 to HOUSE BILL 3832, having been reproduced, was taken up for consideration.

Representative Mautino moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 24)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3832.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 2 to HOUSE BILL 3854, having been reproduced, were taken up for consideration.

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

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

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

(ROLL CALL 25)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 3854.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3872, having been reproduced, was taken up for consideration.

Representative Zalewski moved that the House not concur and ask the Senate to recede with respect to Senate Amendment No. 1.

The motion prevailed.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 2 to HOUSE BILL 3922, having been reproduced, were taken up for consideration.

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

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

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

(ROLL CALL 26)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 3922.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3970, having been reproduced, was taken up for consideration.

Representative Walker moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 27)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3970.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3974, having been reproduced, was taken up for consideration.

Representative Soto moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 28)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3974.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3990, having been reproduced, was taken up for consideration.

Representative Hamos moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 29)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3990.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3991, having been reproduced, was taken up for consideration.

Representative Coulson moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 30)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3991.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3994, having been reproduced, was taken up for consideration.

Representative Verschoore moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

96, Yeas; 21, Nays; 0, Answering Present.

(ROLL CALL 31)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3994.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 2 and 3 to HOUSE BILL 4011, having been reproduced, were taken up for consideration.

Representative Colvin moved that the House concur with the Senate in the adoption of Senate Amendments numbered 2 and 3.

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

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

(ROLL CALL 32)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 2 and 3 to HOUSE BILL 4011.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 2 to HOUSE BILL 4021, having been reproduced, was taken up for consideration.

Representative Mautino moved that the House concur with the Senate in the adoption of Senate Amendment No. 2.

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

103, Yeas; 14, Nays; 0, Answering Present.

(ROLL CALL 33)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 2 to HOUSE BILL 4021.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 4237, having been reproduced, was taken up for consideration.

Representative Mautino moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 34)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 4237.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 4241, having been reproduced, was taken up for consideration.

Representative Mautino moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 35)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 4241.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 4120, having been reproduced, was taken up for consideration.

Representative Walker moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

116, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 36)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 4120.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 2 to HOUSE BILL 3874, having been reproduced, were taken up for consideration.

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

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

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

(ROLL CALL 37)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 3874.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 3649, having been reproduced, was taken up for consideration.

Representative Ryg moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 38)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 3649.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 3 to HOUSE BILL 2557, having been reproduced, were taken up for consideration.

Representative Bradley moved that the House concur with the Senate in the adoption of Senate Amendments numbered 1 and 3.

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

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

(ROLL CALL 39)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 3 to HOUSE BILL 2557.

Ordered that the Clerk inform the Senate.

RESOLUTIONS – AGREED RESOLUTION LIST

Each of the following resolutions were adopted on the order of Resolutions as part of an agreed resolution list (vote roll calls 40-0 through 40-60). Each resolution was read, and then one roll call was taken for adoption of all resolutions on the agreed resolution list. Pursuant to Rule 50, members submitted documentation to change their vote, if desired, for any resolution on the agreed resolution list. Individual roll calls reflecting such vote changes were produced for each resolution and are provided herein.

Having been reported out of the Committee on Health Care Availability and Accessibility on February 24, 2009, HOUSE RESOLUTION 6 was taken up for consideration.

Representative Dunkin moved the adoption of the resolution.

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

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

(ROLL CALL 40-0)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on April 22, 2009, HOUSE RESOLUTION 43 was taken up for consideration.

Representative Franks moved the adoption of the resolution.

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

113, Yeas; 2, Nays; 2, Answering Present.

(ROLL CALL 40-1)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Personnel and Pensions on May 14, 2009, HOUSE RESOLUTION 47 was taken up for consideration.

Representative Beiser moved the adoption of the resolution.

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

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

(ROLL CALL 40-2)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on International Trade & Commerce on April 22, 2009, HOUSE RESOLUTION 55 was taken up for consideration.

Representative Turner moved the adoption of the resolution.

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

116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-3)
The motion prevailed and the resolution was adopted, as amended.

Having been reported out of the Committee on Elementary & Secondary Education on April 22, 2009, HOUSE RESOLUTION 56 was taken up for consideration.
Representative Ford moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-4)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on April 22, 2009, HOUSE RESOLUTION 59 was taken up for consideration.
Representative Moffitt moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-5)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Railroad Industry on May 7, 2009, HOUSE RESOLUTION 68 was taken up for consideration.
Representative Senger moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
115, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-6)
The motion prevailed and the resolution was adopted, as amended.

Having been reported out of the Committee on Higher Education on April 29, 2009, HOUSE RESOLUTION 74 was taken up for consideration.
Representative Rose moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 40-7)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on March 18, 2009, HOUSE RESOLUTION 81 was taken up for consideration.
Representative Bost moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-8)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on February 25, 2009, HOUSE RESOLUTION 86 was taken up for consideration.
Representative Ford moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-9)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Access to Federal Funding on March 26, 2009, HOUSE RESOLUTION 117 was taken up for consideration.

Representative Dunkin moved the adoption of the resolution.

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

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

(ROLL CALL 40-10)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on March 18, 2009, HOUSE RESOLUTION 140 was taken up for consideration.

Representative Watson moved the adoption of the resolution.

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

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

(ROLL CALL 40-11)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Infrastructure on April 30, 2009, HOUSE RESOLUTION 141 was taken up for consideration.

Representative Watson moved the adoption of the resolution.

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

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

(ROLL CALL 40-12)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on April 22, 2009, HOUSE RESOLUTION 152 was taken up for consideration.

Representative Zalewski moved the adoption of the resolution.

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

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

(ROLL CALL 40-13)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on April 22, 2009, HOUSE RESOLUTION 186 was taken up for consideration.

Representative Pihos moved the adoption of the resolution.

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

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

(ROLL CALL 40-14)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Elementary & Secondary Education on May 6, 2009, HOUSE RESOLUTION 189 was taken up for consideration.

Representative Stephens moved the adoption of the resolution.

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

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

(ROLL CALL 40-15)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 6, 2009, HOUSE RESOLUTION 198 was taken up for consideration.

Representative Bellock moved the adoption of the resolution.

And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-16)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Human Services on May 6, 2009, HOUSE RESOLUTION 201 was taken up for consideration.

The following amendments were offered in the Committee on Human Services, adopted and reproduced.

AMENDMENT NO. 1 . Amend House Resolution 201 on page 5, line 11, after "created", by inserting "within the Department of Human Services"; and
on page 5, by replacing lines 17 through 19 with the following:
"RESOLVED, That the Department of Human Services shall convene the Work Group, and the Secretary of Human Services shall designate a chairperson of the Work Group; due to its unique position and experience, the House requests that Equip for Equality serve in an advisory capacity to the Work Group; and be it further"; and
on page 6, lines 1 and 5, by replacing "Equip for Equality" each time it appears with "the Department of Human Services".

AMENDMENT NO. 2 . Amend House Resolution 201 on page 5, after line 22, by inserting the following:
"RESOLVED, That additional members of the Work Group shall include at least one representative of each of the following: the medical community, the long-term care community, and hospitals; and be it further"; and
on page 6, by replacing lines 8 and 9 with the following:
"RESOLVED, That the Work Group shall, with input from all members of the Work Group, develop".

Representative Coulson moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-17)
The motion prevailed and the resolution was adopted, as amended.

Having been reported out of the Committee on Environmental Health on April 28, 2009, HOUSE RESOLUTION 212 was taken up for consideration.
Representative Jakobsson moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
115, Yeas; 1, Nay; 1, Answering Present.
(ROLL CALL 40-18)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Agriculture & Conservation on April 28, 2009, HOUSE RESOLUTION 235 was taken up for consideration.
Representative Leitch moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-19)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Higher Education on April 29, 2009, HOUSE RESOLUTION 239 was taken up for consideration.
Representative Flider moved the adoption of the resolution.

And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-20)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 6, 2009, HOUSE RESOLUTION 246 was taken up for consideration.
Representative Connelly moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-21)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Veterans' Affairs on April 28, 2009, HOUSE RESOLUTION 248 was taken up for consideration.
Representative Walker moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-22)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on International Trade & Commerce on May 6, 2009, HOUSE RESOLUTION 250 was taken up for consideration.
Representative Turner moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-23)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Health Care Availability and Accessibility on April 28, 2009, HOUSE RESOLUTION 267 was taken up for consideration.
Representative Walker moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-24)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Human Services on April 29, 2009, HOUSE RESOLUTION 274 was taken up for consideration.
Representative Reis moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-25)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Agriculture & Conservation on May 5, 2009, HOUSE RESOLUTION 275 was taken up for consideration.
Representative Cavaletto moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 0, Nay; 0, Answering Present.
(ROLL CALL 40-26)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Human Services on May 6, 2009, HOUSE RESOLUTION 293 was taken up for consideration.

Representative Coulson moved the adoption of the resolution.

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

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

(ROLL CALL 40-27)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Environment & Energy on May 6, 2009, HOUSE RESOLUTION 296 was taken up for consideration.

Representative May moved the adoption of the resolution.

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

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

(ROLL CALL 40-28)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 6, 2009, HOUSE RESOLUTION 309 was taken up for consideration.

Representative Stephens moved the adoption of the resolution.

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

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

(ROLL CALL 40-29)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Youth and Family on May 7, 2009, HOUSE RESOLUTION 315 was taken up for consideration.

Representative Bellock moved the adoption of the resolution.

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

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

(ROLL CALL 40-30)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Youth and Family on May 7, 2009, HOUSE RESOLUTION 317 was taken up for consideration.

Representative Burke moved the adoption of the resolution.

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

115, Yeas; 1, Nay; 1, Answering Present.

(ROLL CALL 40-31)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 27, 2009, HOUSE RESOLUTION 322 was taken up for consideration.

Representative Leitch moved the adoption of the resolution.

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

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

(ROLL CALL 40-32)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 27, 2009, HOUSE RESOLUTION 338 was taken up for consideration.

Representative Jerry Mitchell moved the adoption of the resolution.

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

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

(ROLL CALL 40-33)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on International Trade & Commerce on May 21, 2009, HOUSE RESOLUTION 339 was taken up for consideration.

Representative Wait moved the adoption of the resolution.

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

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

(ROLL CALL 40-34)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 27, 2009, HOUSE RESOLUTION 343 was taken up for consideration.

Representative Coulson moved the adoption of the resolution.

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

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

(ROLL CALL 40-35)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 27, 2009, HOUSE RESOLUTION 351 was taken up for consideration.

Representative Saviano moved the adoption of the resolution.

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

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

(ROLL CALL 40-36)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 27, 2009, HOUSE RESOLUTION 360 was taken up for consideration.

Representative Mautino moved the adoption of the resolution.

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

115, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 40-37)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Higher Education on May 27, 2009, HOUSE RESOLUTION 374 was taken up for consideration.

Representative Monique Davis moved the adoption of the resolution.

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

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

(ROLL CALL 40-38)

The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Labor on May 27, 2009, HOUSE RESOLUTION 375 was taken up for consideration.

Representative Jakobsson moved the adoption of the resolution.

And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-39)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Veterans' Affairs on May 21, 2009, HOUSE RESOLUTION 379 was taken up for consideration.
Representative Farnham moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-40)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on State Government Administration on May 27, 2009, HOUSE RESOLUTION 386 was taken up for consideration.
Representative Senger moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
115, Yeas; 1, Nay; 1, Answering Present.
(ROLL CALL 40-41)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Vehicles & Safety on May 27, 2009, HOUSE RESOLUTION 390 was taken up for consideration.
Representative Bost moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
115, Yeas; 0, Nays; 1, Answering Present.
(ROLL CALL 40-42)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Health & Healthcare Disparities on May 21, 2009, HOUSE RESOLUTION 391 was taken up for consideration.
Representative Miller moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-43)
The motion prevailed and the resolution was adopted.

Having been reported out of the Committee on Youth and Family on April 30, 2009, HOUSE JOINT RESOLUTION 27 was taken up for consideration.
Representative Monique Davis moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-44)
The motion prevailed and the resolution was adopted.
Ordered that the Clerk inform the Senate and ask their concurrence.

Having been reported out of the Committee on Transportation, Regulation, Roads & Bridges on May 5, 2009, SENATE JOINT RESOLUTION 2 was taken up for consideration.
Representative Beiser moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 40-45)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Human Services on May 21, 2009, SENATE JOINT RESOLUTION 3 was taken up for consideration.
Representative Coulson moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-46)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Human Services on May 6, 2009, SENATE JOINT RESOLUTION 5 was taken up for consideration.
Representative Howard moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-47)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Judiciary II - Criminal Law on May 21, 2009, SENATE JOINT RESOLUTION 6 was taken up for consideration.
Representative Froehlich moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-48)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Human Services on May 21, 2009, SENATE JOINT RESOLUTION 7 was taken up for consideration.
Representative Riley moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-49)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Transportation, Regulation, Roads & Bridges on May 5, 2009, SENATE JOINT RESOLUTION 12 was taken up for consideration.
Representative McGuire moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-50)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on State Government Administration on May 6, 2009, SENATE JOINT RESOLUTION 16 was taken up for consideration.

The following amendments were offered in the Committee on State Government, adopted and reproduced.

AMENDMENT NO. 1. Amend Senate Joint Resolution 16 on page 2, line 18, by replacing "Lieutenant General H. Steven Blum" with "General Craig R. McKinley".

Representative Brauer moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-51)
The motion prevailed and the Resolution was adopted, as amended.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on State Government Administration on May 27, 2009, SENATE JOINT RESOLUTION 19 was taken up for consideration.
Representative Cavaletto moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 40-52)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Labor on May 27, 2009, SENATE JOINT RESOLUTION 29 was taken up for consideration.
Representative Wait moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
115, Yeas; 1, Nay; 1, Answering Present.
(ROLL CALL 40-53)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Human Services on May 21, 2009, SENATE JOINT RESOLUTION 31 was taken up for consideration.
Representative Coulson moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-54)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Human Services on May 6, 2009, SENATE JOINT RESOLUTION 32 was taken up for consideration.
Representative Golar moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-55)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Environment & Energy on May 27, 2009, SENATE JOINT RESOLUTION 36 was taken up for consideration.
Representative May moved the adoption of the resolution.

And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-56)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Agriculture & Conservation on May 27, 2009, SENATE JOINT RESOLUTION 42 was taken up for consideration.
Representative Watson moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-57)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Transportation, Regulation, Roads & Bridges on May 27, 2009, SENATE JOINT RESOLUTION 51 was taken up for consideration.
Representative Pihos moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-58)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Disability Services on May 21, 2009, SENATE JOINT RESOLUTION 54 was taken up for consideration.
Representative Ryg moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
116, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 40-59)
The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Agriculture & Conservation on May 27, 2009, SENATE JOINT RESOLUTION 56 was taken up for consideration.
The following amendments were offered in the Committee on Agriculture & Conservation, adopted and reproduced.

AMENDMENT NO. 1. Amend Senate Joint Resolution 56 by replacing everything after the heading with following:
"WHEREAS, Illinois citizens have the right to purchase quality purebred dogs, produced by responsible breeders; and
WHEREAS, Illinois is committed to preventing dogs from being housed in breeding facilities or pet stores that are overcrowded, unsanitary, and lacking proper shelter and care; and
WHEREAS, Breeding facilities with unsanitary conditions create the potential for soil and groundwater contamination, the spread of zoonotic parasites and infectious diseases, and the sale of sick and dying animals to the public; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is established a Joint Task Force on Breeders and Pet Stores to investigate and make recommendations regarding these 2 industries; issues that may be examined include, but are not limited to the following: (1) humane care and treatment for dogs at pet stores and breeding facilities, (2) creating more specific requirements for indoor and outdoor kennel facilities to ensure the health and welfare of dogs used for

commercial purposes, (3) establishing more detailed specifications so that indoor and outdoor facilities provide dogs with proper shelter, temperature control, ventilation, air movement, lighting, bedding, sanitation, slope of ground and run, and flooring materials, (4) creating more detailed record keeping requirements for breeders and pet stores, (5) ensuring that consumers are provided adequate information prior to the time of sale of dogs, (6) ensuring that dogs being sold are healthy, and (7) amending animal welfare laws to address these specific issues as well as related yet broader issues that could be addressed through such laws; and be it further

RESOLVED, That the members of the Joint Task Force shall include: one member appointed by the President of the Senate; one member appointed by the Minority Leader of the Senate; one member appointed by the Speaker of the House; one member appointed by the Minority Leader of the House; the Director of Agriculture or his or her designee, who shall serve as the Chairperson; the Director of Agriculture shall appoint 5 members to represent the animal welfare community, including 2 members from national organizations and 3 members representing the shelter community and animal rescue community; the Director of Agriculture shall also appoint one member representing the small scale breeding community, one member representing the sporting dog community, one member representing the large scale breeding community, one member representing the pet store industry, and one member representing the Illinois Veterinarians; and be it further

RESOLVED, That that the Department of Agriculture shall provide administrative and other support to the Joint Task Force and meet at the call of the chairperson; and be it further

RESOLVED, That the Director of Agriculture or his or her designee shall serve as the Chairperson; the Joint Task Force shall have a minimum of 3 meetings; and the members shall serve without compensation; and be it further

RESOLVED, That the Joint Task Force shall report its findings and legislative recommendations to the Secretary of the Senate and the Clerk of the House by January 1, 2010; and that upon filing its report the Joint Task Force is dissolved; and be it further

RESOLVED, That a copy of this resolution be delivered to the Director of the Department of Agriculture.".

Representative Fritchey moved the adoption of the resolution.

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

115, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 40-60)

The motion prevailed and the Resolution was adopted, as amended.

Ordered that the Clerk inform the Senate.

SENATE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 177.

SENATE BILL 611. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 611 as follows:
immediately below line 3, by inserting the following:

"Section 3. The Local Government Property Transfer Act is amended by changing Section 1 as follows:

(50 ILCS 605/1) (from Ch. 30, par. 156)

Sec. 1. When used in this Act:

(a) The term "transferor municipality" shall mean a municipal corporation transferring real estate or any interest therein, under the provisions of this Act.

(b) The term "transferee municipality" shall mean a municipal corporation <u>or 2 or more school districts operating a cooperative or joint educational program pursuant to Section 10-22.31 of the School Code</u> receiving a transfer of real estate or any interest therein under provisions of this Act.

(c) The term "municipality" whether used by itself or in conjunction with other words, as in (a) or (b)

above, shall mean and include any municipal corporation or political subdivision organized and existing under the laws of the State of Illinois and including, but without limitation, any city, village, or incorporated town, whether organized under a special charter or under the General Act, or whether operating under the commission or managerial form of government, county, school districts, trustees of schools, boards of education, 2 or more school districts operating a cooperative or joint educational program pursuant to Section 10-22.31 of the School Code, sanitary district or sanitary district trustees, forest preserve district or forest preserve district commissioner, park district or park commissioners, airport authority and township.

(d) The term "restriction" shall mean any condition, limitation, qualification, reversion, possibility of reversion, covenant, agreement or restraint of whatever kind or nature, the effect of which is to restrict the use or ownership of real estate by a municipality as defined in (c) above.

(e) The term "corporate authorities" shall mean the members of the legislative body of any municipality as defined in (c) above.

(f) The term "held" or any form thereof, when used in reference to the interest of a municipality in real estate shall be taken and construed to refer to and include all of the right, title and interest of such municipality of whatever kind or nature, in and to such real estate.

(g) Each of the terms above defined and the terms contained in the definition of each of said terms shall be taken and construed to include the plural form thereof.

(h) The term "Local Improvement Act" shall mean an Act of the General Assembly of the State of Illinois entitled "An Act concerning local improvements," approved June 14, 1897, and the amendments thereto.

(i) The term "State of Illinois" shall mean the State of Illinois or any department, commission, board or other agency of the State.

(Source: P.A. 82-783.)"; and

on page 1, lines 4 and 5, by replacing "Section 2-3.117a" with "Sections 2-3.117a and 10-22.31"; and

on page 3, immediately below line 22, by inserting the following:

"(105 ILCS 5/10-22.31) (from Ch. 122, par. 10-22.31)

Sec. 10-22.31. Special education.

(a) To enter into joint agreements with other school boards to provide the needed special educational facilities and to employ a director and other professional workers as defined in Section 14-1.10 and to establish facilities as defined in Section 14-1.08 for the types of children described in Sections 14-1.02 and 14-1.03a ~~through 14-1.07~~. The director (who may be employed under a ~~multi-year~~ contract as provided in subsection (c) of this Section) and other professional workers may be employed by one district, which shall be reimbursed on a mutually agreed basis by other districts that are parties to the joint agreement. Such agreements may provide that one district may supply professional workers for a joint program conducted in another district. Such agreement shall provide that any full-time professional worker ~~school psychologist~~ who is employed by a joint agreement program and spends over 50% of his or her time in one school district shall not be required to work a different teaching schedule than the other professional worker ~~school psychologists~~ in that district. Such agreement shall include, but not be limited to, provisions for administration, staff, programs, financing, housing, transportation, an advisory body, and the method or methods to be employed for disposing of property upon the withdrawal of a school district or dissolution of the joint agreement and shall specify procedures for the withdrawal of districts from the joint agreement as long as these procedures are consistent with subsection (g) of this Section. ~~Except as otherwise provided in Section 10-22.31.1, the withdrawal of districts from the joint agreement shall be by petition to the regional board of school trustees.~~ Such agreement may be amended at any time as provided in the joint agreement or, if the joint agreement does not so provide, then such agreement may be amended at any time upon the adoption of concurring resolutions by the school boards of all member districts , provided that no later than 6 months after the effective date of this amendatory Act of the 96th General Assembly, all existing agreements shall be amended to be consistent with this amendatory Act of the 96th General Assembly. A fully executed copy of any such agreement or amendment entered into on or after January 1, 1989 shall be filed with the State Board of Education. Such petitions for withdrawal shall be made to the regional board of school trustees of all counties having jurisdiction over one or more of the districts in the joint agreement. Upon receipt of a petition for withdrawal, the regional boards of school trustees having jurisdiction over the cooperating districts shall publish notice of and conduct a joint hearing on the issue as provided in Section 7-6. No such petition may be considered, however, unless in compliance with Section 7-8. If approved by a 2/3 vote of all trustees of those regional boards, at a joint meeting, the withdrawal takes effect as provided in Section 7-9 of this Act.

(b) To either (1) designate an administrative district to act as fiscal and legal agent for the districts that are parties to the joint agreement, or (2) designate a governing board composed of one member of the school board of each cooperating district and designated by such boards to act in accordance with the joint agreement. No such governing board may levy taxes and no such governing board may incur any indebtedness except within an annual budget for the joint agreement approved by the governing board and by the boards of at least a majority of the cooperating school districts or a number of districts greater than a majority if required by the joint agreement. The governing board may appoint an executive board of at least 7 members to administer the joint agreement in accordance with its terms. However, if 7 or more school districts are parties to a joint agreement that does not have an administrative district: (i) at least a majority of the members appointed by the governing board to the executive board shall be members of the school boards of the cooperating districts; or (ii) if the governing board wishes to appoint members who are not school board members, they shall be superintendents from the cooperating districts.

(c) To employ a full-time director of special education of the ~~a~~ joint agreement program under a one-year or multi-year contract. No such contract can be offered or accepted for less than one year. ~~or more than 3 years, except for a person serving as a director of a special education joint agreement for the first time in Illinois. In such a case, the initial contract shall be for a 2 year period.~~ Such contract may be discontinued at any time by mutual agreement of the contracting parties, or may be extended for an additional one-year or multi-year period ~~3 years~~ at the end of any year.

The contract year is July 1 through the following June 30th, unless the contract specifically provides otherwise. Notice of intent not to renew a contract when given by a controlling board or administrative district must be in writing stating the specific reason therefor. Notice of intent not to renew the contract must be given by the controlling board or the administrative district at least 90 days before the contract expires. Failure to do so will automatically extend the contract for one additional year.

By accepting the terms of the ~~multi-year~~ contract, the director of a special education joint agreement waives all rights granted under Sections 24-11 through 24-16 for the duration of his or her employment as a director of a special education joint agreement.

(d) To designate a district that is a party to the joint agreement as the issuer of bonds or notes for the purposes and in the manner provided in this Section. It is not necessary for such district to also be the administrative district for the joint agreement, nor is it necessary for the same district to be designated as the issuer of all series of bonds or notes issued hereunder. Any district so designated may, from time to time, borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the board of education of the issuing district. The resolution may contain such covenants as may be deemed necessary or advisable by the district to assure the payment of the bonds or notes. The resolution shall be effective immediately upon its adoption.

Prior to the issuance of such bonds or notes, each school district that is a party to the joint agreement shall agree, whether by amendment to the joint agreement or by resolution of the board of education, to be jointly and severally liable for the payment of the bonds and notes. The bonds or notes shall be payable solely and only from the payments made pursuant to such agreement.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district, including the issuing district, within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the agreement by a district to pay the bonds and notes shall be irrevocable notwithstanding the district's withdrawal from membership in the joint special education program.

(e) If a district whose employees are on strike was, prior to the strike, sending students with disabilities to special educational facilities and services in another district or cooperative, the district affected by the strike shall continue to send such students during the strike and shall be eligible to receive appropriate State reimbursement.

(f) With respect to those joint agreements that have a governing board composed of one member of the school board of each cooperating district and designated by those boards to act in accordance with the joint agreement, the governing board shall have, in addition to its other powers under this Section, the authority to issue bonds or notes for the purposes and in the manner provided in this subsection. The governing board

of the joint agreement may from time to time borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08 and including also facilities for activities of administration and educational support personnel employees. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the governing board. The resolution may contain such covenants as may be deemed necessary or advisable by the governing board to assure the payment of the bonds or notes and interest accruing thereon. The resolution shall be effective immediately upon its adoption.

Each school district that is a party to the joint agreement shall be automatically liable, by virtue of its membership in the joint agreement, for its proportionate share of the principal amount of the bonds and notes plus interest accruing thereon, as provided in the resolution. Subject to the joint and several liability hereinafter provided for, the resolution may provide for different payment schedules for different districts except that the aggregate amount of scheduled payments for each district shall be equal to its proportionate share of the debt service in the bonds or notes based upon the fraction that its equalized assessed valuation bears to the total equalized assessed valuation of all the district members of the joint agreement as adjusted in the manner hereinafter provided. In computing that fraction the most recent available equalized assessed valuation at the time of the issuance of the bonds and notes shall be used, and the equalized assessed valuation of any district maintaining grades K to 12 shall be doubled in both the numerator and denominator of the fraction used for all of the districts that are members of the joint agreement. In case of default in payment by any member, each school district that is a party to the joint agreement shall automatically be jointly and severally liable for the amount of any deficiency. The bonds or notes and interest thereon shall be payable solely and only from the funds made available pursuant to the procedures set forth in this subsection. No project authorized under this subsection may require an annual contribution for bond payments from any member district in excess of 0.15% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-8 or 9-12 and 0.30% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-12. This limitation on taxing authority is expressly applicable to taxing authority provided under Section 17-9 and other applicable Sections of this Act. Nothing contained in this subsection shall be construed as an exception to the property tax limitations contained in Section 17-2, 17-2.2a, 17-5, or any other applicable Section of this Act.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the obligation of a district to pay its proportionate share of the principal of and interest on the bonds and notes as required in this Section shall be a general obligation of the district payable from any and all sources of revenue designated for that purpose by the board of education of the district and shall be irrevocable notwithstanding the district's withdrawal from membership in the joint special education program.

(g) A member district wishing to withdraw from a joint agreement may obtain from its school board a written resolution approving the withdrawal. The withdrawing district must then present a written petition for withdrawal from the joint agreement to the other member districts within such timelines designated by the joint agreement. Upon approval by school board written resolution of all of the remaining member districts, the petitioning member district shall be withdrawn from the joint agreement effective the following July 1 and shall notify the State Board of Education of the approved withdrawal in writing.

(h) The changes to this Section made by this amendatory Act of the 96th General Assembly apply to withdrawals from or dissolutions of special education joint agreements initiated after the effective date of this amendatory Act of the 96th General Assembly.

(Source: P.A. 89-397, eff. 8-20-95; 89-613, eff. 8-9-96; 89-626, eff. 8-9-96; 90-103, eff. 7-11-97; 90-515, eff. 8-22-97; 90-637, eff. 7-24-98; 90-655, eff. 7-30-98.)

(105 ILCS 5/10-22.31.1 rep.)

Section 10. The School Code is amended by repealing Section 10-22.31.1.".

There being no further amendment(s), the bill, as amended, was held on the order of Second Reading.

RECALL

At the request of the principal sponsor, Representative Osterman, SENATE BILL 177 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendments numbered 1 and 2 to HOUSE BILL 177, having been reproduced, were taken up for consideration.

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

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

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

(ROLL CALL 41)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1 and 2 to HOUSE BILL 177.

Ordered that the Clerk inform the Senate.

SENATE BILLS ON THIRD READING

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

On motion of Representative Dunkin, SENATE BILL 1917 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:

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

(ROLL CALL 42)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Mathias, SENATE BILL 2057 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:

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

(ROLL CALL 43)

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

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

SENATE BILL ON SECOND READING

SENATE BILL 351. Having been read by title a second time on May 19, 2009, and held on the order of Second Reading, the same was again taken up.

Floor Amendments numbered 1 and 2 remained in the Committee on Rules.

There being no further amendments, the bill was advanced to the order of Third Reading.

SENATE BILL ON THIRD READING

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

On motion of Representative Burke, SENATE BILL 351 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
70, Yeas; 46, Nays; 1, Answering Present.
(ROLL CALL 44)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate.

SENATE BILL ON SECOND READING

Having been read by title a second time on May 26, 2009 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 1928.

SENATE BILL ON THIRD READING

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

On motion of Representative Lang, SENATE BILL 1928 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:
63, Yeas; 54, Nays; 0, Answering Present.
(ROLL CALL 45)
This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

SENATE BILL ON SECOND READING

SENATE BILL 1984. Having been read by title a second time on May 29, 2009, and held on the order of Second Reading, the same was again taken up.

On the Motion of Representative Monique Davis, Amendments Numbered 1 and 2 were ordered to lie on the table.

Representative Monique Davis offered the following amendment and moved its adoption.

AMENDMENT NO. _3_. Amend Senate Bill 1984, AS AMENDED, by replacing everything after the enacting clause with the following:
"Section 5. The School Code is amended by changing Section 27A-5 as follows:
(105 ILCS 5/27A-5)
Sec. 27A-5. Charter school; legal entity; requirements.
(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.
(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the State Board or a

local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, and its charter. A charter school is exempt from all other State laws and regulations in the School Code governing public schools and local school board policies, except the following:

(1) Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database of applicants for employment;

(2) Sections 24-24 and 34-84A of the School Code regarding discipline of students;

(3) The Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) The Abused and Neglected Child Reporting Act;

(6) The Illinois School Student Records Act; and

(7) Section 10-17a of the School Code regarding school report cards.

The change made by this amendatory Act of the 96th General Assembly to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(Source: P.A. 93-3, eff. 4-16-03; 93-909, eff. 8-12-04; 94-219, eff. 7-14-05.)

Section 10. The Illinois Educational Labor Relations Act is amended by changing Section 2 as follows:

(115 ILCS 5/2) (from Ch. 48, par. 1702)

Sec. 2. Definitions. As used in this Act:

(a) "Educational employer" or "employer" means the governing body of a public school district, including the governing body of a charter school established under Article 27A of the School Code or of a contract school or contract turnaround school established under paragraph 30 of Section 34-18 of the

School Code, combination of public school districts, including the governing body of joint agreements of any type formed by 2 or more school districts, public community college district or State college or university, a subcontractor of instructional services of a school district (other than a school district organized under Article 34 of the School Code), combination of school districts, charter school established under Article 27A of the School Code, or contract school or contract turnaround school established under paragraph 30 of Section 34-18 of the School Code, and any State agency whose major function is providing educational services. "Educational employer" or "employer" does not include (1) a Financial Oversight Panel created pursuant to Section 1A-8 of the School Code due to a district violating a financial plan or (2) an approved nonpublic special education facility that contracts with a school district or combination of school districts to provide special education services pursuant to Section 14-7.02 of the School Code, but does include a School Finance Authority created under Article 1E or 1F of the School Code. The change made by this amendatory Act of the 96th General Assembly to this paragraph (a) to make clear that the governing body of a charter school is an "educational employer" is declaratory of existing law.

(b) "Educational employee" or "employee" means any individual, excluding supervisors, managerial, confidential, short term employees, student, and part-time academic employees of community colleges employed full or part time by an educational employer, but shall not include elected officials and appointees of the Governor with the advice and consent of the Senate, firefighters as defined by subsection (g-1) of Section 3 of the Illinois Public Labor Relations Act, and peace officers employed by a State university. For the purposes of this Act, part-time academic employees of community colleges shall be defined as those employees who provide less than 3 credit hours of instruction per academic semester. In this subsection (b), the term "student" includes graduate students who are research assistants primarily performing duties that involve research or graduate assistants primarily performing duties that are pre-professional, but excludes graduate students who are teaching assistants primarily performing duties that involve the delivery and support of instruction and all other graduate assistants.

(c) "Employee organization" or "labor organization" means an organization of any kind in which membership includes educational employees, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, employee-employer disputes, wages, rates of pay, hours of employment, or conditions of work, but shall not include any organization which practices discrimination in membership because of race, color, creed, age, gender, national origin or political affiliation.

(d) "Exclusive representative" means the labor organization which has been designated by the Illinois Educational Labor Relations Board as the representative of the majority of educational employees in an appropriate unit, or recognized by an educational employer prior to January 1, 1984 as the exclusive representative of the employees in an appropriate unit or, after January 1, 1984, recognized by an employer upon evidence that the employee organization has been designated as the exclusive representative by a majority of the employees in an appropriate unit.

(e) "Board" means the Illinois Educational Labor Relations Board.

(f) "Regional Superintendent" means the regional superintendent of schools provided for in Articles 3 and 3A of The School Code.

(g) "Supervisor" means any individual having authority in the interests of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, reward or discipline other employees within the appropriate bargaining unit and adjust their grievances, or to effectively recommend such action if the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. The term "supervisor" includes only those individuals who devote a preponderance of their employment time to such exercising authority.

(h) "Unfair labor practice" or "unfair practice" means any practice prohibited by Section 14 of this Act.

(i) "Person" includes an individual, educational employee, educational employer, legal representative, or employee organization.

(j) "Wages" means salaries or other forms of compensation for services rendered.

(k) "Professional employee" means, in the case of a public community college, State college or university, State agency whose major function is providing educational services, the Illinois School for the Deaf, and the Illinois School for the Visually Impaired, (1) any employee engaged in work (i) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (ii) involving the consistent exercise of discretion and judgment in its performance; (iii) of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and (iv) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an

apprenticeship or from training in the performance of routine mental, manual, or physical processes; or (2) any employee, who (i) has completed the courses of specialized intellectual instruction and study described in clause (iv) of paragraph (1) of this subsection, and (ii) is performing related work under the supervision of a professional person to qualify himself or herself to become a professional as defined in paragraph (l).

(l) "Professional employee" means, in the case of any public school district, or combination of school districts pursuant to joint agreement, any employee who has a certificate issued under Article 21 or Section 34-83 of the School Code, as now or hereafter amended.

(m) "Unit" or "bargaining unit" means any group of employees for which an exclusive representative is selected.

(n) "Confidential employee" means an employee, who (i) in the regular course of his or her duties, assists and acts in a confidential capacity to persons who formulate, determine and effectuate management policies with regard to labor relations or who (ii) in the regular course of his or her duties has access to information relating to the effectuation or review of the employer's collective bargaining policies.

(o) "Managerial employee" means an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of such management policies and practices.

(p) "Craft employee" means a skilled journeyman, craft person, and his or her apprentice or helper.

(q) "Short-term employee" is an employee who is employed for less than 2 consecutive calendar quarters during a calendar year and who does not have a reasonable expectation that he or she will be rehired by the same employer for the same service in a subsequent calendar year. Nothing in this subsection shall affect the employee status of individuals who were covered by a collective bargaining agreement on the effective date of this amendatory Act of 1991.

(Source: P.A. 95-331, eff. 8-21-07.)".

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILLS ON THIRD READING

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

On motion of Representative Monique Davis, SENATE BILL 1984 was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

102, Yeas; 14, Nays; 0, Answering Present.

(ROLL CALL 46)

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

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

On motion of Representative Jerry Mitchell, SENATE BILL 612 was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

115, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 47)

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

Ordered that the Clerk inform the Senate.

SUSPEND POSTING REQUIREMENTS

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements of Rule 21 in relation to HOUSE RESOLUTIONS 411, 418, 420, 424, 425, 437, 443, 468 and HOUSE JOINT RESOLUTION 62 to be heard in State Government Administration, HOUSE RESOLUTIONS 413 and 428 to be heard in Veterans' Affairs, HOUSE RESOLUTION 447 to be heard in Elementary & Secondary Education, HOUSE JOINT RESOLUTION 63 and SENATE JOINT RESOLUTION 4 to be heard in Environmental Health, HOUSE JOINT RESOLUTION 66 to be heard in Revenue & Finance, HOUSE RESOLUTION 431 to be heard in Vehicles' & Safety, HOUSE RESOLUTIONS 417, 470, 472 and HOUSE JOINT RESOLUTION 56 to be heard in Human Services, HOUSE RESOLUTION 421, HOUSE JOINT RESOLUTION 57 and SENATE JOINT RESOLUTION 64 to be heard in Agriculture & Conservation, and HOUSE RESOLUTION 444 to be heard in Higher Education.

The motion prevailed.

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 1 to HOUSE BILL 415, having been reproduced, was taken up for consideration.

Representative Lang moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 48)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 415.

Ordered that the Clerk inform the Senate.

Senate Amendments numbered 1 and 2 to HOUSE BILL 4099, having been reproduced, were taken up for consideration.

Representative Biggins moved that the House not concur and ask the Senate to recede with respect to Senate Amendments numbered 1 and 2.

The motion prevailed.

Ordered that the Clerk inform the Senate.

RESOLUTION

Having been reported out of the Committee on Executive on May 6, 2009, HOUSE JOINT RESOLUTION 51 was taken up for consideration.

Representative Thapedi offered and withdrew Amendment No. 1.

Representative Thapedi offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Joint Resolution 51 by replacing everything after the heading with the following:

"WHEREAS, Illegal interstate firearms trafficking and the gun violence that results from it have become growing problems in all portions of the State of Illinois, other areas of the Midwest, and throughout the nation; and

WHEREAS, Children and students are too often the victims of gun crimes, in their homes and on our streets, before, after, and during school hours; and

WHEREAS, Since the current school year started in September 2008, thirty-six Chicago Public School students have been shot and killed; and

WHEREAS, In *Gun Violence: The Real Costs*, a book written by Philip J. Cook and Jens Ludwig, the data collected by the authors show the cost of security in Chicago public high schools to be $41 million a

year, and the costs of security in suburban and downstate Illinois schools are similarly rising rapidly; and

WHEREAS, Since the federal ban on assault weapons was lifted in 2004, the Chicago Police Department has seized 1,547 such weapons; and

WHEREAS, According to a five-year study conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, 43% of all guns seized within five police districts in the City of Chicago originated in Mississippi; and

WHEREAS, There is an enormous number of illegal guns in Chicago, other areas of Illinois, and throughout the Midwest, and 80% of murder victims in Chicago are killed by guns; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Interstate Gun Trafficking Task Force within the Illinois State Police, to consist of the following: (1) the Director of State Police or his designee; (2) the Illinois Attorney General or her designee; (3) the Cook County States Attorney or her designee; (4) the Sheriff of Cook County or his designee; (5) the Superintendent of the Chicago Police Department or his designee; (6) two appointees of the Governor who are representatives of suburban or downstate law enforcement officials; (7) the Executive Director of the Illinois Association of Chiefs of Police or his or her designee; (8) the Executive Director of the Illinois Sheriffs' Association or his or her designee; (9) a member of the Illinois State's Attorney's Association; (10) a member of the Illinois House chosen by the Speaker of the Illinois House of Representatives; (11) a member of the Illinois House chosen by the Minority Leader of the Illinois House of Representatives; (12) a member of the Illinois Senate chosen by the President of the Illinois Senate; (13) a member of the Illinois Senate chosen by the Minority Leader of the Illinois Senate; and (14) the DuPage County State's Attorney or his designee; and be it further

RESOLVED, That all appointments shall be made no later than 45 days following adoption of this resolution; and be it further

RESOLVED, That the Task Force shall study measures that help reduce illegal interstate gun trafficking in Illinois and the harmful effects of such activity; and be it further

RESOLVED, That the Task Force shall choose its chair and other officers and meet at the call of the chair; and be it further

RESOLVED, That the members of the Task Force shall serve without compensation, but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, That the Task Force shall report its findings and recommendations to the Governor and General Assembly on or before December 31, 2010; and be it further

RESOLVED, That legislatures of other states in the Midwest are encouraged to create interstate gun trafficking task forces in their respective states, which task forces may cooperate with the Task Force created by this resolution and with each other; and be it further

RESOLVED, That a copy of this resolution be presented to the Speaker of the Illinois House of Representatives, the President of the Illinois Senate, the Minority Leader of the Illinois House of Representatives, the Minority Leader of the Illinois Senate, the Governor of the State of Illinois, and the Director of the Illinois State Police.".

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

Representative Thapedi moved the adoption of the resolution.

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

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

(ROLL CALL 49)

The motion prevailed and the resolution was adopted, as amended.

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

HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
THIRD READING

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 31 was taken up and read in full a third time.

Representative Franks moved the passage of the resolution.

And the question being, “Shall this resolution pass?” it was decided in the affirmative by the following vote:

109, Yeas; 6, Nays; 2, Answering Present.

(ROLL CALL 50)

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

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

SENATE BILL ON THIRD READING

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

On motion of Representative Lang, SENATE BILL 2024 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:

104, Yeas; 12, Nays; 0, Answering Present.

(ROLL CALL 51)

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

Ordered that the Clerk inform the Senate.

SENATE BILLS ON THIRD READING CONSIDERATION POSTPONED

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

SENATE BILL 1595. Having been read by title a third time on May 14, 2009, and further consideration postponed, the same was again taken up.

Representative Winters moved the passage of SENATE BILL 1595.

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

59, Yeas; 56, Nays; 1, Answering Present.

(ROLL CALL 52)

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

RESOLUTIONS

Having been reported out of the Committee on Personnel and Pensions on May 30, 2009, HOUSE JOINT RESOLUTION 65 was taken up for consideration.

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

AMENDMENT NO. _1_. Amend House Joint Resolution 65, on page 3, line 13, by deleting "and"; and on page 3, line 15, by deleting "be it further"; and
on page 3, immediately below line 15, by inserting the following:

"(9) two members, one each from a statewide organization representing the annuitants;
and be it further".

Representative McCarthy offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Joint Resolution 65, AS AMENDED, in the second resolved clause, item (5), after "members", by inserting "appointed by the Governor"; and
in the second resolved clause, item (6), after "members", by inserting "appointed by the Governor"; and
in the second resolved clause, item (9), after "members", by inserting "appointed by the Governor"; and
in the second resolved clause, item (9), by replacing "a statewide" with "a different statewide".

The foregoing motion prevailed and Amendment No. 2 was adopted.
Representative McCarthy moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
117, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 53)
The motion prevailed and the resolution was adopted, as amended.
Ordered that the Clerk inform the Senate and ask their concurrence.

Having been reported out of the Committee on Transportation, Regulation, Roads & Bridges on May 30, 2009, HOUSE JOINT RESOLUTION 60 was taken up for consideration.
Representative Saviano moved the adoption of the resolution.
And on that motion, a vote was taken resulting as follows:
117, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 54)
The motion prevailed and the resolution was adopted.
Ordered that the Clerk inform the Senate and ask their concurrence.

ACTION ON MOTION

Pursuant to the motion submitted previously, Representative Jerry Mitchell moved to reconsider the vote by which SENATE BILL 1595 failed.
And on that motion, a vote was taken resulting as follows:
65, Yeas; 47, Nays; 0, Answering Present.
(ROLL CALL 55)
The motion prevailed.

SENATE BILL ON THIRD READING

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

On motion of Representative Winters, SENATE BILL 1595 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:
61, Yeas; 56, Nays; 0, Answering Present.
(ROLL CALL 56)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate.

SENATE BILL ON SECOND READING

SENATE BILL 1909. Having been read by title a second time on May 19, 2009, and held on the order of Second Reading, the same was again taken up.

Floor Amendments numbered 1 and 2 remained in the Committee on Rules.

Representative Holbrook offered and withdrew Amendments numbered 3 and 4.

Representative Holbrook offered the following amendment and moved its adoption.

AMENDMENT NO. 5. Amend Senate Bill 1909 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the STAR Bonds Financing Act.

Section 5. Purpose. It is hereby found and declared that the purpose of this Act is to promote, stimulate, and develop the general and economic welfare of the State of Illinois and its communities and to assist in the development and redevelopment of major tourism, entertainment, retail, and related destination projects within eligible areas of the State, thereby creating new jobs, stimulating significant capital investment, and promoting the general welfare of the citizens of this State, by authorizing municipalities and counties to issue sales tax and revenue (STAR) bonds for the financing of STAR bond projects as defined in Section 10, and to otherwise exercise the powers and authorities granted to municipalities. It is further found and declared to be the policy of the State, in the interest of promoting the health, safety, morals, and general welfare of all the people of the State, to provide incentives to create new job opportunities and to promote major tourism, entertainment, retail, and related destination projects within the State. It is further found and declared:

(a) that as a result of the costs of land assemblage, financing, infrastructure, and other project costs, the private sector, without the assistance contemplated in this Act, is unable to develop major tourism, entertainment, retail, and related destination projects in the State;

(b) that the type of projects for which this Act is intended must be of a certain size, scope, and acreage and have direct access to major highways, and must be developed in a cohesive and comprehensive manner;

(c) that the eligible tracts of land, significant portions of which are vacant and located in the 100-year flood plain, present unique development obstacles and are more likely to remain underutilized and undeveloped, or developed in a piecemeal manner resulting in inefficient and poorly planned developments that do not maximize job creation, job retention, tourism, and tax revenue generation within the State;

(d) that there are multiple eligible areas in the State that could benefit from this Act;

(e) that municipalities of the State that already have an enterprise zone in place have a sufficient tool to encourage development and to preserve and enhance their local tax bases and job opportunities and otherwise achieve the purposes set forth in this Act;

(f) that investment in major tourism, entertainment, retail, and related destination projects within the State would stimulate economic activity in the State, including the creation and maintenance of jobs, the creation of new and lasting infrastructure and other improvements, and the attraction and retention of interstate tourists and entertainment events that generate significant economic activity;

(g) that the continual encouragement, development, growth, and expansion of major tourism, entertainment, retail, and related destination projects within the State requires a cooperative and continuous partnership between government and the public sector;

(h) that the State has a responsibility to help create a favorable climate for new and improved job opportunities for its citizens and to increase the tax base of the State and its political subdivisions by encouraging development by the private sector of major tourism, entertainment, retail, and related destination projects within the State;

(i) that the stagnation of local tax bases and the loss of job opportunities within the State has persisted despite efforts of State and local authorities and private organizations to create major tourism, entertainment, retail, and related destination projects within the State;

(j) that the stagnation of local tax bases and the persistent loss of job opportunities in the State may continue and worsen if the State and its political subdivisions are not able to provide additional incentives to developers of major tourism, entertainment, retail, and related destination projects;

(k) that the provision of additional incentives by the State and its political subdivisions will relieve conditions of unemployment, maintain existing levels of employment, create new job opportunities, retain jobs within the State, increase tourism and commerce within the State, and increase the tax base of the State and its political subdivisions;

(l) that the powers conferred by this Act promote and protect the health, safety,

morals, and welfare of the State, and are for a public purpose and public use for which public money and resources may be expended; and

(m) that the necessity in the public interest for the provisions of this Act is hereby declared as a matter of legislative determination.

Section 10. Definitions. As used in this Act, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the context:

"Base year" means the calendar year immediately prior to the calendar year in which the STAR bond district is established.

"Commence work" means the manifest commencement of actual operations on the development site, such as, erecting a building, general on-site and off-site grading and utility installations, commencing design and construction documentation, ordering lead-time materials, excavating the ground to lay a foundation or a basement, or work of like description which a reasonable person would recognize as being done with the intention and purpose to continue work until the project is completed.

"County" means the county in which a proposed STAR bond district is located.

"De minimus" means an amount less than 15% of the land area within a STAR bond district.

"Department of Revenue" means the Department of Revenue of the State of Illinois.

"Developer" means any individual, corporation, trust, estate, partnership, limited liability partnership, limited liability company, or other entity. The term does not include a not-for-profit entity, political subdivision, or other agency or instrumentality of the State.

"Director" means the Director of Revenue, who shall consult with the Director of Commerce and Economic Opportunity in any approvals or decisions required by the Director under this Act.

"Economic impact study" means a study conducted by an independent economist to project the financial benefit of the proposed STAR bond project to the local, regional, and State economies, consider the proposed adverse impacts on similar projects and businesses, as well as municipalities within the projected market area, and draw conclusions about the net effect of the proposed STAR bond project on the local, regional, and State economies. A copy of the economic impact study shall be provided to the Director for review.

"Eligible area" means any improved or vacant area that is contiguous and is not, in the aggregate, less than 600 acres which must include only parcels of real property directly and substantially benefited by the proposed STAR bond district plan, which is located adjacent to the intersection of at least 2 highways, one of which is an interstate highway, which area must be comprised of land which is at least 90% vacant, and at least 30% of which is located in the 100-year flood plain. The area may be bisected by streets, highways, roads, alleys, railways, bike paths, streams, rivers, and other water ways and still be deemed contiguous. In addition, in order to constitute an eligible area one of the following requirements must be satisfied and all of which are subject to the review and approval of the Director:

(a) the governing body of the political subdivision shall have determined that the area meets the requirements of a "blighted area" as defined under the Tax Increment Allocation Redevelopment Act;

(b) the governing body of the political subdivision shall have determined that the area is a blighted area as determined under the provisions of Section 11-74.3-5 of the Illinois Municipal Code;

(c) the governing body of the political subdivision shall have made findings with respect to the property, the proposed STAR bond project, and the proposed master developer that would be required to enter into an economic incentive agreement pursuant to the provisions of Section 8-11-20 of the Illinois Municipal Code; or

(d) the governing body of the political subdivision shall make the following findings:

(i) that the vacant portions of the area have remained vacant for at least one year, or that any building located on a vacant portion of the property was demolished within the last year and that the building would have qualified under item (ii) of this subsection;

(ii) if portions of the area are currently developed, that the use, condition, and character of the buildings on the property are not consistent with the purposes set forth in Section 5;

(iii) that the STAR bond district is expected to create or retain job opportunities within the political subdivision;

(iv) that the STAR bond district will serve to further the development of adjacent areas;

(v) that without the availability of STAR bonds, the projects described in the STAR bond district plan would not be possible;

(vi) that the master developer meets high standards of creditworthiness and

financial strength as demonstrated by one or more of the following: (i) corporate debenture ratings of BBB or higher by Standard & Poor's Corporation or Baa or higher by Moody's Investors Service, Inc.; (ii) a letter from a financial institution with assets of $10,000,000 or more attesting to the financial strength of the master developer; or (iii) specific evidence of equity financing for not less than 10% of the estimated total STAR bond project costs;

(vii) that the STAR bond district will strengthen the commercial sector of the political subdivision;

(viii) that the STAR bond district will enhance the tax base of the political subdivision; and

(ix) that the formation of a STAR bond district is in the best interest of the political subdivision.

"Feasibility study" means a feasibility study as defined in subsection (b) of Section 20.

"Infrastructure" means the public improvements and private improvements that serve the public purposes set forth in Section 5 of this Act and that benefit the STAR bond district or any STAR bond projects, including, but not limited to, streets, drives and driveways, traffic and directional signs and signals, parking lots and parking facilities, interchanges, highways, sidewalks, bridges, underpasses and overpasses, bike and walking trails, sanitary storm sewers and lift stations, drainage conduits, channels, levees, canals, storm water detention and retention facilities, utilities and utility connections, water mains and extensions, and street and parking lot lighting and connections.

"Local sales taxes" means any locally-imposed taxes received by a municipality, county, or other local governmental entity arising from sales by retailers and servicemen within a STAR bond district, including business district sales taxes. For the purpose of this Act, "local sales taxes" does not include (i) any taxes authorized pursuant to the Local Mass Transit District Act, the Metro-East Park and Recreation District Act, or the Flood Prevention District Act for so long as the applicable taxing district does not impose a tax on real property or (ii) any local sales taxes that are, at the time of formation of a STAR bond district, already subject to tax increment financing under the Tax Increment Allocation Redevelopment Act.

"Local sales tax increment" means, with respect to local sales taxes administered by the Illinois Department of Revenue, that portion of the local sales tax that is in excess of the local sales tax for the same month in the base year, as determined by the Illinois Department of Revenue. "Local sales tax increment" means, with respect to local sales taxes administered by a municipality, county, or other unit of local government, that portion of the local sales tax that is in excess of the local sales tax for the same month in the base year, as determined by the respective municipality, county, or other unit of local government. The Illinois Department of Revenue shall allocate the local sales tax increment only if the local sales tax is administered by the Department.

"Market study" means a study to determine the ability of the proposed STAR bond project to gain market share locally and regionally and to remain profitable past the term of repayment of STAR bonds.

"Master developer" means a developer cooperating with a political subdivision to plan, develop, and implement a STAR bond project plan for a STAR bond district. Subject to the limitations of Section 25, the master developer may work with and transfer certain development rights to other developers for the purpose of implementing STAR bond project plans and achieving the purposes of this Act. A master developer for a STAR bond district shall be appointed by a political subdivision in the resolution establishing the STAR bond district, and the master developer must, at the time of appointment, own or have control of, through purchase agreements, option contracts, or other means, not less than 50% of the acreage within the STAR bond district and the master developer or its affiliate must have ownership or control on May 26, 2009.

"Master development agreement" means an agreement between the master developer and the political subdivision to govern a STAR bond district and any STAR bond projects.

"Municipality" means the city, village, or incorporated town in which a proposed STAR bond district is located.

"Pledged STAR revenues" means those sales tax and revenues and other sources of funds pledged to pay debt service on STAR bonds or to pay project costs pursuant to Section 30. Notwithstanding any provision to the contrary, the following revenues shall not constitute pledged STAR revenues or be available to pay principal and interest on STAR bonds: any State sales tax increment or local sales tax increment from a retail entity initiating operations in a STAR bond district while terminating operations at another Illinois location within 25 miles of the STAR bond district. For purposes of this paragraph, "terminating operations" means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a STAR bond district

within one year before or after initiating operations in the STAR bond district, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

"Political subdivision" means a municipality or county which undertakes to establish a STAR bond district pursuant to the provisions of this Act.

"Project costs" means and includes the sum total of all costs incurred or estimated to be incurred on or following the date of establishment of a STAR bond district that are reasonable or necessary to implement a STAR bond district plan or any STAR bond project plans, or both, including costs incurred for public improvements and private improvements that serve the public purposes set forth in Section 5 of this Act. Such costs include without limitation the following:

(a) costs of studies, surveys, development of plans and specifications, formation, implementation, and administration of a STAR bond district, STAR bond district plan, any STAR bond projects, or any STAR bond project plans, including, but not limited to, staff and professional service costs for architectural, engineering, legal, financial, planning, or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected and no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years;

(b) property assembly costs, including, but not limited to, acquisition of land and other real property or rights or interests therein, located within the boundaries of a STAR bond district, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to, parking lots and other concrete or asphalt barriers, the clearing and grading of land, and importing additional soil and fill materials, or removal of soil and fill materials from the site;

(c) subject to paragraph (d), costs of buildings or other vertical improvements that are located within the boundaries of a STAR Bond district and owned by a political subdivision or other public entity, including without limitation police and fire stations, educational facilities, or public restrooms and rest areas;

(d) costs of the design and construction of infrastructure and public works located within the boundaries of a STAR bond district that are reasonable or necessary to implement a STAR bond district plan or any STAR bond project plans, or both, except that project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building unless the political subdivision makes a reasonable determination in a STAR bond district plan or any STAR bond project plans, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the STAR bond district plan or any STAR bond project plans;

(e) costs of the design and construction of the following improvements located outside the boundaries of a STAR bond district, provided that the costs are essential to further the purpose and development of a STAR bond district plan and either (i) part of and connected to sewer, water, or utility service lines that physically connect to the STAR bond district or (ii) significant improvements for adjacent offsite highways, streets, roadways, and interchanges that are approved by the Illinois Department of Transportation. No other cost of infrastructure and public works improvements located outside the boundaries of a STAR bond district may be deemed project costs;

(f) costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within a STAR bond district;

(g) financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any improvements in a STAR bond district or any STAR bond projects for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(h) to the extent the political subdivision by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from a STAR bond district or STAR bond projects necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of a STAR bond district plan or STAR bond project plans;

(i) interest cost incurred by a developer for project costs related to the acquisition,

formation, implementation, development, construction, and administration of a STAR bond district, STAR bond district plan, STAR bond projects, or any STAR bond project plans provided that:

(i) payment of such costs in any one year may not exceed 30% of the annual interest costs incurred by the developer with regard to the STAR bond district or any STAR bond projects during that year; and

(ii) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total cost paid or incurred by the developer for a STAR bond district or STAR bond projects, plus project costs, excluding any property assembly costs incurred by a political subdivision pursuant to this Act;

(j) costs of common areas located within the boundaries of a STAR bond district;

(k) costs of landscaping and plantings, retaining walls and fences, man-made lakes and ponds, shelters, benches, lighting, and similar amenities located within the boundaries of a STAR bond district;

(l) costs of mounted building signs, site monument, and pylon signs located within the boundaries of a STAR bond district; or

(m) if included in the STAR bond district plan and approved in writing by the Director, salaries or a portion of salaries for local government employees to the extent the same are directly attributable to the work of such employees on the establishment and management of a STAR bond district or any STAR bond projects.

Except as specified in items (a) through (m), "project costs" shall not include:

(i) the cost of construction of buildings that are privately-owned or owned by a municipality and leased to a developer or retail user for non-entertainment retail uses;

(ii) moving expenses for employees of the businesses locating within the STAR bond district;

(iii) property taxes for property located in the STAR bond district;

(iv) lobbying costs; and

(v) general overhead or administrative costs of the political subdivision that would still have been incurred by the political subdivision if the political subdivision had not established a STAR bond district.

"Project development agreement" means any one or more agreements, including any amendments thereto, between a master developer and any co-developer or sub-developer in connection with a STAR bond project, which project development agreement may include the political subdivision as a party.

"Projected market area" means any area within the State in which a STAR bond district or STAR bond project is projected to have a significant fiscal or market impact as determined by the Director.

"Resolution" means a resolution, order, ordinance, or other appropriate form of legislative action of a political subdivision or other applicable public entity approved by a vote of a majority of a quorum at a meeting of the governing body of the political subdivision or applicable public entity.

"STAR bond" means a sales tax and revenue bond, note, or other obligation payable from pledged STAR revenues.

"STAR bond district" means the specific area declared to be an eligible area as determined by the political subdivision, and approved by the Director, in which the political subdivision may develop one or more STAR bond projects.

"STAR bond district plan" means the preliminary or conceptual plan that generally identifies the proposed STAR bond project areas and identifies in a general manner the buildings, facilities, and improvements to be constructed or improved in each STAR bond project area.

"STAR bond project" means a project within a STAR bond district which is approved pursuant to Section 20.

"STAR bond project area" means the geographic area within a STAR bond district in which there may be one or more STAR bond projects.

"STAR bond project plan" means the written plan adopted by a political subdivision for the development of a STAR bond project in a STAR bond district; the plan may include, but is not limited to, (i) project costs incurred prior to the date of the STAR bond project plan and estimated future STAR bond project costs, (ii) proposed sources of funds to pay those costs, (iii) the nature and estimated term of any obligations to be issued by the political subdivision to pay those costs, (iv) the most recent equalized assessed valuation of the STAR bond project area, (v) an estimate of the equalized assessed valuation of the STAR bond district or applicable project area after completion of a STAR bond project, (vi) a general description of the types of any known or proposed developers, users, or tenants of the STAR bond project

or projects included in the plan, (vii) a general description of the type, structure, and character of the property or facilities to be developed or improved, (viii) a description of the general land uses to apply to the STAR bond project, and (ix) a general description or an estimate of the type, class, and number of employees to be employed in the operation of the STAR bond project.

"State sales tax" means all of the net revenue realized under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act from transactions at places of business located within a STAR bond district. For the purposes of this Act, "State sales tax" does not include any State sales taxes that are, at the time of formation of a STAR bond district, already subject to tax increment financing under the Tax Increment Allocation Redevelopment Act.

"State sales tax increment" means that portion of the State sales tax that is in excess of the State sales tax for the same month in the base year, as determined by the Department of Revenue.

"Substantial change" means a change wherein the proposed STAR bond project plan differs substantially in size, scope, or use from the approved STAR bond district plan or STAR bond project plan.

"Taxpayer" means an individual, partnership, corporation, limited liability company, trust, estate, or other entity that is subject to the Illinois Income Tax Act.

"Vacant" means that portion of the land in a proposed STAR bond district that is not occupied by a building, facility, or other vertical improvement.

Section 15. Establishment of STAR bond district. The governing body of a municipality may establish a STAR bond district within an eligible area within the municipality or partially outside the boundaries of the municipality in an unincorporated area of the county. A STAR bond district which is partially outside the boundaries of the municipality must also be approved by the governing body of the county by the passage of a resolution. The governing body of a county may establish a STAR bond district in an eligible area in any unincorporated area of the county.

(a) When a political subdivision proposes to establish a STAR bond district, the political subdivision shall adopt a resolution stating that the political subdivision is considering the establishment of a STAR bond district. The resolution shall:

(1) give notice that a public hearing will be held to consider the establishment of a STAR bond district and fix the date, hour, and place of the public hearing provided that notice of the hearing shall be provided as set forth in item (2) of subsection (e) of Section 20;

(2) describe the proposed general boundaries of the STAR bond district;

(3) describe the STAR bond district plan;

(4) require that a description and map of the proposed STAR bond district are available for inspection at a time and place designated;

(5) identify the master developer for the STAR bond district; and

(6) require that the governing body consider findings necessary for the establishment of a STAR bond district.

(b) Upon the conclusion of the public hearing the governing body of the political subdivision may consider a resolution to establish the STAR bond district.

(1) A resolution to establish a STAR bond district shall:

(A) make findings that the proposed STAR bond district is to be developed with one or more STAR bond projects;

(B) make findings that the STAR bond district is an eligible area;

(C) contain a STAR bond district plan that identifies in a general manner the buildings and facilities that are proposed to be constructed or improved in subsequent STAR bond projects;

(D) contain the legal description of the STAR bond district;

(E) appoint the master developer for the STAR bond district; and

(F) establish the STAR bond district, contingent upon approval of the Director as set forth in subsection (d).

(2) If the resolution is not adopted by the political subdivision within 60 days from the conclusion of the public hearing, then the STAR bond district shall not be established.

(3) Upon adoption of a resolution establishing a STAR bond district, the political subdivision shall send a certified copy of such resolution to the Department of Revenue.

(c) Upon the establishment of a STAR bond district, the STAR bond district and any STAR bond projects shall be governed by a master development agreement between the political subdivision and the master developer. A STAR bond district that is partially outside the boundaries of a municipality shall only require one master development agreement; the agreement shall be between the municipality and

the master developer. In no event shall there be more than one master development agreement governing the terms and conditions of a STAR bond district.

(d) Upon adoption of the resolution to establish a STAR bond district, the political subdivision shall submit the proposed STAR bond district to the Director for consideration. The Director may only approve a STAR bond district if the Director finds that: (i) the proposed STAR bond district is an eligible area, (ii) no portion of the proposed STAR bond district is located within a municipality that has an enterprise zone pursuant to the Illinois Enterprise Zone Act within its municipal boundaries, (iii) the STAR bond district plan includes a projected capital investment of at least $300,000,000, (iv) the STAR bond district plan is reasonably projected to produce at least $300,000,000 of annual gross sales revenues and 1,000 new jobs, (v) the creation of the STAR bond district and STAR bond district plan are not contrary to the purpose of this Act or the public interest; and (vi) the STAR bond district and STAR bond district plan meet any other requirement that the Director deems appropriate. If a proposed STAR bond district meets all of the foregoing criteria, the Director shall not unreasonably withhold its approval of the proposed STAR bond district. The Director may only approve one STAR bond district within any projected market area. However, the Director may approve additional STAR bond districts in a single projected market area provided that the Director finds that the additional STAR bond district will not thwart the purposes of this Act. The Director shall promptly send a copy of its written findings and approval or denial of a STAR bond district to the requesting political subdivision.

Section 20. Approval of STAR bond projects. The governing body of a political subdivision may establish one or more STAR bond projects in any STAR bond district. A STAR bond project which is partially outside the boundaries of a municipality must also be approved by the governing body of the county by resolution.

(a) After the establishment of a STAR bond district, the master developer may propose one or more STAR bond projects to a political subdivision and the master developer shall, in cooperation with the political subdivision, prepare a STAR bond project plan in consultation with the planning commission of the political subdivision, if any. The STAR bond project plan may be implemented in separate development stages.

(b) Any political subdivision considering a STAR bond project within a STAR bond district shall cause to be prepared an independent feasibility study by a feasibility consultant with copies provided to the Director and the Department of Commerce and Economic Opportunity. The feasibility study shall include the following:

(1) the estimated amount of pledged STAR revenues expected to be collected in each year through the maturity date of the proposed STAR bonds;

(2) a statement of how the jobs and taxes obtained from the STAR bond project will contribute significantly to the economic development of the State and region;

(3) visitation expectations;

(4) the unique quality of the project;

(5) an economic impact study;

(6) a market study;

(7) integration and collaboration with other resources or businesses;

(8) the quality of service and experience provided, as measured against national consumer standards for the specific target market;

(9) project accountability, measured according to best industry practices;

(10) the expected return on State and local investment that the STAR bond project is anticipated to produce; and

(11) an anticipated principal and interest payment schedule on the STAR bonds.

The feasibility consultant, along with the independent economist and any other consultants commissioned to perform the studies and other analysis required by the feasibility study, shall be selected by mutual agreement of the Director and the political subdivision. The consultants shall be jointly retained by the Director and the political subdivision.

The failure to include all information enumerated in this subsection in the feasibility study for a STAR bond project shall not affect the validity of STAR bonds issued pursuant to this Act.

(c) If the political subdivision determines the STAR bond project is feasible, the STAR bond project plan shall include:

(1) a summary of the feasibility study;

(2) a reference to the STAR bond district plan that identifies the STAR bond project area that is set forth in the STAR bond project plan that is being considered;

(3) a legal description and map of the STAR bond project area to be developed or redeveloped;

(4) a description of the buildings and facilities proposed to be constructed or improved in such STAR bond project area; and

(5) any other information the governing body of the political subdivision deems reasonable and necessary to advise the public of the intent of the STAR bond project plan.

(d) Before a political subdivision may hold a public hearing to consider a STAR bond project plan, the Department of Commerce and Economic Opportunity shall hold a regional public meeting to discuss, evaluate, and review the merits of the STAR bond project plan. The public meeting shall be held at the county courthouse, or if the county courthouse is not available, at such other place as may be convenient to the citizens of the region and the public meeting shall be held within 20 days after the receipt of the feasibility study by the Director. Notice of the public meeting shall be delivered to the Director and the political subdivision and shall be published once in a newspaper of general circulation in the political subdivision not less than one week and not more than 3 weeks preceding the date of the public meeting. At the public meeting, all interested persons shall be given an opportunity to be heard. At the conclusion of the public meeting, the Department of Commerce and Economic Opportunity shall provide a report to the Director concerning the testimony of the public meeting.

(e) Before a political subdivision may hold a public hearing to consider a STAR bond project plan, the Director must review the feasibility study and consider all of the components of the feasibility study set forth in items (1) through (11) of subsection (b) of Section 20, including without limitation the economic impact study and the financial benefit of the proposed STAR bond project to the local, regional, and state economies, the proposed adverse impacts on similar businesses and projects as well as municipalities within the market area and the net effect of the proposed STAR bond project on the local, regional, and state economies and the Director shall either approve or deny the STAR bond project plan based on the aforementioned criteria.

(f) Upon a finding by the planning and zoning commission of the political subdivision that the STAR bond project plan is consistent with the intent of the comprehensive plan for the development of the political subdivision and upon issuance of the written approval of the STAR bond project plan from the Director pursuant to subsection (e) of Section 20, the governing body of the political subdivision shall adopt a resolution stating that the political subdivision is considering the adoption of the STAR bond project plan. The resolution shall:

(1) give notice that a public hearing will be held to consider the adoption of the STAR bond project plan and fix the date, hour, and place of the public hearing;

(2) describe the general boundaries of the STAR bond district within which the STAR bond project will be located and the date of establishment of the STAR bond district;

(3) describe the general boundaries of the area proposed to be included within the STAR bond project area;

(4) provide that the STAR bond project plan and map of the area to be redeveloped or developed are available for inspection during regular office hours in the offices of the political subdivision; and

(5) contain a summary of the terms and conditions of any proposed project development agreement with the political subdivision.

(g) A public hearing shall be conducted to consider the adoption of any STAR bond project plan.

(1) The date fixed for the public hearing to consider the adoption of the STAR bond project plan shall be not less than 20 nor more than 90 days following the date of the adoption of the resolution fixing the date of the hearing.

(2) A copy of the political subdivision's resolution providing for the public hearing shall be sent by certified mail, return receipt requested, to the governing body of the county. A copy of the political subdivision's resolution providing for the public hearing shall be sent by certified mail, return receipt requested, to each person or persons in whose name the general taxes for the last preceding year were paid on each parcel of land lying within the proposed STAR bond project area within 10 days following the date of the adoption of the resolution. The resolution shall be published once in a newspaper of general circulation in the political subdivision not less than one week nor more than 3 weeks preceding the date fixed for the public hearing. A map or aerial photo clearly delineating the area of land proposed to be included within the STAR bond project area shall be published with the resolution.

(3) At the public hearing, a representative of the political subdivision or master

developer shall present the STAR bond project plan. Following the presentation of the STAR bond project plan, all interested persons shall be given an opportunity to be heard. The governing body may continue the date and time of the public hearing.

(h) Upon conclusion of the public hearing, the governing body of the political subdivision may adopt the STAR bond project plan by a resolution approving the STAR bond project plan.

(i) After the adoption by the corporate authorities of the political subdivision of a STAR bond project plan, the political subdivision may enter into a project development agreement if the master developer has requested the political subdivision to be a party to the project development agreement pursuant to subsection (b) of Section 25.

(j) Within 30 days after the adoption by the political subdivision of a STAR bond project plan, the clerk of the political subdivision shall transmit a copy of the legal description of the land and a list of all new and existing mailing addresses within the STAR bond district, a copy of the resolution adopting the STAR bond project plan, and a map or plat indicating the boundaries of the STAR bond project area to the clerk, treasurer, and governing body of the county and to the Department of Revenue. Within 30 days of creation of any new mailing addresses within a STAR bond district, the clerk of the political subdivision shall provide written notice of such new addresses to the Department of Revenue.

If a certified copy of the resolution adopting the STAR bond project plan is filed with the Department on or before the first day of April, the Department, if all other requirements of this subsection are met, shall proceed to collect and allocate any local sales tax increment and any State sales tax increment in accordance with the provisions of this Act as of the first day of July next following the adoption and filing. If a certified copy of the resolution adopting the STAR bond project plan is filed with the Department after April 1 but on or before the first day of October, the Department, if all other requirements of this subsection are met, shall proceed to collect and allocate any local sales tax increment and any State sales tax increment in accordance with the provisions of this Act as of the first day of January next following the adoption and filing.

Any substantial changes to a STAR bond project plan as adopted shall be subject to a public hearing following publication of notice thereof in a newspaper of general circulation in the political subdivision and approval by resolution of the governing body of the political subdivision.

The Department of Revenue shall not collect or allocate any local sales tax increment or State sales tax increment, until the political subdivision also provides, in the manner prescribed by the Department, the boundaries of the STAR bond project area and each address in the STAR bond project area in such a way that the Department can determine by its address whether a business is located in the STAR bond project area. The political subdivision must provide this boundary and address information to the Department on or before April 1 for administration and enforcement under this Act by the Department beginning on the following July 1 and on or before October 1 for administration and enforcement under this Act 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 STAR bond project or any address change, addition, or deletion until the political subdivision reports the boundary change or address change, addition, or deletion to the Department in the manner prescribed by the Department. The political subdivision must provide this boundary change or address change, addition, or deletion information to the Department on or before April 1 for administration and enforcement by the Department of the change, addition, or deletion beginning on the following July 1 and on or before October 1 for administration and enforcement by the Department of the change, addition, or deletion beginning on the following January 1. If a retailer is incorrectly included or excluded from the list of those located in the STAR bond project, the Department of Revenue shall be held harmless if it reasonably relied on information provided by the political subdivision.

(k) Any STAR bond project must be approved by the political subdivision prior to that date which is 23 years from the date of the approval of the STAR bond district, provided however that any amendments to such STAR bond project may occur following such date.

(l) Any developer of a STAR bond project shall commence work on the STAR bond project within 3 years from the date of adoption of the STAR bond project plan. If the developer fails to commence work on the STAR bond project within the 3-year period, funding for the project shall cease and the developer of the project or complex shall have one year to appeal to the political subdivision for reapproval of the project and funding. If the project is reapproved, the 3-year period for commencement shall begin again on the date of the reapproval.

(m) After the adoption by the corporate authorities of the political subdivision of a STAR bond project plan and approval of the Director pursuant to subsection (e) of Section 20, the political subdivision may authorize the issuance of the STAR bonds in one or more series to finance the STAR bond project in

accordance with the provisions of this Act.

(n) The maximum maturity of STAR bonds issued to finance a STAR bond project shall not exceed 23 years from the first date of distribution of State sales tax revenues from such STAR bond project to the political subdivision, unless the political subdivision extends such maturity by resolution up to a maximum of 35 years from such first distribution date. Any such extension shall require the approval of the Director. In no event shall the maximum maturity date for any STAR bonds exceed that date which is 35 years from the first distribution date of the first STAR bonds issued in a STAR bond district.

Section 25. Co-Developers and sub-developers. Upon approval of a STAR bond project by the political subdivision, the master developer may, subject to the approval of the Director and the political subdivision, develop the STAR bond project on its own or it may develop the STAR bond project with another developer, which may include an assignment or transfer of development rights.

(a) A master developer may sell, lease, or otherwise convey its property interest in the STAR bond project area to a co-developer or sub-developer.

(b) A master developer may enter into one or more agreements with a co-developer or sub-developer in connection with a STAR bond project, and the master developer may request that the political subdivision become a party to the project development agreement, or the master developer may request that the political subdivision amend its master development agreement to provide for certain terms and conditions that may be related to the co-developer or sub-developer and the STAR bond project. For any project development agreement which the political subdivision would be a party or for any amendments to the master development agreement, the terms and conditions must be acceptable to both the master developer and the political subdivision.

Section 30. STAR bonds; source of payment. Any political subdivision shall have the power to issue STAR bonds in one or more series to finance the undertaking of any STAR bond project in accordance with the provisions of this Act and the Omnibus Bond Acts. STAR bonds may be issued as revenue bonds, alternate bonds, or general obligation bonds as defined in and subject to the procedures provided in the Local Government Debt Reform Act.

(a) STAR bonds may be made payable, both as to principal and interest, from the following revenues, which to the extent pledged by each respective political subdivision or other public entity for such purpose shall constitute pledged STAR revenues:

(1) revenues of the political subdivision derived from or held in connection with the undertaking and carrying out of any STAR bond project or projects under this Act;

(2) available private funds and contributions, grants, tax credits, or other financial assistance from the State or federal government;

(3) all of the local sales tax increment of a municipality, county, or other unit of local government;

(4) any special service area taxes collected within the STAR bond district under the Special Service Area Tax Act, may be used for the purposes of funding project costs or paying debt service on STAR bonds in addition to the purposes contained in the special service area plan;

(5) all of the State sales tax increment;

(6) any other revenues appropriated by the political subdivision; and

(7) any combination of these methods.

(b) The political subdivision may pledge the pledged STAR revenues to the repayment of STAR bonds prior to, simultaneously with, or subsequent to the issuance of the STAR bonds.

(c) Bonds issued as revenue bonds shall not be general obligations of the political subdivision, nor in any event shall they give rise to a charge against its general credit or taxing powers, or be payable out of any funds or properties other than those set forth in subsection (a) and the bonds shall so state on their face.

(d) For each STAR bond project financed with STAR bonds payable from the pledged STAR revenues, the political subdivision shall prepare and submit to the Department of Revenue by June 1 of each year a report describing the status of the STAR bond project, any expenditures of the proceeds of STAR bonds that have occurred for the preceding calendar year, and any expenditures of the proceeds of the bonds expected to occur in the future, including the amount of pledged STAR revenue, the amount of revenue that has been spent, the projected amount of the revenue, and the anticipated use of the revenue.

(e) There is created in the State treasury a special fund to be known as the STAR Bonds Revenue Fund. As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, from the General Revenue Fund to the STAR Bonds Revenue Fund the State sales tax increment for the second

preceding month, less the amount of the State sales tax increment deposited into the Local Government Tax Fund and the County and Mass Transit District Fund. As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, from the Local Government Tax Fund to the STAR Bonds Revenue Fund the State sales tax increment for the second preceding month, as provided in Section 6z-18 of the State Finance Act and from the County and Mass Transit District Fund to the STAR Bonds Revenue Fund the State sales tax increment for the second preceding month, as provided in Section 6z-20 of the State Finance Act.

On or before the 25th day of each calendar month, beginning in January 2010, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money out of the STAR Bonds Revenue Fund to named municipalities and counties, the municipalities and counties to be those entitled to distribution of taxes or penalties paid to the Department during the second preceding calendar month. The amount to be paid to each municipality or county shall be the amount of the State sales tax increment and the local sales tax increment (not including credit memoranda) collected during the second preceding calendar month by the Department from retailers and servicemen on transactions at places of business located within a STAR bond district in that municipality or county, plus an amount the Department determines is necessary to offset any amounts which 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, and not including any amount which the Department determines is necessary to offset any amounts which are payable to a different taxing body but were erroneously paid to the municipality or county. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities and counties, 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 such certification.

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

Section 35. Alternate bonds and general obligation bonds. A political subdivision shall have the power to issue alternate revenue and other general obligation bonds to finance the undertaking, establishment, or redevelopment of any STAR bond project as provided and pursuant to the procedures set forth in the Local Government Debt Reform Act. A political subdivision shall have the power to issue general obligation bonds to finance the undertaking, establishment, or redevelopment of any STAR bond project on approval by the voters of the political subdivision of a proposition authorizing the issue of such bonds.

The full faith and credit of the State, any department, authority, public corporation or quasi-public corporation of the State, any State college or university, or any other public agency created by the State shall not be pledged for any payment under any obligation authorized by this Act.

Section 40. Amendments to STAR bond district. Any addition of real property to a STAR bond district or any substantial change to a STAR bond district plan shall be subject to the same procedure for public notice, hearing, and approval as is required for the establishment of the STAR bond district pursuant to this Act.

(a) The addition or removal of land to or from a STAR bond district shall require the consent of the master developer of the STAR bond district.

(b) Any land that is outside of, but is contiguous to an established STAR bond district and is subsequently owned, leased, or controlled by the master developer shall be added to a STAR bond district at the request of the master developer and by approval of the political subdivision, provided that the land becomes a part of a STAR bond project area.

(c) If a political subdivision has undertaken a STAR bond project within a STAR bond district, and the political subdivision desires to subsequently remove more than a de minimus amount of real property from the STAR bond district, then prior to any removal of property the political subdivision must provide a revised feasibility study showing that the pledged STAR revenues from the resulting STAR bond district within which the STAR bond project is located are estimated to be sufficient to pay the project costs. If the revenue from the resulting STAR bond district is insufficient to pay the project costs, then the property may not be removed from the STAR bond district. Any removal of real property from a STAR bond district shall be approved by a resolution of the governing body of the political subdivision.

Section 45. Restrictions. No portion of a STAR bond project shall be financed with tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act. During any period of time that

STAR bonds are outstanding for a STAR bond district, a developer may not use any land located in the STAR bond district for any (i) retail store whose primary business is the sale of automobiles, including trucks and other automotive vehicles with 4 wheels designed for passenger transportation on public streets and thoroughfares or (ii) stadium or facility for playing National Association of Minor League Baseball or Professional Independent Baseball League games.

Section 50. Reporting taxes. Notwithstanding any other provisions of law to the contrary, the Department of Revenue shall provide a certified report of the State sales tax increment and local sales tax increment from all taxpayers within a STAR bond district to the bond trustee, escrow agent, or paying agent for such bonds upon the written request of the political subdivision on or before the 25th day of each month. Such report shall provide a detailed allocation of State sales tax increment and local sales tax increment from each local sales tax and State sales tax reported to the Department of Revenue.

(a) The bond trustee, escrow agent, or paying agent shall keep such sales and use tax reports and the information contained therein confidential, but may use such information for purposes of allocating and depositing the sales and use tax revenues in connection with the bonds used to finance project costs in such STAR bond district. Except as otherwise provided herein, the sales and use tax reports received by the bond trustee, escrow agent, or paying agent shall be subject to the provisions of Chapter 35 of the Illinois Compiled Statutes, including Section 3 of the Retailer's Occupation Tax Act and Section 9 of the Use Tax Act.

(b) The political subdivision shall determine when the amount of sales tax and other revenues that have been collected and distributed to the bond debt service or reserve fund is sufficient to satisfy all principal and interest costs to the maturity date or dates of any STAR bond issued by a political subdivision to finance a STAR bond project and shall give the Department of Revenue written notice of such determination. The notice shall include a date certain on which deposits into the STAR Bonds Revenue Fund for that STAR bond project shall terminate and shall be provided to the Department of Revenue at least 60 days prior to that date. Thereafter, all sales tax and other revenues shall be collected and distributed in accordance with applicable law.

Section 55. Severability. If any provision of this Act or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or application of the Act that can be given effect without the invalid provisions or application and to this end the provisions of this Act are declared to be severable.

Section 60. Open meetings and freedom of information. All public hearings related to the administration, formation, implementation, development, or construction of a STAR bond district, STAR bond district plan, STAR bond project, or STAR bond project plan, including but not limited to the public hearings required by Sections 15, 20, and 40 of this Act, shall be held in compliance with the Open Meetings Act. The public hearing records, feasibility study, and other documents that do not otherwise meet a confidentiality exemption shall be subject to the Freedom of Information Act.

Section 65. Powers of political subdivisions. The provisions of this Act are intended to be supplemental and in addition to all other power or authority granted to political subdivisions, shall be construed liberally, and shall not be construed as a limitation of any power or authority otherwise granted. In addition to the powers a political subdivision may have under other provisions of law, a political subdivision shall have all of the following powers in connection with a STAR bond district:

(a) To make and enter into all contracts necessary or incidental to the implementation and furtherance of a STAR bond district plan.

(b) Within a STAR bond district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests in property and to grant or acquire licenses, easements, and options with respect to property, all in the manner and at a price the political subdivision determines is reasonably necessary to achieve the objectives of the STAR bond project.

(c) To clear any area within a STAR bond district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements and to clear and grade land.

(d) To install, repair, construct, reconstruct, extend or relocate public streets, public utilities, and other public site improvements located both within and outside the boundaries of a STAR bond district that are essential to the preparation of a STAR bond district for use in accordance with a STAR bond district plan.

(e) To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, improvements, and fixtures within a STAR bond district.

(f) To install or construct any public buildings, structures, works, streets,

improvements, utilities, or fixtures within a STAR bond district.

(g) To issue STAR bonds as provided in this Act.

(h) Subject to the limitations set forth in the definition of "project costs" in Section 10 of this Act, to fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion of a building, facility, or property owned or leased by the political subdivision in furtherance of a STAR bond project under this Act within a STAR bond district.

(i) To accept grants, guarantees, donations of property or labor, or any other thing of value for use in connection with a STAR bond project.

(j) To pay or cause to be paid STAR bond project costs, including, specifically, to reimburse any developer or nongovernmental person for STAR bond project costs incurred by that person. A political subdivision is not required to obtain any right, title, or interest in any real or personal property in order to pay STAR bond project costs associated with the property. The political subdivision shall adopt accounting procedures necessary to determine that the STAR bond project costs are properly paid.

(k) To exercise any and all other powers necessary to effectuate the purposes of this Act.

Section 66. The State Finance Act is amended by changing Sections 6z-18 and 6z-20 and by adding Section 5.719 as follows:

(30 ILCS 105/5.719 new)

Sec. 5.719. The STAR Bonds Revenue Fund.

(30 ILCS 105/6z-18) (from Ch. 127, par. 142z-18)

Sec. 6z-18. A portion of the money paid into the Local Government Tax Fund from sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which 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, which occurred in municipalities, shall be distributed to each municipality based upon the sales which occurred in that municipality. The remainder shall be distributed to each county based upon the sales which occurred in the unincorporated area of that county.

A portion of the money paid into the Local Government Tax Fund from the 6.25% general use tax rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by any agency of this State's government shall be distributed to municipalities as provided in this paragraph. Each municipality shall receive the amount attributable to sales for which Illinois addresses for titling or registration purposes are given as being in such municipality. The remainder of the money paid into the Local Government Tax Fund from such sales shall be distributed to counties. Each county shall receive the amount attributable to sales for which Illinois addresses for titling or registration purposes are given as being located in the unincorporated area of such county.

A portion of the money paid into the Local Government Tax Fund from the 6.25% general rate (and, beginning July 1, 2000 and through December 31, 2000, the 1.25% rate on motor fuel and gasohol) on sales subject to taxation under the Retailers' Occupation Tax Act and the Service Occupation Tax Act, which occurred in municipalities, shall be distributed to each municipality, based upon the sales which occurred in that municipality. The remainder shall be distributed to each county, based upon the sales which occurred in the unincorporated area of such county.

For the purpose of determining allocation to the local government unit, 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 United States Constitution as a sale in interstate or foreign commerce.

Whenever the Department determines that a refund of money paid into the Local Government Tax Fund should be made 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 such notification from the Department. Such refund shall be paid by the State Treasurer out of the Local Government Tax Fund.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer to the STAR Bonds Revenue Fund the State sales tax increment, as defined in the STAR Bonds Financing Act, collected during the second preceding calendar month for sales within a STAR bond district and deposited into the Local Government Tax Fund.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 and counties, the municipalities and counties to be those entitled to distribution of taxes or penalties paid to the Department during the second preceding calendar month. The amount to be paid to each municipality or county shall be the amount (not including credit memoranda) collected during the second preceding calendar month by the Department and paid into the Local Government Tax Fund, plus an amount the Department determines is necessary to offset any amounts which 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, and not including any amount which the Department determines is necessary to offset any amounts which are payable to a different taxing body but were erroneously paid to the municipality or county , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities and counties, 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 such certification.

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

The provisions directing the distributions from the special fund in the State Treasury provided for in this Section shall constitute an irrevocable and continuing appropriation of all amounts as provided herein. The State Treasurer and State Comptroller are hereby authorized to make distributions as provided in this Section.

In construing any development, redevelopment, annexation, preannexation or other lawful agreement in effect prior to September 1, 1990, which describes or refers to receipts from a county or municipal retailers' occupation tax, use tax or service occupation tax which now cannot be imposed, such description or reference shall be deemed to include the replacement revenue for such abolished taxes, distributed from the Local Government Tax Fund.

(Source: P.A. 90-491, eff. 1-1-98; 91-51, eff. 6-30-99; 91-872, eff. 7-1-00.)

(30 ILCS 105/6z-20) (from Ch. 127, par. 142z-20)

Sec. 6z-20. Of the money received from the 6.25% general rate (and, beginning July 1, 2000 and through December 31, 2000, the 1.25% rate on motor fuel and gasohol) on sales subject to taxation under the Retailers' Occupation Tax Act and Service Occupation Tax Act and paid into the County and Mass Transit District Fund, distribution to the Regional Transportation Authority tax fund, created pursuant to Section 4.03 of the Regional Transportation Authority Act, for deposit therein shall be made based upon the retail sales occurring in a county having more than 3,000,000 inhabitants. The remainder shall be distributed to each county having 3,000,000 or fewer inhabitants based upon the retail sales occurring in each such county.

For the purpose of determining allocation to the local government unit, 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 United States Constitution as a sale in interstate or foreign commerce.

Of the money received from the 6.25% general use tax rate on tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by any agency of this State's government and paid into the County and Mass Transit District Fund, the amount for which Illinois addresses for titling or registration purposes are given as being in each county having more than 3,000,000 inhabitants shall be distributed into the Regional Transportation Authority tax fund, created pursuant to Section 4.03 of the Regional Transportation Authority Act. The remainder of the money paid from such sales shall be distributed to each county based on sales for which Illinois addresses for titling or registration purposes are given as being located in the county. Any money paid into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund prior to January 14, 1991, which has not been paid to the Authority prior to that date, shall be transferred to the Regional Transportation Authority tax fund.

Whenever the Department determines that a refund of money paid into the County and Mass Transit District Fund should be made 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 such notification from the Department. Such refund shall be paid by the State Treasurer out of the County and Mass Transit District Fund.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the State sales tax increment, as defined in the STAR Bonds Financing Act, collected during the second preceding calendar month for sales within a STAR bond district and deposited into the County and Mass Transit District Fund.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 Regional Transportation Authority and to named counties, the counties to be those entitled to distribution, as hereinabove provided, of taxes or penalties paid to the Department during the second preceding calendar month. The amount to be paid to the Regional Transportation Authority and each county having 3,000,000 or fewer inhabitants shall be the amount (not including credit memoranda) collected during the second preceding calendar month by the Department and paid into the County and Mass Transit District Fund, plus an amount the Department determines is necessary to offset any amounts which 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, and not including any amount which the Department determines is necessary to offset any amounts which were payable to a different taxing body but were erroneously paid to the Regional Transportation Authority or county , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the Regional Transportation Authority and counties, 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 such certification.

When certifying the amount of a monthly disbursement to the Regional Transportation Authority or to a county under this Section, the Department shall increase or decrease that amount by an amount necessary to offset any misallocation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the 6 months preceding the time a misallocation is discovered.

The provisions directing the distributions from the special fund in the State Treasury provided for in this Section and from the Regional Transportation Authority tax fund created by Section 4.03 of the Regional Transportation Authority Act shall constitute an irrevocable and continuing appropriation of all amounts as provided herein. The State Treasurer and State Comptroller are hereby authorized to make distributions as provided in this Section.

In construing any development, redevelopment, annexation, preannexation or other lawful agreement in effect prior to September 1, 1990, which describes or refers to receipts from a county or municipal retailers' occupation tax, use tax or service occupation tax which now cannot be imposed, such description or reference shall be deemed to include the replacement revenue for such abolished taxes, distributed from the County and Mass Transit District Fund or Local Government Distributive Fund, as the case may be.

(Source: P.A. 90-491, eff. 1-1-98; 91-872, eff. 7-1-00.)

Section 67. The Counties Code is amended by changing Sections 5-1006, 5-1006.5, 5-1006.7, and 5-1007 as follows:

(55 ILCS 5/5-1006) (from Ch. 34, par. 5-1006)

Sec. 5-1006. Home Rule County Retailers' Occupation Tax Law. Any county that is a home rule unit may impose a tax 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 county on the gross receipts from such sales made in the course of their business. If imposed, this tax shall only be imposed in 1/4% increments. On and after September 1, 1991, this additional tax may not be imposed on the sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which 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. The tax imposed by a home rule county pursuant to 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 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 Section without registering separately with the Department under such ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section; 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 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 and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax), 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.

No tax may be imposed by a home rule county pursuant to this Section unless the county also imposes a tax at the same rate pursuant to Section 5-1007.

Persons subject to any tax imposed pursuant to the authority granted in this Section may reimburse themselves for their seller's tax liability hereunder by separately stating such tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to 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 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 home rule county retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 counties, the counties 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 county shall be the amount (not including credit memoranda) collected hereunder 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 on behalf of such county, and not including any amount which the Department determines is necessary to offset any amounts which were payable to a different taxing body but were erroneously paid to the county , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the counties 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.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in March of each year to each county that received more than $500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year (excluding the 2 months of highest receipts). The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to 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 shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

For the purpose of determining the local governmental unit whose tax 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 United States Constitution as a sale in interstate or foreign commerce.

Nothing in this Section shall be construed to authorize a county 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.

An ordinance or resolution 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 June, whereupon the Department shall proceed to administer and enforce this Section as of the first day of September next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the 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 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 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 such adoption and filing. Beginning April 1, 1998, an ordinance or resolution imposing or discontinuing the tax hereunder 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 shall proceed to administer and enforce this Section 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 the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing.

When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease such 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.

This Section shall be known and may be cited as the Home Rule County Retailers' Occupation Tax Law.

(Source: P.A. 90-689, eff. 7-31-98; 91-51, eff. 6-30-99.)

(55 ILCS 5/5-1006.5)

Sec. 5-1006.5. Special County Retailers' Occupation Tax For Public Safety, Public Facilities, or Transportation.

(a) The county board of any county may impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively for public safety, public facility, or transportation purposes in that county, if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question. If imposed, this tax shall be imposed only in one-quarter percent increments. By resolution, the county board may order the proposition to be submitted at any election. If the tax is imposed for transportation purposes for expenditures for public highways or as authorized under the Illinois Highway Code, the county board must publish notice of the existence of its long-range highway transportation plan as required or described in Section 5-301 of the Illinois Highway Code and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. If the tax is imposed for transportation purposes for expenditures for passenger rail transportation, the county board must publish notice of the existence of its long-range passenger rail transportation plan and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. The county clerk shall certify the question to the proper election authority, who shall submit the proposition at an election in accordance with the general election law.

(1) The proposition for public safety purposes shall be in substantially the following form:

"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public safety purposes shall be in substantially the following form:

"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of

years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of the paragraph, "public safety purposes" means crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services.

Votes shall be recorded as "Yes" or "No".

(2) The proposition for transportation purposes shall be in substantially the following form:

"To pay for improvements to roads and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for transportation purposes shall be in substantially the following form:

"To pay for road improvements and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of this paragraph, transportation purposes means construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation.

The votes shall be recorded as "Yes" or "No".

(3) The proposition for public facility purposes shall be in substantially the following form:

"To pay for public facility purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public facility purposes shall be in substantially the following form:

"To pay for public facility purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For purposes of this Section, "public facilities purposes" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or

expected to be required, in connection with the public facilities, for use by the county for the furnishing of governmental services to its citizens, including but not limited to museums and nursing homes.

The votes shall be recorded as "Yes" or "No".

If a majority of the electors voting on the proposition vote in favor of it, the county may impose the tax. A county may not submit more than one proposition authorized by this Section to the electors at any one time.

This additional tax may not be imposed on the 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 which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed by a county under this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Illinois Department of Revenue and deposited into a special fund created for that purpose. 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 without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their sellers' tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to such bracketed 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 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 County Public Safety or Transportation Retailers' Occupation Tax Fund.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service. This tax may not be imposed on 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 prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. 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 Department has full power to administer and enforce this subsection; 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 subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the county), 2a, 2b, 2c, 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 county), 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 county), 9 (except as to the disposition of taxes and penalties collected), 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 county), 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 subsection may reimburse themselves for their serviceman's tax liability 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 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 County Public Safety or Transportation Retailers' Occupation Fund.

Nothing in this subsection shall be construed to authorize the county 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.

(c) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the County Public Safety or Transportation Retailers' Occupation Tax Fund, which shall be an unappropriated trust fund held outside of the State treasury.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 counties from which retailers have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county, and deposited by the county into its special fund created for the purposes of this Section, shall be the amount (not including credit memoranda) collected under this Section 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 (i) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county , ~~and~~ (ii) 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 county , and (iii) any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the counties 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 directions contained in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in March of each year to each county that received more than $500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year (excluding the 2 months of highest receipts). The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to 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 shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(d) For the purpose of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another 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 another 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 United States Constitution as a sale in interstate or foreign commerce.

(e) Nothing in this Section shall be construed to authorize a county 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.

(e-5) If a county imposes a tax under this Section, the county board may, by ordinance, discontinue or lower the rate of the tax. If the county board lowers the tax rate or discontinues the tax, a referendum must be held in accordance with subsection (a) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

(f) Beginning April 1, 1998, the results of any election authorizing a proposition to impose a tax under this Section or effecting a change in the rate of tax, or any ordinance lowering the rate or discontinuing the tax, shall be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

(g) When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a miscalculation is discovered.

(h) This Section may be cited as the "Special County Occupation Tax For Public Safety, Public Facilities, or Transportation Law".

(i) For purposes of this Section, "public safety" includes, but is not limited to, crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services. For the purposes of this Section, "transportation" includes, but is not limited to, the construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation. For the purposes of this Section, "public facilities purposes" includes, but is not limited to, the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the public facilities, for use by the county for the furnishing of governmental services to its citizens, including but not limited to museums and nursing homes.

(j) The Department may promulgate rules to implement this amendatory Act of the 95th General Assembly only to the extent necessary to apply the existing rules for the Special County Retailers' Occupation Tax for Public Safety to this new purpose for public facilities.

(Source: P.A. 94-781, eff. 5-19-06; 95-474, eff. 1-1-08; 95-1002, eff. 11-20-08.)

(55 ILCS 5/5-1006.7)

Sec. 5-1006.7. School facility occupation taxes.

(a) The county board of any county may impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively for school facility purposes if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question as provided in subsection (c). The tax under this Section may be imposed only in one-quarter percent increments and may not exceed 1%.

This additional tax may not be imposed on the sale 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 non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics. The Department of Revenue has 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 a tax or penalty under this subsection. The Department shall deposit all taxes and penalties collected under this subsection into a special fund created for that purpose.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 1 through 1o, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a through 2h, 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, 11a, 12, and 13 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty

and Interest Act as if those provisions were set forth in this subsection.

The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act permits the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this subsection.

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

(b) If a tax has been imposed under subsection (a), then a service occupation tax must also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service.

This tax may not be imposed on 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 prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics.

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 and deposited into a special fund created for that purpose. The Department has 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 a 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 (i) have the same rights, remedies, privileges, immunities, powers and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties and definition of terms, and (iii) employ the same modes of procedure as are set forth in Sections 2 (except that that reference to State in the definition of supplier maintaining a place of business in this State means the county), 2a through 2d, 3 through 3-50 (in respect to all provisions contained in those Sections other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax is a debt to the extent indicated in that Section 8 is the county), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State means the county), Section 15, 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 by separately stating the tax as an additional charge, which may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, pursuant to any bracketed schedules set forth by the Department.

(c) The tax under this Section may not be imposed until, by ordinance or resolution of the county board, the question of imposing the tax has been submitted to the electors of the county at a regular election and approved by a majority of the electors voting on the question. Upon a resolution by the county board or a resolution by school district boards that represent at least 51% of the student enrollment within the county, the county board must certify the question to the proper election authority in accordance with the Election Code.

The election authority must submit the question in substantially the following form:

Shall (name of county) be authorized to impose a retailers' occupation tax and a service occupation tax (commonly referred to as a "sales tax") at a rate of (insert rate) to be used exclusively for school facility purposes?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the county may, thereafter, impose the tax.

For the purposes of this subsection (c), "enrollment" means the head count of the students residing in the county on the last school day of September of each year, which must be reported on the Illinois State Board of Education Public School Fall Enrollment/Housing Report.

(d) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the School Facility Occupation Tax Fund, which shall be an unappropriated trust fund held outside the State treasury.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 regional superintendents of schools in counties from which retailers or servicemen have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each regional superintendent of schools and disbursed to him or her in accordance with 3-14.31 of the School Code, is equal to the amount (not including credit memoranda) collected from the county under this Section during the second preceding calendar month by the Department, (i) 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 Section, on behalf of the county, (ii) plus an amount that the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body; (iii) less an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; ~~and~~ (iv) less 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 county ; and (v) less any amounts that are transferred to the STAR Bonds Revenue Fund. When certifying the amount of a monthly disbursement to a regional superintendent of schools under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements within the previous 6 months from the time a miscalculation is discovered.

Within 10 days after receipt by the Comptroller from the Department of the disbursement certification to the regional superintendents of the schools provided for in this Section, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

If the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, then the Department shall notify the 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 Treasurer out of the School Facility Occupation Tax Fund.

(e) For the purposes of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another 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 subsection does not apply to coal or another 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 United States Constitution as a sale in interstate or foreign commerce.

(f) Nothing in this Section may be construed to authorize a county board 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.

(g) If a county board imposes a tax under this Section, then the board may, by ordinance, discontinue or reduce the rate of the tax. If, however, a school board issues bonds that are backed by the proceeds of the tax under this Section, then the county board may not reduce the tax rate or discontinue the tax if that rate reduction or discontinuance would inhibit the school board's ability to pay the principal and interest on those bonds as they become due. If the county board reduces the tax rate or discontinues the tax, then a referendum must be held in accordance with subsection (c) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

The results of any election that authorizes a proposition to impose a tax under this Section or to change the rate of the tax along with an ordinance imposing the tax, or any ordinance that lowers the rate or discontinues the tax, must be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of January next following the filing.

(h) For purposes of this Section, "school facility purposes" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in

connection with the capital facilities. "School-facility purposes" also includes fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code.

(i) This Section does not apply to Cook County.

(j) This Section may be cited as the County School Facility Occupation Tax Law.

(Source: P.A. 95-675, eff. 10-11-07.)

(55 ILCS 5/5-1007) (from Ch. 34, par. 5-1007)

Sec. 5-1007. Home Rule County Service Occupation Tax Law. The corporate authorities of a home rule county may impose a tax upon all persons engaged, in such county, in the business of making sales of service at the same rate of tax imposed pursuant to Section 5-1006 of the selling price of all tangible personal property transferred by such servicemen either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. If imposed, such tax shall only be imposed in 1/4% increments. On and after September 1, 1991, this additional tax may not be imposed on the sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which 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. The tax imposed by a home rule county pursuant to 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 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 Section without registering separately with the Department under such ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section; 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 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 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 taxing county), 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 taxing county), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this county 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 taxing county), 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.

No tax may be imposed by a home rule county pursuant to this Section unless such county also imposes a tax at the same rate pursuant to Section 5-1006.

Persons subject to any tax imposed pursuant to the authority granted in this Section may reimburse themselves for their serviceman's tax liability hereunder by separately stating such tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which servicemen are authorized to collect under the Service Use Tax Act, pursuant to 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 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 home rule county retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex-officio, as trustee, all taxes and penalties collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 counties, the counties to be those from which suppliers and servicemen have paid taxes or penalties hereunder to the Department during the second preceding calendar month. The amount to be paid to each county shall be the amount (not including credit memoranda) collected hereunder during the second preceding calendar month by the Department, 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 county , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the counties 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 such certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in each year to each county which received more than $500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year (excluding the 2 months of highest receipts). The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to 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 shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

Nothing in this Section shall be construed to authorize a county 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.

An ordinance or resolution 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 June, whereupon the Department shall proceed to administer and enforce this Section as of the first day of September next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the 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 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 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 such adoption and filing. Beginning April 1, 1998, an ordinance or resolution imposing or discontinuing the tax hereunder 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 shall proceed to administer and enforce this Section 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 the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing.

This Section shall be known and may be cited as the Home Rule County Service Occupation Tax Law.
(Source: P.A. 90-689, eff. 7-31-98; 91-51, eff. 6-30-99.)

Section 70. The Illinois Municipal Code is amended by changing Sections 8-4-1, 8-11-1, 8-11-1.3, 8-11-1.4, 8-11-1.6, 8-11-1.7, 8-11-5, and 11-74.3-6 as follows:

(65 ILCS 5/8-4-1) (from Ch. 24, par. 8-4-1)

Sec. 8-4-1. No bonds shall be issued by the corporate authorities of any municipality until the question of authorizing such bonds has been submitted to the electors of that municipality provided that notice of the bond referendum, if held before July 1, 1999, has been given in accordance with the provisions of Section 12-5 of the Election Code in effect at the time of the bond referendum, at least 10 and not more than 45 days before the date of the election, notwithstanding the time for publication otherwise imposed by Section 12-5, and approved by a majority of the electors voting upon that question. Notices required in connection with the submission of public questions on or after July 1, 1999 shall be as set forth in Section 12-5 of the Election Code. The clerk shall certify the proposition of the corporate authorities to the proper election authority who shall submit the question at an election in accordance with the general election law, subject to the notice provisions set forth in this Section.

Notice of any such election shall contain the amount of the bond issue, purpose for which issued, and maximum rate of interest.

However, without the submission of the question of issuing bonds to the electors, the corporate authorities of any municipality may authorize the issuance of any of the following bonds:

(1) Bonds to refund any existing bonded indebtedness;

(2) Bonds to fund or refund any existing judgment indebtedness;

(3) In any municipality of less than 500,000 population, bonds to anticipate the collection of installments of special assessments and special taxes against property owned by the municipality and to anticipate the collection of the amount apportioned to the municipality as public benefits under Article 9;

(4) Bonds issued by any municipality under Sections 8-4-15 through 8-4-23, 11-23-1 through 11-23-12, 11-25-1 through 11-26-6, 11-71-1 through 11-71-10, 11-74.4-1 through 11-74.4-11, 11-74.5-1 through 11-74.5-15, 11-94-1 through 11-94-7, 11-102-1 through 11-102-10, 11-103-11 through 11-103-15, 11-118-1 through 11-118-6, 11-119-1 through 11-119-5, 11-129-1 through 11-129-7, 11-133-1 through 11-133-4, 11-139-1 through 11-139-12, 11-141-1 through 11-141-18 of this Code or 10-801 through 10-808 of the Illinois Highway Code, as amended;

(5) Bonds issued by the board of education of any school district under the provisions of Sections 34-30 through 34-36 of The School Code, as amended;

(6) Bonds issued by any municipality under the provisions of Division 6 of this Article 8; and by any municipality under the provisions of Division 7 of this Article 8; or under the provisions of Sections 11-121-4 and 11-121-5;

(7) Bonds to pay for the purchase of voting machines by any municipality that has adopted Article 24 of The Election Code, approved May 11, 1943, as amended;

(8) Bonds issued by any municipality under Sections 15 and 46 of the "Environmental Protection Act", approved June 29, 1970;

(9) Bonds issued by the corporate authorities of any municipality under the provisions of Section 8-4-25 of this Article 8;

(10) Bonds issued under Section 8-4-26 of this Article 8 by any municipality having a board of election commissioners;

(11) Bonds issued under the provisions of "An Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and nonhome rule municipalities and counties", approved September 21, 1973;

(12) Bonds issued under Section 8-5-16 of this Code;

(13) Bonds to finance the cost of the acquisition, construction or improvement of water or wastewater treatment facilities mandated by an enforceable compliance schedule developed in connection with the federal Clean Water Act or a compliance order issued by the United States Environmental Protection Agency or the Illinois Pollution Control Board; provided that such bonds are authorized by an ordinance adopted by a three-fifths majority of the corporate authorities of the municipality issuing the bonds which ordinance shall specify that the construction or improvement of such facilities is necessary to alleviate an emergency condition in such municipality;

(14) Bonds issued by any municipality pursuant to Section 11-113.1-1;

(15) Bonds issued under Sections 11-74.6-1 through 11-74.6-45, the Industrial Jobs Recovery Law of this Code.

(16) Bonds issued under the STAR Bond Financing Act, except as may be required by Section 35 of that Act.

(Source: P.A. 90-706, eff. 8-7-98; 90-812, eff. 1-26-99; 91-57, eff. 6-30-99.)

(65 ILCS 5/8-11-1) (from Ch. 24, par. 8-11-1)

Sec. 8-11-1. Home Rule Municipal Retailers' Occupation Tax Act. The corporate authorities of a home rule municipality may impose a tax 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 municipality on the gross receipts from these sales made in the course of such business. If imposed, the tax shall only be imposed in 1/4% increments. On and after September 1, 1991, this additional tax may not be imposed on the 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. The tax imposed by a home rule municipality under this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the State 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 Section

without registering separately with the Department under such ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section; 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 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 and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 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.

No tax may be imposed by a home rule municipality under this Section unless the municipality also imposes a tax at the same rate under Section 8-11-5 of this Act.

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 that tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to 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 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 home rule municipal retailers' occupation tax fund.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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, the municipalities 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 municipality shall be the amount (not including credit memoranda) collected hereunder 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 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 , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the municipalities 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.

In addition to the disbursement required by the preceding paragraph and in order to mitigate delays caused by distribution procedures, an allocation shall, if requested, be made within 10 days after January 14, 1991, and in November of 1991 and each year thereafter, to each municipality that received more than $500,000 during the preceding fiscal year, (July 1 through June 30) whether collected by the municipality or disbursed by the Department as required by this Section. Within 10 days after January 14, 1991, participating municipalities shall notify the Department in writing of their intent to participate. In addition, for the initial distribution, participating municipalities shall certify to the Department the amounts collected by the municipality for each month under its home rule occupation and service occupation tax during the period July 1, 1989 through June 30, 1990. The allocation within 10 days after January 14, 1991, shall be in an amount equal to the monthly average of these amounts, excluding the 2 months of highest receipts. The monthly average for the period of July 1, 1990 through June 30, 1991 will be determined as follows: the amounts collected by the municipality under its home rule occupation and service occupation tax during the

period of July 1, 1990 through September 30, 1990, plus amounts collected by the Department and paid to such municipality through June 30, 1991, excluding the 2 months of highest receipts. The monthly average for each subsequent period of July 1 through June 30 shall be an amount equal to the monthly distribution made to each such municipality under the preceding paragraph during this period, excluding the 2 months of highest receipts. The distribution made in November 1991 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 period of July 1 through June 30. The Department shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

For the purpose of determining the local governmental unit whose tax 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 United States Constitution as a sale in interstate or foreign commerce.

Nothing in this Section 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.

An ordinance or resolution 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 June, whereupon the Department shall proceed to administer and enforce this Section as of the first day of September next following the adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the 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 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 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. However, a municipality located in a county with a population in excess of 3,000,000 that elected to become a home rule unit at the general primary election in 1994 may adopt an ordinance or resolution imposing the tax under this Section and file a certified copy of the ordinance or resolution with the Department on or before July 1, 1994. The Department shall then proceed to administer and enforce this Section as of October 1, 1994. Beginning April 1, 1998, an ordinance or resolution imposing or discontinuing the tax hereunder 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 shall proceed to administer and enforce this Section 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 the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing.

When certifying the amount of a monthly disbursement to a municipality under this Section, 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.

Any unobligated balance remaining in the Municipal Retailers' Occupation Tax Fund on December 31, 1989, which fund was abolished by Public Act 85-1135, and all receipts of municipal tax as a result of audits of liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund for distribution as provided by this Section prior to the enactment of Public Act 85-1135. All receipts of municipal tax as a result of an assessment not arising from an audit, for liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund for distribution before July 1, 1990, as provided by this Section prior to the enactment of Public Act 85-1135; and on and after July 1, 1990, all such receipts shall be distributed as provided in Section 6z-18 of the State Finance Act.

As used in this Section, "municipal" and "municipality" means a city, village or incorporated town, including an incorporated town that has superseded a civil township.

This Section shall be known and may be cited as the Home Rule Municipal Retailers' Occupation Tax Act.

(Source: P.A. 90-689, eff. 7-31-98; 91-51, eff. 6-30-99.)

(65 ILCS 5/8-11-1.3) (from Ch. 24, par. 8-11-1.3)

Sec. 8-11-1.3. Non-Home Rule Municipal Retailers' Occupation Tax Act. The corporate authorities of a

non-home rule municipality may impose a tax upon all persons engaged in the business of selling tangible personal property, other than on an item of tangible personal property which is titled and registered by an agency of this State's Government, at retail in the municipality for expenditure on public infrastructure or for property tax relief or both as defined in Section 8-11-1.2 if approved by referendum as provided in Section 8-11-1.1, of the gross receipts from such sales made in the course of such business. The tax imposed may not be more than 1% and may be imposed only in 1/4% increments. The tax may not be imposed on the sale 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. The tax imposed by a municipality pursuant to 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 certificate of registration which is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit such retailer to engage in a business which is taxable under any ordinance or resolution enacted pursuant to this Section without registering separately with the Department under such ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section; 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 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 and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 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.

No municipality may impose a tax under this Section unless the municipality also imposes a tax at the same rate under Section 8-11-1.4 of this Code.

Persons subject to any tax imposed pursuant to the authority granted in this Section may reimburse themselves for their seller's tax liability hereunder by separately stating such tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to 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 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 non-home rule municipal retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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, the municipalities 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 municipality shall be the amount (not including credit memoranda) collected hereunder during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts which 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 on behalf of such municipality, and not including any amount which the Department determines is necessary to offset any amounts which were payable to a different taxing body but were erroneously paid to the municipality , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities, 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 such certification.

For the purpose of determining the local governmental unit whose tax 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.

Nothing in this Section 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.

When certifying the amount of a monthly disbursement to a municipality under this Section, the Department shall increase or decrease such 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.

The Department of Revenue shall implement this amendatory Act of the 91st General Assembly so as to collect the tax on and after January 1, 2002.

As used in this Section, "municipal" and "municipality" means a city, village or incorporated town, including an incorporated town which has superseded a civil township.

This Section shall be known and may be cited as the "Non-Home Rule Municipal Retailers' Occupation Tax Act".

(Source: P.A. 94-679, eff. 1-1-06.)

(65 ILCS 5/8-11-1.4) (from Ch. 24, par. 8-11-1.4)

Sec. 8-11-1.4. Non-Home Rule Municipal Service Occupation Tax Act. The corporate authorities of a non-home rule municipality may impose a tax upon all persons engaged, in such municipality, in the business of making sales of service for expenditure on public infrastructure or for property tax relief or both as defined in Section 8-11-1.2 if approved by referendum as provided in Section 8-11-1.1, of the selling price of all tangible personal property transferred by such servicemen 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 imposed may not be more than 1% and may be imposed only in 1/4% increments. The tax may not be imposed on the sale 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. The tax imposed by a municipality pursuant to 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 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 Section without registering separately with the Department under such ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section; 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 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 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 taxing municipality), 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 taxing municipality), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this municipal 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 taxing municipality), 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.

No municipality may impose a tax under this Section unless the municipality also imposes a tax at the same rate under Section 8-11-1.3 of this Code.

Persons subject to any tax imposed pursuant to the authority granted in this Section may reimburse themselves for their serviceman's tax liability hereunder by separately stating such tax as an additional

charge, which charge may be stated in combination, in a single amount, with State tax which servicemen are authorized to collect under the Service Use Tax Act, pursuant to 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 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 municipal retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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, the municipalities to be those from which suppliers and servicemen have paid taxes or penalties hereunder 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 hereunder during the second preceding calendar month by the Department, 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 , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities and the General Revenue Fund, 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 such certification.

The Department of Revenue shall implement this amendatory Act of the 91st General Assembly so as to collect the tax on and after January 1, 2002.

Nothing in this Section 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.

As used in this Section, "municipal" or "municipality" means or refers to a city, village or incorporated town, including an incorporated town which has superseded a civil township.

This Section shall be known and may be cited as the "Non-Home Rule Municipal Service Occupation Tax Act".

(Source: P.A. 94-679, eff. 1-1-06.)

(65 ILCS 5/8-11-1.6)

Sec. 8-11-1.6. Non-home rule municipal retailers occupation tax; municipalities between 20,000 and 25,000. The corporate authorities of a non-home rule municipality with a population of more than 20,000 but less than 25,000 that has, prior to January 1, 1987, established a Redevelopment Project Area that has been certified as a State Sales Tax Boundary and has issued bonds or otherwise incurred indebtedness to pay for costs in excess of $5,000,000, which is secured in part by a tax increment allocation fund, in accordance with the provisions of Division 11-74.4 of this Code may, by passage of an ordinance, impose a tax upon all persons engaged in the business of selling tangible personal property, other than on an item of tangible personal property that is titled and registered by an agency of this State's Government, at retail in the municipality. This tax may not be imposed on the 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. If imposed, the tax shall only be imposed in .25% increments of the gross receipts from such sales made in the course of business. Any tax imposed by a municipality under this Sec. and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. An ordinance imposing 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 such adoption and filing. 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 under this Section without registering separately with the Department under the ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section, 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 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, and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 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.

A tax may not be imposed by a municipality under this Section unless the municipality also imposes a tax at the same rate under Section 8-11-1.7 of this Act.

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 tax which sellers are required to collect under the Use Tax Act, pursuant to 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 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 Non-Home Rule Municipal Retailers' Occupation Tax Fund, which is hereby created.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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, the municipalities 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 municipality shall be the amount (not including credit memoranda) collected hereunder 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 on behalf of the 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 , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the municipalities 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.

For the purpose of determining the local governmental unit whose tax 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.

Nothing in this Section 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.

When certifying the amount of a monthly disbursement to a municipality under this Section, 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.

As used in this Section, "municipal" and "municipality" means a city, village, or incorporated town, including an incorporated town that has superseded a civil township.

(Source: P.A. 88-334; 89-399, eff. 8-20-95.)

(65 ILCS 5/8-11-1.7)

Sec. 8-11-1.7. Non-home rule municipal service occupation tax; municipalities between 20,000 and 25,000. The corporate authorities of a non-home rule municipality with a population of more than 20,000 but less than 25,000 as determined by the last preceding decennial census that has, prior to January 1, 1987, established a Redevelopment Project Area that has been certified as a State Sales Tax Boundary and has issued bonds or otherwise incurred indebtedness to pay for costs in excess of $5,000,000, which is secured in part by a tax increment allocation fund, in accordance with the provisions of Division 11-74.7 of this Code may, by passage of an ordinance, impose a tax upon all persons engaged in the municipality in the business of making sales of service. If imposed, the tax shall only be imposed in .25% increments of the selling price of all tangible personal property transferred by such servicemen either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. This tax may not be imposed on the 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. The tax imposed by a municipality under this Sec. and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. An ordinance imposing 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 such adoption and filing. The certificate of registration that is issued by the Department 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 taxable under any ordinance or resolution enacted under this Section without registering separately with the Department under the ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section, to collect all taxes and penalties due hereunder, to dispose of taxes and penalties so collected in a 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 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 taxing municipality), 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 taxing municipality), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this municipal 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 taxing municipality), the first paragraph of Sections 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.

A tax may not be imposed by a municipality under this Section unless the municipality also imposes a tax at the same rate under Section 8-11-1.6 of this Act.

Person subject to any tax imposed under the authority granted in this Section may reimburse themselves for their servicemen'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, under 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 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. The refund shall be paid by the State Treasurer out of the Non-Home Rule Municipal Retailers' Occupation Tax Fund.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected hereunder.

<u>As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the</u>

STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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, the municipalities to be those from which suppliers and servicemen have paid taxes or penalties hereunder 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 hereunder during the second preceding calendar month by the Department, 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 , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the municipalities and the General Revenue Fund, 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.

When certifying the amount of a monthly disbursement to a municipality under this Section, 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 Section 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.

(Source: P.A. 88-334; 89-399, eff. 8-20-95.)

(65 ILCS 5/8-11-5) (from Ch. 24, par. 8-11-5)

Sec. 8-11-5. Home Rule Municipal Service Occupation Tax Act. The corporate authorities of a home rule municipality may impose a tax upon all persons engaged, in such municipality, in the business of making sales of service at the same rate of tax imposed pursuant to Section 8-11-1, of the selling price of all tangible personal property transferred by such servicemen either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. If imposed, such tax shall only be imposed in 1/4% increments. On and after September 1, 1991, this additional tax may not be imposed on the sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which 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. The tax imposed by a home rule municipality pursuant to 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 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 Section without registering separately with the Department under such ordinance or resolution or under this Section. The Department shall have full power to administer and enforce this Section; 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 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 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 taxing municipality), 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 taxing municipality), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this municipal 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 taxing municipality), the first paragraph of Section 15, 16, 17 (except that credit memoranda issued hereunder may not be used to discharge any State tax liability), 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.

No tax may be imposed by a home rule municipality pursuant to this Section unless such municipality also imposes a tax at the same rate pursuant to Section 8-11-1 of this Act.

Persons subject to any tax imposed pursuant to the authority granted in this Section may reimburse themselves for their serviceman's tax liability hereunder by separately stating such tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which servicemen are authorized to collect under the Service Use Tax Act, pursuant to 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 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 home rule municipal retailers' occupation tax fund.

The Department shall forthwith pay over to the State Treasurer, ex-officio, as trustee, all taxes and penalties collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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, the municipalities to be those from which suppliers and servicemen have paid taxes or penalties hereunder 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 hereunder during the second preceding calendar month by the Department, 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 , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt, by the Comptroller, of the disbursement certification to the municipalities, 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 such certification.

In addition to the disbursement required by the preceding paragraph and in order to mitigate delays caused by distribution procedures, an allocation shall, if requested, be made within 10 days after January 14, 1991, and in November of 1991 and each year thereafter, to each municipality that received more than $500,000 during the preceding fiscal year, (July 1 through June 30) whether collected by the municipality or disbursed by the Department as required by this Section. Within 10 days after January 14, 1991, participating municipalities shall notify the Department in writing of their intent to participate. In addition, for the initial distribution, participating municipalities shall certify to the Department the amounts collected by the municipality for each month under its home rule occupation and service occupation tax during the period July 1, 1989 through June 30, 1990. The allocation within 10 days after January 14, 1991, shall be in an amount equal to the monthly average of these amounts, excluding the 2 months of highest receipts. Monthly average for the period of July 1, 1990 through June 30, 1991 will be determined as follows: the amounts collected by the municipality under its home rule occupation and service occupation tax during the period of July 1, 1990 through September 30, 1990, plus amounts collected by the Department and paid to such municipality through June 30, 1991, excluding the 2 months of highest receipts. The monthly average for each subsequent period of July 1 through June 30 shall be an amount equal to the monthly distribution made to each such municipality under the preceding paragraph during this period, excluding the 2 months of highest receipts. The distribution made in November 1991 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 period of July 1 through June 30. The Department shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

Nothing in this Section 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.

An ordinance or resolution 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 June, whereupon the Department shall proceed to administer and enforce this Section as of the first day of September next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the 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 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 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 such adoption and filing. However, a municipality located in a county with a population in excess of 3,000,000 that elected to become a home rule unit at the general primary election in 1994 may adopt an ordinance or resolution imposing the tax under this Section and file a certified copy of the ordinance or resolution with the Department on or before July 1, 1994. The Department shall then proceed to administer and enforce this Section as of October 1, 1994. Beginning April 1, 1998, an ordinance or resolution imposing or discontinuing the tax hereunder 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 shall proceed to administer and enforce this Section 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 the Department shall proceed to administer and enforce this Section as of the first day of January next following the adoption and filing.

Any unobligated balance remaining in the Municipal Retailers' Occupation Tax Fund on December 31, 1989, which fund was abolished by Public Act 85-1135, and all receipts of municipal tax as a result of audits of liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund, for distribution as provided by this Section prior to the enactment of Public Act 85-1135. All receipts of municipal tax as a result of an assessment not arising from an audit, for liability periods prior to January 1, 1990, shall be paid into the Local Government Tax Fund for distribution before July 1, 1990, as provided by this Section prior to the enactment of Public Act 85-1135, and on and after July 1, 1990, all such receipts shall be distributed as provided in Section 6z-18 of the State Finance Act.

As used in this Section, "municipal" and "municipality" means a city, village or incorporated town, including an incorporated town which has superseded a civil township.

This Section shall be known and may be cited as the Home Rule Municipal Service Occupation Tax Act. (Source: P.A. 90-689, eff. 7-31-98; 91-51, eff. 6-30-99.)

(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 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.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this subsection during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. 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.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this subsection during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 , and not including any amounts that are transferred to the STAR Bonds Revenue Fund. 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; 93-1089, eff. 3-7-05.)

Section 75. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 13 as follows:

(70 ILCS 210/13) (from Ch. 85, par. 1233)

Sec. 13. (a) The Authority shall not have power to levy taxes for any purpose, except as provided in subsections (b), (c), (d), (e), and (f).

(b) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose a Metropolitan Pier and Exposition Authority Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail within the territory described in this subsection at the rate of 1.0% of the gross receipts (i) from the sale of food, alcoholic beverages, and soft drinks sold for consumption on the premises where sold and (ii) from the sale of food, alcoholic beverages, and soft drinks sold for consumption off the premises where sold by a retailer whose principal source of gross receipts is from the sale of food, alcoholic beverages, and soft drinks prepared for immediate consumption.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the Illinois Department of Revenue. The Department shall have full power to administer and enforce this subsection, to collect all 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 Department 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, exclusions, exemptions, and definitions of terms, and shall employ the same modes of procedure applicable to this Retailers' Occupation Tax as are prescribed in Sections 1, 2 through 2-65 (in respect to all provisions of those Sections other than the State rate of taxes), 2c, 2h, 2i, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 12, 13 and, and until January 1, 1994, 13.5 of the Retailers' Occupation Tax Act, and, on and after January 1, 1994, all applicable provisions of the Uniform Penalty and Interest Act that are not inconsistent with this Act, as fully as if provisions contained in those Sections of the Retailers' Occupation Tax Act were set forth in this subsection.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their seller's tax liability under this subsection by separately stating that 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, pursuant to bracket schedules as the Department may prescribe. The retailer filing the return shall, at the time of filing the return, pay to the Department the amount of tax imposed under this subsection, less a discount of 1.75%, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax, and supplying data to the Department on request.

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 a 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 Metropolitan Pier and Exposition Authority trust fund held by the State Treasurer as trustee for the Authority.

Nothing in this subsection authorizes 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 this State.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee for the Authority, all taxes and penalties collected under this subsection for deposit into a trust fund held outside of the State Treasury.

<u>As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the</u>

Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this subsection during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~On~~ or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the amounts to be paid under subsection (g) of this Section, which shall be the amounts, not including credit memoranda, collected under this subsection during the second preceding calendar month by the Department, less any amounts determined by the Department to be necessary for the payment of refunds , ~~and~~ less 2% of such balance, which sum shall be deposited by the State Treasurer into the Tax Compliance and Administration Fund in the State Treasury from which it shall be appropriated to the Department to cover the costs of the Department in administering and enforcing the provisions of this subsection , and less any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the certification, the Comptroller shall cause the orders to be drawn for the remaining amounts, and the Treasurer shall administer those amounts as required in subsection (g).

A certificate of registration issued by the Illinois Department of Revenue to a retailer under the Retailers' Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under this subsection, and no additional registration shall be required under the ordinance imposing the tax or under this subsection.

A certified copy of any ordinance imposing or discontinuing any tax under this subsection or effecting a change in the rate of that tax shall be filed with the Department, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the Authority as of the first day of the third calendar month following the date of filing.

The tax authorized to be levied under this subsection may be levied within all or any part of the following described portions of the metropolitan area:

(1) that portion of the City of Chicago located within the following area: Beginning at the point of intersection of the Cook County - DuPage County line and York Road, then North along York Road to its intersection with Touhy Avenue, then east along Touhy Avenue to its intersection with the Northwest Tollway, then southeast along the Northwest Tollway to its intersection with Lee Street, then south along Lee Street to Higgins Road, then south and east along Higgins Road to its intersection with Mannheim Road, then south along Mannheim Road to its intersection with Irving Park Road, then west along Irving Park Road to its intersection with the Cook County - DuPage County line, then north and west along the county line to the point of beginning; and

(2) that portion of the City of Chicago located within the following area: Beginning at the intersection of West 55th Street with Central Avenue, then east along West 55th Street to its intersection with South Cicero Avenue, then south along South Cicero Avenue to its intersection with West 63rd Street, then west along West 63rd Street to its intersection with South Central Avenue, then north along South Central Avenue to the point of beginning; and

(3) that portion of the City of Chicago located within the following area: Beginning at the point 150 feet west of the intersection of the west line of North Ashland Avenue and the north line of West Diversey Avenue, then north 150 feet, then east along a line 150 feet north of the north line of West Diversey Avenue extended to the shoreline of Lake Michigan, then following the shoreline of Lake Michigan (including Navy Pier and all other improvements fixed to land, docks, or piers) to the point where the shoreline of Lake Michigan and the Adlai E. Stevenson Expressway extended east to that shoreline intersect, then west along the Adlai E. Stevenson Expressway to a point 150 feet west of the west line of South Ashland Avenue, then north along a line 150 feet west of the west line of South and North Ashland Avenue to the point of beginning.

The tax authorized to be levied under this subsection may also be levied on food, alcoholic beverages, and soft drinks sold on boats and other watercraft departing from and returning to the shoreline of Lake Michigan (including Navy Pier and all other improvements fixed to land, docks, or piers) described in item (3).

(c) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose an occupation tax upon all persons engaged in the corporate limits of the City of Chicago in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate of 2.5% of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the City of Chicago, excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in that Act. Gross rental receipts

shall not include charges that are added on account of the liability arising from any tax imposed by the State or any governmental agency on the occupation of renting, leasing, or letting rooms in a hotel.

The tax imposed by the Authority under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the Illinois Department of Revenue. The certificate of registration that is issued by the Department to a lessor under the Hotel Operators' Occupation Tax Act shall permit that registrant to engage in a business that is taxable under any ordinance enacted under this subsection without registering separately with the Department under that ordinance or under this subsection. The Department 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 Department 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 prescribed in the Hotel Operators' Occupation Tax Act (except where that Act is inconsistent with this subsection), as fully as if the provisions contained in the Hotel Operators' Occupation Tax Act were set out in this subsection.

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 a 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 Metropolitan Pier and Exposition Authority trust fund held by the State Treasurer as trustee for the Authority.

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, the municipal tax imposed under Section 8-3-13 of the Illinois Municipal Code, and the tax imposed under Section 19 of the Illinois Sports Facilities Authority Act.

The person filing the return shall, at the time of filing the return, pay to the Department the amount of tax, less a discount of 2.1% or $25 per calendar year, whichever is greater, which is allowed to reimburse the operator for the expenses incurred in keeping records, preparing and filing returns, remitting the tax, and supplying data to the Department on request.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee for the Authority, all taxes and penalties collected under this subsection for deposit into a trust fund held outside the State Treasury. On or before the 25th day of each calendar month, the Department shall certify to the Comptroller the amounts to be paid under subsection (g) of this Section, which shall be the amounts (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department, less any amounts determined by the Department to be necessary for payment of refunds. Within 10 days after receipt by the Comptroller of the Department's certification, the Comptroller shall cause the orders to be drawn for such amounts, and the Treasurer shall administer those amounts as required in subsection (g).

A certified copy of any ordinance imposing or discontinuing a tax under this subsection or effecting a change in the rate of that tax shall be filed with the Illinois Department of Revenue, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the Authority as of the first day of the third calendar month following the date of filing.

(d) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose a tax upon all persons engaged in the business of renting automobiles in the metropolitan area at the rate of 6% of the gross receipts from that business, except that no tax shall be imposed on the business of renting automobiles for use as taxicabs or in livery service. The tax imposed under this subsection and all civil penalties that may be assessed as an incident to that tax shall be collected and enforced by the Illinois Department of Revenue. The certificate of registration issued by the Department to a retailer under the Retailers' Occupation Tax Act or under the Automobile Renting Occupation and Use Tax Act shall permit that person to engage in a business that is taxable under any ordinance enacted under this subsection without registering separately with the Department under that ordinance or under this subsection. The Department 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 Department and persons who are subject to this subsection shall have the same rights, remedies, privileges, immunities, powers, and duties, be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure as are prescribed in Sections 2 and 3 (in respect to all provisions of those Sections other than the State rate of tax; and in respect to the provisions of the Retailers' Occupation Tax Act referred to in those Sections, except as to the disposition of taxes and penalties collected, except for the provision allowing retailers a deduction from the tax to cover certain costs, and except that credit memoranda issued under this subsection may not be used to discharge any State tax liability) of the Automobile Renting Occupation and Use Tax Act, as fully as if provisions contained in those Sections of that Act were set forth in this subsection.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their tax liability under this subsection by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that sellers are required to collect under the Automobile Renting Occupation and Use Tax Act, pursuant to 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 a 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 Metropolitan Pier and Exposition Authority trust fund held by the State Treasurer as trustee for the Authority.

The Department shall forthwith pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this subsection for deposit into a trust fund held outside the State Treasury. On or before the 25th day of each calendar month, the Department shall certify to the Comptroller the amounts to be paid under subsection (g) of this Section (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department, less any amount determined by the Department to be necessary for payment of refunds. Within 10 days after receipt by the Comptroller of the Department's certification, the Comptroller shall cause the orders to be drawn for such amounts, and the Treasurer shall administer those amounts as required in subsection (g).

Nothing in this subsection authorizes 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 this State.

A certified copy of any ordinance imposing or discontinuing a tax under this subsection or effecting a change in the rate of that tax shall be filed with the Illinois Department of Revenue, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the Authority as of the first day of the third calendar month following the date of filing.

(e) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose a tax upon the privilege of using in the metropolitan area an automobile that is rented from a rentor outside Illinois and is titled or registered with an agency of this State's government at a rate of 6% of the rental price of that automobile, except that no tax shall be imposed on the privilege of using automobiles rented for use as taxicabs or in livery service. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan area. The tax shall be collected by the Department of Revenue for the 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 State officer with whom the tangible personal property must be titled or registered if the Department and that 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 subsection, to collect all taxes, penalties, and interest due under this subsection, to dispose of taxes, penalties, and interest so collected in the manner provided in this subsection, and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty, or interest 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, be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure as are prescribed in Sections 2 and 4 (except provisions pertaining to the State rate of tax; and in respect to the provisions of the Use Tax Act referred to in that Section, except provisions concerning collection or refunding of the tax by retailers, except the provisions of Section 19 pertaining to claims by retailers, except the last paragraph concerning refunds, and except that credit memoranda issued under this

subsection may not be used to discharge any State tax liability) of the Automobile Renting Occupation and Use Tax Act, as fully as if provisions contained in those Sections of that Act were set forth in this subsection.

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 a 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 Metropolitan Pier and Exposition Authority trust fund held by the State Treasurer as trustee for the Authority.

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 a trust fund held outside the State Treasury. On or before the 25th day of each calendar month, the Department shall certify to the State Comptroller the amounts to be paid under subsection (g) of this Section, which shall be the amounts (not including credit memoranda) collected under this subsection during the second preceding calendar month by the Department, less any amounts determined by the Department to be necessary for payment of refunds. Within 10 days after receipt by the State Comptroller of the Department's certification, the Comptroller shall cause the orders to be drawn for such amounts, and the Treasurer shall administer those amounts as required in subsection (g).

A certified copy of any ordinance imposing or discontinuing a tax or effecting a change in the rate of that tax shall be filed with the Illinois Department of Revenue, whereupon the Department shall proceed to administer and enforce this subsection on behalf of the Authority as of the first day of the third calendar month following the date of filing.

(f) By ordinance the Authority shall, as soon as practicable after the effective date of this amendatory Act of 1991, impose an occupation tax on all persons, other than a governmental agency, engaged in the business of providing ground transportation for hire to passengers in the metropolitan area at a rate of (i) $2 per taxi or livery vehicle departure with passengers for hire from commercial service airports in the metropolitan area, (ii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person other than a person described in item (iii): $9 per bus or van with a capacity of 1-12 passengers, $18 per bus or van with a capacity of 13-24 passengers, and $27 per bus or van with a capacity of over 24 passengers, and (iii) for each departure with passengers for hire from a commercial service airport in the metropolitan area in a bus or van operated by a person regulated by the Interstate Commerce Commission or Illinois Commerce Commission, operating scheduled service from the airport, and charging fares on a per passenger basis: $1 per passenger for hire in each bus or van. The term "commercial service airports" means those airports receiving scheduled passenger service and enplaning more than 100,000 passengers per year.

In the ordinance imposing the tax, the Authority may provide for the administration and enforcement of the tax and the collection of the tax from persons subject to the tax as the Authority determines to be necessary or practicable for the effective administration of the tax. The Authority may enter into agreements as it deems appropriate with any governmental agency providing for that agency to act as the Authority's agent to collect the tax.

In the ordinance imposing the tax, the Authority may designate a method or methods for persons subject to the tax to reimburse themselves for the tax liability arising under the ordinance (i) by separately stating the full amount of the tax liability as an additional charge to passengers departing the airports, (ii) by separately stating one-half of the tax liability as an additional charge to both passengers departing from and to passengers arriving at the airports, or (iii) by some other method determined by the Authority.

All taxes, penalties, and interest collected under any ordinance adopted under this subsection, less any amounts determined to be necessary for the payment of refunds, shall be paid forthwith to the State Treasurer, ex officio, for deposit into a trust fund held outside the State Treasury and shall be administered by the State Treasurer as provided in subsection (g) of this Section.

(g) Amounts deposited from the proceeds of taxes imposed by the Authority under subsections (b), (c), (d), (e), and (f) of this Section and amounts deposited under Section 19 of the Illinois Sports Facilities Authority Act shall be held in a trust fund outside the State Treasury and shall be administered by the Treasurer as follows: first, an amount necessary for the payment of refunds shall be retained in the trust fund; second, the balance of the proceeds deposited in the trust fund during fiscal year 1993 shall be retained in the trust fund during that year and thereafter shall be administered as a reserve to fund the deposits required in item "third"; third, beginning July 20, 1993, and continuing each month thereafter, provided that the amount requested in the certificate of the Chairman of the Authority filed under Section 8.25f of the State Finance Act has been appropriated for payment to the Authority, 1/8 of the annual

amount requested in that certificate together with any cumulative deficiencies shall be transferred from the trust fund into the McCormick Place Expansion Project Fund in the State Treasury until 100% of the amount requested in that certificate plus any cumulative deficiencies in the amounts transferred into the McCormick Place Expansion Project Fund under this item "third", have been so transferred; fourth, the balance shall be maintained in the trust fund; fifth, on July 20, 1994, and on July 20 of each year thereafter the Treasurer shall calculate for the previous fiscal year the surplus revenues in the trust fund and pay that amount to the Authority. "Surplus revenues" shall mean the difference between the amount in the trust fund on June 30 of the fiscal year previous to the current fiscal year (excluding amounts retained for refunds under item "first") minus the amount deposited in the trust fund during fiscal year 1993 under item "second". Moneys received by the Authority under item "fifth" may be used solely for the purposes of paying debt service on the bonds and notes issued by the Authority, including early redemption of those bonds or notes, and for the purposes of repair, replacement, and improvement of the grounds, buildings, and facilities of the Authority; provided that any moneys in excess of $50,000,000 held by the Authority as of June 30 in any fiscal year and received by the Authority under item "fifth" shall be used solely for paying the debt service on or early redemption of the Authority's bonds or notes. When bonds and notes issued under Section 13.2, or bonds or notes issued to refund those bonds and notes, are no longer outstanding, the balance in the trust fund shall be paid to the Authority.

(h) The ordinances imposing the taxes authorized by this Section shall be repealed when bonds and notes issued under Section 13.2 or bonds and notes issued to refund those bonds and notes are no longer outstanding.

(Source: P.A. 90-612, eff. 7-8-98.)

Section 80. The Flood Prevention District Act is amended by changing Section 25 as follows:

(70 ILCS 750/25)

Sec. 25. Flood prevention retailers' and service occupation taxes.

(a) If the Board of Commissioners of a flood prevention district determines that an emergency situation exists regarding levee repair or flood prevention, and upon an ordinance confirming the determination adopted by the affirmative vote of a majority of the members of the county board of the county in which the district is situated, the county may impose a flood prevention retailers' occupation tax upon all persons engaged in the business of selling tangible personal property at retail within the territory of the district to provide revenue to pay the costs of providing emergency levee repair and flood prevention and to secure the payment of bonds, notes, and other evidences of indebtedness issued under this Act for a period not to exceed 25 years or as required to repay the bonds, notes, and other evidences of indebtedness issued under this Act. The tax rate shall be 0.25% 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 subsection, the Department and persons who are subject to this subsection (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 1 through 1o, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a through 2h, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act as if those provisions were set forth in this subsection.

Persons subject to any tax imposed under 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.

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

(b) If a tax has been imposed under subsection (a), a flood prevention service occupation tax shall also be imposed upon all persons engaged within the territory of the district in the business of making sales of service, who, as an incident to making the sales of service, transfer tangible personal property, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service to provide revenue to pay the costs of providing emergency levee repair and flood prevention and to secure the

payment of bonds, notes, and other evidences of indebtedness issued under this Act for a period not to exceed 25 years or as required to repay the bonds, notes, and other evidences of indebtedness. The tax rate shall be 0.25% of the selling price of all tangible personal property transferred.

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 State Department of Revenue. The Department shall have full power to administer and enforce this subsection; 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 subsection, the Department and persons who are subject to this subsection shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are set forth in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State means the district), 2a through 2d, 3 through 3-50 (in respect to all provisions contained in those Sections other than the State rate of tax), 4 (except that the reference to the State shall be to the district), 5, 7, 8 (except that the jurisdiction to which the tax is a debt to the extent indicated in that Section 8 is the district), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State means the district), Section 15, 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, 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.

(c) The taxes imposed in subsections (a) and (b) may not be imposed on personal property titled or registered with an agency of the State; 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 non-prescription medicines, drugs, and medical appliances; modifications to a motor vehicle for the purpose of rendering it usable by a disabled person; or insulin, urine testing materials, and syringes and needles used by diabetics.

(d) Nothing in this Section shall be construed to authorize the district 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.

(e) The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act or a serviceman under the Service Occupation Tax Act permits the retailer or serviceman to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section.

(f) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the Flood Prevention Occupation Tax Fund, which shall be an unappropriated trust fund held outside the State treasury.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district. The Department shall make this certification only if the flood prevention district imposes a tax on real property as provided in the definition of "local sales taxes" under the STAR Bonds Financing Act.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 counties from which retailers or servicemen have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county is equal to the amount (not including credit memoranda) collected from the county under this Section during the second preceding calendar month by the Department, (i) less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department in administering and enforcing the provisions of this Section on behalf of the county, (ii) plus an amount that the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body; (iii) less an amount equal to the amount of refunds made during the second preceding calendar month

by the Department on behalf of the county; ~~and~~ (iv) less 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 county ; and (v) less any amounts that are transferred to the STAR Bonds Revenue Fund. When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements within the previous 6 months from the time a miscalculation is discovered.

Within 10 days after receipt by the Comptroller from the Department of the disbursement certification to the counties provided for in this Section, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

If the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, then the Department shall notify the 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 Treasurer out of the Flood Prevention Occupation Tax Fund.

(g) If a county imposes a tax under this Section, then the county board shall, by ordinance, discontinue the tax upon the payment of all indebtedness of the flood prevention district. The tax shall not be discontinued until all indebtedness of the District has been paid.

(h) Any ordinance imposing the tax under this Section, or any ordinance that discontinues the tax, must be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of January next following the filing.

(j) County Flood Prevention Occupation Tax Fund. All proceeds received by a county from a tax distribution under this Section must be maintained in a special fund known as the [name of county] flood prevention occupation tax fund. The county shall, at the direction of the flood prevention district, use moneys in the fund to pay the costs of providing emergency levee repair and flood prevention and to pay bonds, notes, and other evidences of indebtedness issued under this Act.

(k) This Section may be cited as the Flood Prevention Occupation Tax Law.

(Source: P.A. 95-719, eff. 5-21-08; 95-723, eff. 6-23-08.)

Section 85. The Metro-East Park and Recreation District Act is amended by changing Section 30 as follows:

(70 ILCS 1605/30)

Sec. 30. Taxes.

(a) The board shall impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the District on the gross receipts from the sales made in the course of business. This tax shall be imposed only at the rate of one-tenth of one per cent.

This additional tax may not be imposed on the 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 which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed by the Board under this Section and all civil penalties that may be assessed as an incident of the tax 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 without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2, 2-5, 2-5.5, 2-10 (in respect to all provisions contained in those Sections other than the State rate of tax), 2-15 through 2-70, 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their sellers' tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to such bracketed 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 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 State Metro-East Park and Recreation District Fund.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate 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 as an incident to a sale of service. This tax may not be imposed on 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 prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics. 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 Department has full power to administer and enforce this subsection; 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 subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the District), 2a, 2b, 2c, 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 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 District), 9 (except as to the disposition of taxes and penalties collected), 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), Sections 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and 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 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 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 State Metro-East Park and Recreation District Fund.

Nothing in this subsection shall be construed to authorize the board 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.

(c) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the State Metro-East Park and Recreation District Fund, which shall be an unappropriated trust fund held outside of the State treasury.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district. The Department shall make this certification only if the Metro East Park and Recreation District imposes a tax on real property as provided in the definition of "local sales taxes" under the STAR Bonds Financing Act.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 pursuant to Section 35 of this Act to the District from which retailers have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to the District shall be the amount (not including credit memoranda) collected under this Section 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 (i) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the District , ~~and~~ (ii) 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 District , and (iii) any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the District 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 directions contained in the certification.

(d) For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale by a producer of coal or another 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 another 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 United States Constitution as a sale in interstate or foreign commerce.

(e) Nothing in this Section shall be construed to authorize the board 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) An ordinance imposing a tax under this Section or an ordinance extending the imposition of a tax to an additional county or counties shall be certified by the board and filed with the Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

(g) When certifying the amount of a monthly disbursement to the District under this Section, the Department shall increase or decrease the amounts 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.

(Source: P.A. 91-103, eff. 7-13-99.)

Section 90. 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 (h) ~~(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 (h) ~~(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 (h) ~~(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, or on or before the first day of April, whereupon the Department shall proceed to administer and enforce this Section as of the first day of July 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. After July 1, 2004, if the voters have approved a referendum under this subsection 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 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 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 administer and enforce this exclusion from the rate increase as of the following January 1, or on or before April 1, whereupon the Department shall administer and enforce this exclusion from the rate increase as of the following July 1. 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. Beginning July 1, 2004, the fee shall apply only to titled property that is subject to either the Metro East Mass Transit District Retailers' Occupation Tax or the Metro East Mass Transit District Service Occupation Tax. 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) Until June 30, 2004, 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-7.1) Beginning July 1, 2004, any fee imposed by the Board of Trustees of any Metro East Mass Transit District under subsection (d-6) and all civil penalties that may be assessed as an incident of the fees shall be collected and enforced by the State Department of Revenue. Reference to "taxes" in this Section shall be construed to apply to the administration, payment, and remittance of all fees under this Section. For purposes of any fee imposed under subsection (d-6), 4% of the fee, penalty, and interest received by the Department in the first 12 months that the fee is collected and enforced by the Department and 2% of the fee, penalty, and interest following the first 12 months 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. No retailers' discount shall apply to any 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) (Blank).

(d-10) (Blank).

(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) (Blank).

(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, or, beginning January 1, 2004, on or before the first day of April, whereupon the Department shall proceed to administer and enforce this Section as of the first day of July next following the adoption and filing.

(h) Except as provided in subsection (d-7.1), 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.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district. The Department shall make this certification only if the local mass transit district imposes a tax on real property as provided in the definition of "local sales taxes" under the STAR Bonds Financing Act.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 , and less any amounts that are transferred to the STAR Bonds Revenue Fund. 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. 94-776, eff. 5-19-06; 95-331, eff. 8-21-07; revised 10-23-08.)

Section 100. 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 12 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. Nothing in this amendatory Act of the 95th General Assembly is intended to invalidate any taxes currently imposed by the Authority. The increased vote requirements to impose a tax shall only apply to actions taken after the effective date of this amendatory Act of the 95th General Assembly.

(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 1.25% 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 1% 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 0.75% 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) 1.25% 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) 1.25% 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) 1% 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 0.75% 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 1% 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 0.75% 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.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 , and less any amounts that are transferred to the STAR Bonds Revenue Fund. 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, increasing, decreasing, or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department, whereupon the Department shall proceed to administer and enforce this Section as of the first day of the first month to occur not less than 60 days following such adoption and filing. Any ordinance or resolution of the Authority imposing a tax under this Section and in effect on August 1, 2007 shall remain in full force and effect and shall be administered by the Department of Revenue under the terms and conditions and rates of tax established by such ordinance or resolution until the Department begins administering and enforcing an increased tax under this Section as authorized by this amendatory Act of the 95th General Assembly. The tax rates authorized by this amendatory Act of the 95th General Assembly are effective only if imposed by ordinance of the Authority.

(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 and to the Authority (i) the amount of taxes collected in each County other than Cook County in the metropolitan region, (ii) the amount of taxes collected within the City of Chicago, and (iii) the amount collected in that portion of Cook County outside of Chicago, each amount less the amount necessary for the payment of refunds to taxpayers located in those areas described in items (i), (ii), and (iii). Within 10 days after receipt by the Comptroller of the certification of the amounts, the Comptroller shall cause an order to be drawn for the payment of two-thirds of the amounts certified in item (i) of this subsection to the Authority and one-third of the amounts certified in item (i) of this subsection to the respective counties other than Cook County and the amount certified in items (ii) and (iii) of this subsection to the Authority.

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 Capital 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. 95-708, eff. 1-18-08.)

Section 105. 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) impose (state type of tax or taxes to be imposed) at the rate of 1/4%?	YES --- NO

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.

As soon as possible after the first day of each month, beginning January 1, 2010, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the STAR Bonds Financing Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on ~~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 , and less any amounts that are transferred to the STAR Bonds Revenue Fund. 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. 92-221, eff. 8-2-01; 93-1068, eff. 1-15-05.)

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

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Holbrook, SENATE BILL 1909 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:

78, Yeas; 39, Nays; 0, Answering Present.

(ROLL CALL 57)

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

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

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 1 to HOUSE BILL 2491, having been reproduced, was taken up for consideration.

Representative Smith moved that the House not concur and ask the Senate to recede with respect to Senate Amendment No. 1.

The motion prevailed.

Ordered that the Clerk inform the Senate.

SENATE BILL ON THIRD READING

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

On motion of Representative Fritchey, SENATE BILL 932 was taken up and read by title a third time.

Pending discussion, Representative Smith moved the previous question.

And the question being, “Shall the main question be now put?” it was decided in the affirmative.

At the request of the Sponsor, the bill was taken from the record.

RECESS

At the hour of 8:05 o'clock p.m., Representative Mautino moved that the House do now take a recess until the call of the Chair.

The motion prevailed.

At the hour of 10:09 o'clock p.m., the House resumed its session.

Speaker of the House Madigan in the Chair.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 490, 491, 492, 493, 494, 495, 496, 497 and 498 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

SENATE BILLS ON SECOND READING

SENATE BILL 1609. Having been read by title a second time on May 27, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Franks offered the following amendment and moved its adoption.

AMENDMENT NO. 2 . Amend Senate Bill 1609, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The General Obligation Bond Act is amended by changing Sections 9, 11, and 16 as follows:

(30 ILCS 330/9) (from Ch. 127, par. 659)

Sec. 9. Conditions for Issuance and Sale of Bonds - Requirements for Bonds.

(a) Except as otherwise provided in this subsection, Bonds shall be issued and sold from time to time, in one or more series, in such amounts and at such prices as may be directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. Bonds shall be in such form (either coupon, registered or book entry), in such denominations, payable within 25 years from their date, subject to such terms of redemption with or without premium, bear interest payable at such times and at such fixed or variable rate or rates, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget in the order authorizing the issuance and sale of any series of Bonds, which order shall be approved by the Governor and is herein called a "Bond Sale Order"; provided however, that interest payable at fixed or variable rates shall not exceed that permitted in the Bond Authorization Act, as now or hereafter amended. Bonds shall be payable at such place or places, within or without the State of Illinois, and may be made registrable as to either principal or as to both principal and interest, as shall be specified in the Bond Sale Order. Bonds may be callable or subject to purchase and retirement or tender and remarketing as fixed and determined in the Bond Sale Order. Bonds (i) except for refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011, must be issued with principal or mandatory redemption amounts in equal amounts, with the first maturity issued occurring within the fiscal year in which the Bonds are issued or within the next succeeding fiscal year and (ii) must mature or be ~~, with Bonds issued maturing or~~ subject to mandatory redemption each fiscal year thereafter up to 25 years , except for refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011 which must mature or be subject to mandatory redemption each fiscal year thereafter up to 16 years.

In the case of any series of Bonds bearing interest at a variable interest rate ("Variable Rate Bonds"), in lieu of determining the rate or rates at which such series of Variable Rate Bonds shall bear interest and the

price or prices at which such Variable Rate Bonds shall be initially sold or remarketed (in the event of purchase and subsequent resale), the Bond Sale Order may provide that such interest rates and prices may vary from time to time depending on criteria established in such Bond Sale Order, which criteria may include, without limitation, references to indices or variations in interest rates as may, in the judgment of a remarketing agent, be necessary to cause Variable Rate Bonds of such series to be remarketable from time to time at a price equal to their principal amount, and may provide for appointment of a bank, trust company, investment bank, or other financial institution to serve as remarketing agent in that connection. The Bond Sale Order may provide that alternative interest rates or provisions for establishing alternative interest rates, different security or claim priorities, or different call or amortization provisions will apply during such times as Variable Rate Bonds of any series are held by a person providing credit or liquidity enhancement arrangements for such Bonds as authorized in subsection (b) of this Section. The Bond Sale Order may also provide for such variable interest rates to be established pursuant to a process generally known as an auction rate process and may provide for appointment of one or more financial institutions to serve as auction agents and broker-dealers in connection with the establishment of such interest rates and the sale and remarketing of such Bonds.

(b) In connection with the issuance of any series of Bonds, the State may enter into arrangements to provide additional security and liquidity for such Bonds, including, without limitation, bond or interest rate insurance or letters of credit, lines of credit, bond purchase contracts, or other arrangements whereby funds are made available to retire or purchase Bonds, thereby assuring the ability of owners of the Bonds to sell or redeem their Bonds. The State may enter into contracts and may agree to pay fees to persons providing such arrangements, but only under circumstances where the Director of the Governor's Office of Management and Budget certifies that he or she reasonably expects the total interest paid or to be paid on the Bonds, together with the fees for the arrangements (being treated as if interest), would not, taken together, cause the Bonds to bear interest, calculated to their stated maturity, at a rate in excess of the rate that the Bonds would bear in the absence of such arrangements.

The State may, with respect to Bonds issued or anticipated to be issued, participate in and enter into arrangements with respect to interest rate protection or exchange agreements, guarantees, or financial futures contracts for the purpose of limiting, reducing, or managing interest rate exposure. The authority granted under this paragraph, however, shall not increase the principal amount of Bonds authorized to be issued by law. The arrangements may be executed and delivered by the Director of the Governor's Office of Management and Budget on behalf of the State. Net payments for such arrangements shall constitute interest on the Bonds and shall be paid from the General Obligation Bond Retirement and Interest Fund. The Director of the Governor's Office of Management and Budget shall at least annually certify to the Governor and the State Comptroller his or her estimate of the amounts of such net payments to be included in the calculation of interest required to be paid by the State.

(c) Prior to the issuance of any Variable Rate Bonds pursuant to subsection (a), the Director of the Governor's Office of Management and Budget shall adopt an interest rate risk management policy providing that the amount of the State's variable rate exposure with respect to Bonds shall not exceed 20%. This policy shall remain in effect while any Bonds are outstanding and the issuance of Bonds shall be subject to the terms of such policy. The terms of this policy may be amended from time to time by the Director of the Governor's Office of Management and Budget but in no event shall any amendment cause the permitted level of the State's variable rate exposure with respect to Bonds to exceed 20%.

(Source: P.A. 92-16, eff. 6-28-01; 93-9, eff. 6-3-03; 93-666, eff. 3-5-04; 93-839, eff. 7-30-04.)

(30 ILCS 330/11) (from Ch. 127, par. 661)

Sec. 11. Sale of Bonds. Except as otherwise provided in this Section, Bonds shall be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times as is directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. At least 25%, based on total principal amount, of all Bonds issued each fiscal year shall be sold pursuant to notice of sale and public bid. At all times during each fiscal year, no more than 75%, based on total principal amount, of the Bonds issued each fiscal year, shall have been sold by negotiated sale. Failure to satisfy the requirements in the preceding 2 sentences shall not affect the validity of any previously issued Bonds; and further provided that refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011 shall not be subject to the requirements in the preceding 2 sentences.

If any Bonds, including refunding Bonds, are to be sold by negotiated sale, the Director of the Governor's Office of Management and Budget shall comply with the competitive request for proposal process set forth in the Illinois Procurement Code and all other applicable requirements of that Code.

If Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget shall, from time to time, as Bonds are to be sold, advertise the sale of the Bonds in at least 2 daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago. The sale of the Bonds shall also be advertised in the volume of the Illinois Procurement Bulletin that is published by the Department of Central Management Services. Each of the advertisements for proposals shall be published once at least 10 days prior to the date fixed for the opening of the bids. The Director of the Governor's Office of Management and Budget may reschedule the date of sale upon the giving of such additional notice as the Director deems adequate to inform prospective bidders of such change; provided, however, that all other conditions of the sale shall continue as originally advertised.

Executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of Bonds shall be paid into the State Treasury as directed by Section 12 of this Act.

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 330/16) (from Ch. 127, par. 666)

Sec. 16. Refunding Bonds. The State of Illinois is authorized to issue, sell, and provide for the retirement of General Obligation Bonds of the State of Illinois in the amount of $4,839,025,000 ~~$2,839,025,000~~, at any time and from time to time outstanding, for the purpose of refunding any State of Illinois general obligation Bonds then outstanding, including the payment of any redemption premium thereon, any reasonable expenses of such refunding, any interest accrued or to accrue to the earliest or any subsequent date of redemption or maturity of such outstanding Bonds and any interest to accrue to the first interest payment on the refunding Bonds; provided that all non-refunding Bonds in an issue that includes refunding Bonds shall mature no later than the final maturity date of Bonds being refunded; provided that no refunding Bonds shall be offered for sale unless the net present value of debt service savings to be achieved by the issuance of the refunding Bonds is 3% or more of the principal amount of the refunding Bonds to be issued; and further provided that , except for refunding Bonds sold in fiscal year 2009, 2010, or 2011, the maturities of the refunding Bonds shall not extend beyond the maturities of the Bonds they refund, so that for each fiscal year in the maturity schedule of a particular issue of refunding Bonds, the total amount of refunding principal maturing and redemption amounts due in that fiscal year and all prior fiscal years in that schedule shall be greater than or equal to the total amount of refunded principal and redemption amounts that had been due over that year and all prior fiscal years prior to the refunding.

The Governor shall notify the State Treasurer and Comptroller of such refunding. The proceeds received from the sale of refunding Bonds shall be used for the retirement at maturity or redemption of such outstanding Bonds on any maturity or redemption date and, pending such use, shall be placed in escrow, subject to such terms and conditions as shall be provided for in the Bond Sale Order relating to the Refunding Bonds. Proceeds not needed for deposit in an escrow account shall be deposited in the General Obligation Bond Retirement and Interest Fund. This Act shall constitute an irrevocable and continuing appropriation of all amounts necessary to establish an escrow account for the purpose of refunding outstanding general obligation Bonds and to pay the reasonable expenses of such refunding and of the issuance and sale of the refunding Bonds. Any such escrowed proceeds may be invested and reinvested in direct obligations of the United States of America, maturing at such time or times as shall be appropriate to assure the prompt payment, when due, of the principal of and interest and redemption premium, if any, on the refunded Bonds. After the terms of the escrow have been fully satisfied, any remaining balance of such proceeds and interest, income and profits earned or realized on the investments thereof shall be paid into the General Revenue Fund. The liability of the State upon the Bonds shall continue, provided that the holders thereof shall thereafter be entitled to payment only out of the moneys deposited in the escrow account.

Except as otherwise herein provided in this Section, such refunding Bonds shall in all other respects be subject to the terms and conditions of this Act.

(Source: P.A. 93-839, eff. 7-30-04.)

Section 10. The Build Illinois Bond Act is amended by changing Sections 6, 8, and 15 as follows:

(30 ILCS 425/6) (from Ch. 127, par. 2806)

Sec. 6. Conditions for Issuance and Sale of Bonds - Requirements for Bonds - Master and Supplemental Indentures - Credit and Liquidity Enhancement.

(a) Bonds shall be issued and sold from time to time, in one or more series, in such amounts and at such prices as directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. Bonds shall be payable only from the specific sources and secured in the manner provided in this Act. Bonds shall be in such form, in such denominations, mature on such dates within 25 years from their date of issuance, be subject to optional or mandatory redemption, bear interest payable at

such times and at such rate or rates, fixed or variable, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget in an order authorizing the issuance and sale of any series of Bonds, which order shall be approved by the Governor and is herein called a "Bond Sale Order"; provided, however, that interest payable at fixed rates shall not exceed that permitted in "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as now or hereafter amended, and interest payable at variable rates shall not exceed the maximum rate permitted in the Bond Sale Order. Said Bonds shall be payable at such place or places, within or without the State of Illinois, and may be made registrable as to either principal only or as to both principal and interest, as shall be specified in the Bond Sale Order. Bonds may be callable or subject to purchase and retirement or remarketing as fixed and determined in the Bond Sale Order. Bonds (i) except for refunding Bonds satisfying the requirements of Section 15 of this Act and sold during fiscal year 2009, 2010, or 2011, must be issued with principal or mandatory redemption amounts in equal amounts, with the first maturity issued occurring within the fiscal year in which the Bonds are issued or within the next succeeding fiscal year and (ii) must mature or be ~~, with Bonds issued maturing or~~ subject to mandatory redemption each fiscal year thereafter up to 25 years , except for refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011 which must mature or be subject to mandatory redemption each fiscal year thereafter up to 16 years.

All Bonds authorized under this Act shall be issued pursuant to a master trust indenture ("Master Indenture") executed and delivered on behalf of the State by the Director of the Governor's Office of Management and Budget, such Master Indenture to be in substantially the form approved in the Bond Sale Order authorizing the issuance and sale of the initial series of Bonds issued under this Act. Such initial series of Bonds may, and each subsequent series of Bonds shall, also be issued pursuant to a supplemental trust indenture ("Supplemental Indenture") executed and delivered on behalf of the State by the Director of the Governor's Office of Management and Budget, each such Supplemental Indenture to be in substantially the form approved in the Bond Sale Order relating to such series. The Master Indenture and any Supplemental Indenture shall be entered into with a bank or trust company in the State of Illinois having trust powers and possessing capital and surplus of not less than $100,000,000. Such indentures shall set forth the terms and conditions of the Bonds and provide for payment of and security for the Bonds, including the establishment and maintenance of debt service and reserve funds, and for other protections for holders of the Bonds. The term "reserve funds" as used in this Act shall include funds and accounts established under indentures to provide for the payment of principal of and premium and interest on Bonds, to provide for the purchase, retirement or defeasance of Bonds, to provide for fees of trustees, registrars, paying agents and other fiduciaries and to provide for payment of costs of and debt service payable in respect of credit or liquidity enhancement arrangements, interest rate swaps or guarantees or financial futures contracts and indexing and remarketing agents' services.

In the case of any series of Bonds bearing interest at a variable interest rate ("Variable Rate Bonds"), in lieu of determining the rate or rates at which such series of Variable Rate Bonds shall bear interest and the price or prices at which such Variable Rate Bonds shall be initially sold or remarketed (in the event of purchase and subsequent resale), the Bond Sale Order may provide that such interest rates and prices may vary from time to time depending on criteria established in such Bond Sale Order, which criteria may include, without limitation, references to indices or variations in interest rates as may, in the judgment of a remarketing agent, be necessary to cause Bonds of such series to be remarketable from time to time at a price equal to their principal amount (or compound accreted value in the case of original issue discount Bonds), and may provide for appointment of indexing agents and a bank, trust company, investment bank or other financial institution to serve as remarketing agent in that connection. The Bond Sale Order may provide that alternative interest rates or provisions for establishing alternative interest rates, different security or claim priorities or different call or amortization provisions will apply during such times as Bonds of any series are held by a person providing credit or liquidity enhancement arrangements for such Bonds as authorized in subsection (b) of Section 6 of this Act.

(b) In connection with the issuance of any series of Bonds, the State may enter into arrangements to provide additional security and liquidity for such Bonds, including, without limitation, bond or interest rate insurance or letters of credit, lines of credit, bond purchase contracts or other arrangements whereby funds are made available to retire or purchase Bonds, thereby assuring the ability of owners of the Bonds to sell or redeem their Bonds. The State may enter into contracts and may agree to pay fees to persons providing such arrangements, but only under circumstances where the Director of the Bureau of the Budget (now Governor's Office of Management and Budget) certifies that he reasonably expects the total interest paid or

to be paid on the Bonds, together with the fees for the arrangements (being treated as if interest), would not, taken together, cause the Bonds to bear interest, calculated to their stated maturity, at a rate in excess of the rate which the Bonds would bear in the absence of such arrangements. Any bonds, notes or other evidences of indebtedness issued pursuant to any such arrangements for the purpose of retiring and discharging outstanding Bonds shall constitute refunding Bonds under Section 15 of this Act. The State may participate in and enter into arrangements with respect to interest rate swaps or guarantees or financial futures contracts for the purpose of limiting or restricting interest rate risk; provided that such arrangements shall be made with or executed through banks having capital and surplus of not less than $100,000,000 or insurance companies holding the highest policyholder rating accorded insurers by A.M. Best & Co. or any comparable rating service or government bond dealers reporting to, trading with, and recognized as primary dealers by a Federal Reserve Bank and having capital and surplus of not less than $100,000,000, or other persons whose debt securities are rated in the highest long-term categories by both Moody's Investors' Services, Inc. and Standard & Poor's Corporation. Agreements incorporating any of the foregoing arrangements may be executed and delivered by the Director of the Governor's Office of Management and Budget on behalf of the State in substantially the form approved in the Bond Sale Order relating to such Bonds.

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 425/8) (from Ch. 127, par. 2808)

Sec. 8. Sale of Bonds. Bonds, except as otherwise provided in this Section, shall be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times as are directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. At least 25%, based on total principal amount, of all Bonds issued each fiscal year shall be sold pursuant to notice of sale and public bid. At all times during each fiscal year, no more than 75%, based on total principal amount, of the Bonds issued each fiscal year shall have been sold by negotiated sale. Failure to satisfy the requirements in the preceding 2 sentences shall not affect the validity of any previously issued Bonds; and further provided that refunding Bonds satisfying the requirements of Section 15 of this Act and sold during fiscal year 2009, 2010, or 2011 shall not be subject to the requirements in the preceding 2 sentences.

If any Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget shall comply with the competitive request for proposal process set forth in the Illinois Procurement Code and all other applicable requirements of that Code.

If Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget shall, from time to time, as Bonds are to be sold, advertise the sale of the Bonds in at least 2 daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago. The sale of the Bonds shall also be advertised in the volume of the Illinois Procurement Bulletin that is published by the Department of Central Management Services. Each of the advertisements for proposals shall be published once at least 10 days prior to the date fixed for the opening of the bids. The Director of the Governor's Office of Management and Budget may reschedule the date of sale upon the giving of such additional notice as the Director deems adequate to inform prospective bidders of the change; provided, however, that all other conditions of the sale shall continue as originally advertised. Executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of Bonds shall be paid into the State Treasury as directed by Section 9 of this Act. The Governor or the Director of the Governor's Office of Management and Budget is hereby authorized and directed to execute and deliver contracts of sale with underwriters and to execute and deliver such certificates, indentures, agreements and documents, including any supplements or amendments thereto, and to take such actions and do such things as shall be necessary or desirable to carry out the purposes of this Act. Any action authorized or permitted to be taken by the Director of the Governor's Office of Management and Budget pursuant to this Act is hereby authorized to be taken by any person specifically designated by the Governor to take such action in a certificate signed by the Governor and filed with the Secretary of State.

(Source: P.A. 93-839, eff. 7-30-04.)

(30 ILCS 425/15) (from Ch. 127, par. 2815)

Sec. 15. Refunding Bonds. Refunding Bonds are hereby authorized for the purpose of refunding any outstanding Bonds, including the payment of any redemption premium thereon, any reasonable expenses of such refunding, and any interest accrued or to accrue to the earliest or any subsequent date of redemption or maturity of outstanding Bonds; provided that all non-refunding Bonds in an issue that includes refunding Bonds shall mature no later than the final maturity date of Bonds being refunded; provided that no refunding Bonds shall be offered for sale unless the net present value of debt service savings to be achieved

by the issuance of the refunding Bonds is 3% or more of the principal amount of the refunding Bonds to be issued; and further provided that, except for refunding Bonds sold in fiscal year 2009, 2010, or 2011, the maturities of the refunding Bonds shall not extend beyond the maturities of the Bonds they refund, so that for each fiscal year in the maturity schedule of a particular issue of refunding Bonds, the total amount of refunding principal maturing and redemption amounts due in that fiscal year and all prior fiscal years in that schedule shall be greater than or equal to the total amount of refunded principal and redemption amounts that had been due over that year and all prior fiscal years prior to the refunding.

Refunding Bonds may be sold in such amounts and at such times, as directed by the Governor upon recommendation by the Director of the Governor's Office of Management and Budget. The Governor shall notify the State Treasurer and Comptroller of such refunding. The proceeds received from the sale of refunding Bonds shall be used for the retirement at maturity or redemption of such outstanding Bonds on any maturity or redemption date and, pending such use, shall be placed in escrow, subject to such terms and conditions as shall be provided for in the Bond Sale Order relating to the refunding Bonds. This Act shall constitute an irrevocable and continuing appropriation of all amounts necessary to establish an escrow account for the purpose of refunding outstanding Bonds and to pay the reasonable expenses of such refunding and of the issuance and sale of the refunding Bonds. Any such escrowed proceeds may be invested and reinvested in direct obligations of the United States of America, maturing at such time or times as shall be appropriate to assure the prompt payment, when due, of the principal of and interest and redemption premium, if any, on the refunded Bonds. After the terms of the escrow have been fully satisfied, any remaining balance of such proceeds and interest, income and profits earned or realized on the investments thereof shall be paid into the General Revenue Fund. The liability of the State upon the refunded Bonds shall continue, provided that the holders thereof shall thereafter be entitled to payment only out of the moneys deposited in the escrow account and the refunded Bonds shall be deemed paid, discharged and no longer to be outstanding.

Except as otherwise herein provided in this Section, such refunding Bonds shall in all other respects be issued pursuant to and subject to the terms and conditions of this Act and shall be secured by and payable from only the funds and sources which are provided under this Act.

(Source: P.A. 93-839, eff. 7-30-04.)

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

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Franks, SENATE BILL 1609 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:

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

(ROLL CALL 58)

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

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

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 2 was distributed to the Members at 10:35 o'clock p.m.

SENATE BILLS ON SECOND READING

SENATE BILL 1433. Having been read by title a second time on May 27, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Mautino offered the following amendment and moved its adoption.

AMENDMENT NO. 2 . Amend Senate Bill 1433, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 8.49 as follows:

(30 ILCS 105/8.49 new)

Sec. 8.49. Special fund transfers.

(a) In order to maintain the integrity of special funds and improve stability in the General Revenue Fund, the following transfers are authorized from the designated funds into the General Revenue Fund:

Food and Drug Safety Fund.....$6,800
Penny Severns Breast, Cervical, and
Ovarian Cancer Research Fund.....$33,300
Transportation Regulatory Fund.....$2,122,000
General Professions Dedicated Fund.....$3,511,900
Economic Research and Information Fund.....$1,120
Illinois Department of Agriculture
Laboratory Services Revolving Fund.....$12,825
Drivers Education Fund.....$2,244,000
Aeronautics Fund.....$25,360
Fire Prevention Fund.....$10,400,000
Rural/Downstate Health Access Fund.....$1,700
Mental Health Fund.....$24,560,000
Illinois State Pharmacy Disciplinary Fund.....$2,054,100
Public Utility Fund.....$960,175
Alzheimer's Disease Research Fund.....$112,500
Radiation Protection Fund.....$92,250
Natural Heritage Endowment Trust Fund.....$250,000
Firearm Owner's Notification Fund.....$256,400
EPA Special State Projects Trust Fund.....$3,760,000
Solid Waste Management Fund.....$1,200,000
Illinois Gaming Law Enforcement Fund.....$141,000
Subtitle D Management Fund.....$375,000
Illinois State Medical Disciplinary Fund.....$11,277,200
Cemetery Consumer Protection Fund.....$658,000
Assistance to the Homeless Fund.....$13,800
Accessible Electronic Information
Service Fund.....$10,000
CDLIS/AAMVAnet Trust Fund.....$110,000
Comptroller's Audit Expense Revolving Fund.....$31,200
Community Health Center Care Fund.....$450,000
Safe Bottled Water Fund.....$15,000
Facility Licensing Fund.....$363,600
Hansen-Therkelsen Memorial Deaf
Student College Fund.....$503,700
Illinois Underground Utility Facilities
Damage Prevention Fund.....$29,600
School District Emergency Financial
Assistance Fund.....$2,059,200
Mental Health Transportation Fund.....$859
Registered Certified Public Accountants'
Administration and Disciplinary Fund.....$34,600
State Crime Laboratory Fund.....$142,880
Agrichemical Incident Response Trust Fund.....$80,000

General Assembly Computer Equipment
Revolving Fund.....$101,600
Weights and Measures Fund.....$625,000
Illinois School Asbestos Abatement Fund.....$299,600
Injured Workers' Benefit Fund.....$3,290,560
Violence Prevention Fund.....$79,500
Professional Regulation Evidence Fund.....$5,000
IPTIP Administrative Trust Fund.....$500,000
Diabetes Research Checkoff Fund.....$8,800
Ticket For The Cure Fund.....$1,200,000
Capital Development Board Revolving Fund.....$346,000
Professions Indirect Cost Fund.....$2,144,500
State Police DUI Fund.....$166,880
Medicaid Fraud and Abuse Prevention Fund.....$20,000
Illinois Health Facilities Planning Fund.....$1,392,400
Emergency Public Health Fund.....$875,000
TOMA Consumer Protection Fund.....$50,000
ISAC Accounts Receivable Fund.....$24,240
Fair and Exposition Fund.....$1,257,920
Department of Labor Special State Trust Fund.....$409,000
Public Health Water Permit Fund.....$24,500
Nursing Dedicated and Professional Fund.....$9,988,400
Optometric Licensing and Disciplinary
Board Fund..... $995,800
Water Revolving Fund.....$4,960
Methamphetamine Law Enforcement Fund.....$50,000
Long Term Care Monitor/Receiver Fund.....$1,700,000
Home Care Services Agency Licensure Fund.....$48,000
Community Water Supply Laboratory Fund.....$600,000
Motor Fuel and Petroleum Standards Fund.....$41,416
Fertilizer Control Fund.....$162,520
Regulatory Fund.....$307,824
Used Tire Management Fund.....$8,853,552
Natural Areas Acquisition Fund.....$1,000,000
Working Capital Revolving Fund.....$6,450,000
Tax Recovery Fund.....$29,680
Professional Services Fund.....$3,500,000
Treasurer's Rental Fee Fund.....$155,000
Public Health Laboratory Services
Revolving Fund.....$450,000
Provider Inquiry Trust Fund.....$200,000
Audit Expense Fund.....$5,972,190
Law Enforcement Camera Grant Fund.....$2,631,840
Child Labor and Day and Temporary Labor
Services Enforcement Fund.....$490,000
Lead Poisoning Screening, Prevention,
and Abatement Fund.....$100,000
Health and Human Services Medicaid
Trust Fund.....$6,920,000
Prisoner Review Board Vehicle and
Equipment Fund.....$147,900
Drug Treatment Fund.....$4,400,000
Feed Control Fund.....$625,000
Tanning Facility Permit Fund.....$20,000
Innovations in Long-Term Care Quality
Demonstration Grants Fund.....$300,000
Plumbing Licensure and Program Fund.....$1,585,600

State Treasurer's Bank Services Trust Fund.....$6,800,000
State Police Motor Vehicle Theft
Prevention Trust Fund.....$46,500
Insurance Premium Tax Refund Fund.....$58,700
Appraisal Administration Fund.....$378,400
Small Business Environmental Assistance Fund.....$24,080
Regulatory Evaluation and Basic
Enforcement Fund.....$125,000
Gaining Early Awareness and Readiness
for Undergraduate Programs Fund.....$15,000
Trauma Center Fund.....$4,000,000
EMS Assistance Fund.....$110,000
State College and University Trust Fund.....$20,204
University Grant Fund.....$5,608
DCEO Projects Fund.....$1,000,000
Alternate Fuels Fund.....$2,000,000
Multiple Sclerosis Research Fund.....$27,200
Livestock Management Facilities Fund.....$81,920
Second Injury Fund.....$615,680
Agricultural Master Fund.....$136,984
High Speed Internet Services and
Information Technology Fund.....$3,300,000
Illinois Tourism Tax Fund.....$250,000
Human Services Priority Capital Program Fund.....$7,378,400
Warrant Escheat Fund.....$1,394,161
State Asset Forfeiture Fund.....$321,600
Police Training Board Services Fund.....$8,000
Federal Asset Forfeiture Fund.....$1,760
Department of Corrections Reimbursement
and Education Fund..... 250,000
Health Facility Plan Review Fund.....$1,543,600
Domestic Violence Abuser Services Fund.....$11,500
LEADS Maintenance Fund.....$166,800
State Offender DNA Identification
System Fund.....$615,040
Illinois Historic Sites Fund.....$250,000
Comptroller's Administrative Fund.....$134,690
Public Pension Regulation Fund.....$1,000,000
Workforce, Technology, and Economic
Development $2,000,000
Pawnbroker Regulation Fund.....$26,400
Renewable Energy Resources Trust Fund.....$13,408,328
Charter Schools Revolving Loan Fund.....$82,000
School Technology Revolving Loan Fund.....$1,230,000
Energy Efficiency Trust Fund.....$1,490,000
Pesticide Control Fund.....$625,000
Juvenile Accountability Incentive Block
Grant Fund..... $10,000
Multiple Sclerosis Assistance Fund.....$8,000
Temporary Relocation Expenses Revolving
Grant Fund.....$460,000
Partners for Conservation Fund.....$8,200,000
Fund For Illinois' Future.....$3,000,000
Wireless Carrier Reimbursement Fund.....$13,650,000
International Tourism Fund.....$5,043,344
Illinois Racing Quarterhorse Breeders Fund.....$1,448
Death Certificate Surcharge Fund.....$900,000

State Police Wireless Service
Emergency Fund.....$1,329,280
Illinois Adoption Registry and
Medical Information Exchange Fund.....$8,400
Auction Regulation Administration Fund.....$361,600
DHS State Projects Fund.....$193,900
Auction Recovery Fund.....$4,600
Motor Carrier Safety Inspection Fund.....$389,840
Coal Development Fund.....$320,000
State Off-Set Claims Fund.....$400,000
Illinois Student Assistance Commission
Contracts and Grants Fund.....$128,850
DHS Private Resources Fund.....$1,000,000
Assisted Living and Shared Housing
Regulatory Fund.....$122,400
State Police Whistleblower Reward
and Protection Fund.....$3,900,000
Illinois Standardbred Breeders Fund.....$134,608
Post Transplant Maintenance and
Retention Fund.....$85,800
Spinal Cord Injury Paralysis Cure
Research Trust Fund.....$300,000
Organ Donor Awareness Fund.....$115,000
Community Mental Health Medicaid Trust Fund.....$1,030,900
Illinois Clean Water Fund.....$8,649,600
Tobacco Settlement Recovery Fund.....$10,000,000
Alternative Compliance Market Account Fund.....$9,984
Group Workers' Compensation Pool
Insolvency Fund.....$42,800
Medicaid Buy-In Program Revolving Fund.....$1,000,000
Home Inspector Administration Fund.....$1,225,200
Real Estate Audit Fund.....$1,200
Marine Corps Scholarship Fund.....$69,000
Tourism Promotion Fund.....$30,000,000
Oil Spill Response Fund.....$4,800
Presidential Library and Museum
Operating Fund.....$169,900
Nuclear Safety Emergency Preparedness Fund.....$6,000,000
DCEO Energy Projects Fund.....$2,176,200
Dram Shop Fund.....$500,000
Illinois State Dental Disciplinary Fund.....$187,300
Hazardous Waste Fund.....$800,000
Natural Resources Restoration Trust Fund.....$7,700
State Fair Promotional Activities Fund.....$1,672
Continuing Legal Education Trust Fund.....$10,550
Environmental Protection Trust Fund.....$625,000
Real Estate Research and Education Fund.....$1,081,000
Federal Moderate Rehabilitation
Housing Fund.....$44,960
Domestic Violence Shelter and Service Fund.....$55,800
Snowmobile Trail Establishment Fund.....$5,300
Drug Traffic Prevention Fund.....$11,200
Traffic and Criminal Conviction
Surcharge Fund.....$5,400,000
Design Professionals Administration
and Investigation Fund.....$73,200
Public Health Special State Projects Fund.....$1,900,000

Petroleum Violation Fund.....$1,080
State Police Services Fund.....$7,082,080
Illinois Wildlife Preservation Fund.....$9,900
Youth Drug Abuse Prevention Fund.....$133,500
Insurance Producer Administration Fund.....$13,820,000
Coal Technology Development Assistance Fund.....$1,856,000
Child Abuse Prevention Fund.....$250,000
Hearing Instrument Dispenser Examining
and Disciplinary Fund.....$50,400
Low-Level Radioactive Waste Facility
Development and Operation Fund.....$1,000,000
Environmental Protection Permit and
Inspection Fund.....$755,775
Landfill Closure and Post-Closure Fund.....$2,480
Narcotics Profit Forfeiture Fund.....$86,900
Illinois State Podiatric Disciplinary Fund.....$200,000
Vehicle Inspection Fund.....$5,000,000
Local Tourism Fund.....$10,999,280
Illinois Capital Revolving Loan Fund.....$3,856,904
Illinois Equity Fund.....$3,520
Large Business Attraction Fund.....$13,560
International and Promotional Fund.....$42,040
Public Infrastructure Construction
Loan Revolving Fund.....$2,811,232
Insurance Financial Regulation Fund.....$7,531,180
TOTAL $356,038,973

All of these transfers shall be made in equal quarterly installments with the first made on July 1, 2009, or as soon thereafter as practical, and with the remaining transfers to be made on October 1, January 1, and April 1, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(b) On and after the effective date of this amendatory Act of the 96th General Assembly through June 30, 2010, when any of the funds listed in subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as is immediately necessary to satisfy outstanding expenditure obligations on a timely basis, subject to the provisions of the State Prompt Payment Act. All or a portion of the amounts transferred from the General Revenue Fund to a fund pursuant to this subsection (b) from time to time may be re transferred by the State Comptroller and the State Treasurer from the receiving fund into the General Revenue Fund as soon as and to the extent that deposits are made into or receipts are collected by the receiving fund.

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

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL ON THIRD READING

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

On motion of Representative Careen Gordon, SENATE BILL 1433 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:

66, Yeas; 51, Nays; 0, Answering Present.

(ROLL CALL 59)

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

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

SENATE BILLS ON SECOND READING

SENATE BILL 1197. Having been read by title a second time on March 31, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Currie offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 1197, by replacing everything after the enacting clause with the following:

"ARTICLE 1

Section 5. "Operational expenses" defined. For the purposes of this amendatory Act of the 96th General Assembly, the term "operational expenses" includes the following items:

(a) Personal services;

(b) State contributions to Social Security;

(c) Group Insurance;

(d) Contractual services, except that professional and artistic services shall not be included in the definition of "operational expenses";

(e) Travel;

(f) Commodities;

(g) Printing;

(h) Equipment;

(i) Electronic data processing;

(j) Telecommunications services;

(k) Operation of automotive equipment;

(l) Refunds.

Section 10. "Professional and artistic services" defined. For the purposes of this amendatory Act of the 96th General Assembly, the term "professional and artistic services" means those services provided under contract to a State agency by a person or business, acting as an independent contractor, qualified by education, experience, and technical ability.

ARTICLE 2

Section 25. In addition to other amounts appropriated, the amount of $371,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Legislative Information System for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 3

Section 25. In addition to other amounts appropriated, the amount of $36,485,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Supreme Court for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 4

Section 25. In addition to other amounts appropriated, the amount of $407,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender for operational expenses, awards, grants, state matching grant purposes, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 5

Section 25. In addition to other amounts appropriated, the amount of $1,993,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State's Attorneys Appellate Prosecutor for operational expenses, awards, grants, state matching grant purposes,

and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 6

Section 10. The following named amounts, or so much of that amount as may be necessary, are appropriated to the Court of Claims for payment of claims as follows:

For claims under the Crime Victims
Compensation Act:
Payable from the Court of Claims
Federal Grant Fund 10,000,000

Section 25. In addition to other amounts appropriated, the amount of $16,761,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Court of Claims for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 7

Section 25. In addition to other amounts appropriated, the amount of $1,887,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Attorney General for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 8

Section 25. In addition to other amounts appropriated, the amount of $15,667,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

Section 30. The amount of $130,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Secretary of State for the purpose of replacing spending previously appropriated from the Road Fund.

ARTICLE 9

Section 25. In addition to other amounts appropriated, the amount of $8,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Treasurer for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 10

Section 25. In addition to other amounts appropriated, the amount of $6,130,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Board of Elections for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 11

Section 25. In addition to other amounts appropriated, the amount of $306,473,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department on Aging for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 12

Section 25. In addition to other amounts appropriated, the amount of $9,337,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 13

Section 25. In addition to other amounts appropriated, the amount of $8,425,500, or so much

thereof as may be necessary, is appropriated from the General Revenue Fund to the Central Management Services for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 14

Section 25. In addition to other amounts appropriated, the amount of $314,331,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Children and Family Services for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 15

Section 25. In addition to other amounts appropriated, the amount of $18,503,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 16

Section 25. In addition to other amounts appropriated, the amount of $1,173,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Natural Resources for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 17

Section 25. In addition to other amounts appropriated, the amount of $293,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Juvenile Justice for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 18

Section 25. In addition to other amounts appropriated, the amount of $13,468,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Corrections for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 19

Section 25. In addition to other amounts appropriated, the amount of $1,337,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 20

Section 25. In addition to other amounts appropriated, the amount of $6,907,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Employment Security for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 21

Section 25. In addition to other amounts appropriated, the amount of $1,666,616,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 22

Section 25. In addition to other amounts appropriated, the amount of $129,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Labor for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may

be transferred into or out of this line item.

ARTICLE 23

Section 25. In addition to other amounts appropriated, the amount of $1,128,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 24

Section 25. In addition to other amounts appropriated, the amount of $1,979,752,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Healthcare and Family Services for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

Section 30. For the fiscal year beginning on July 1, 2009, the Department of Healthcare and Family Services, with the consent in writing from the Governor, may reapportion not more than 4% of the total General Revenue Fund appropriations to the Department for Medical Assistance, as contained in any Act of the 96th General Assembly, among the various purposes therein enumerated.

ARTICLE 25

Section 25. In addition to other amounts appropriated, the amount of $45,728,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 26

Section 25. In addition to other amounts appropriated, the amount of $17,438,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Revenue for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 27

Section 25. In addition to other amounts appropriated, the amount of $5,841,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Police for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

Section 30. The amount of $105,584,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Police for the purpose of replacing spending previously appropriated from the Road Fund.

ARTICLE 28

Section 25. In addition to other amounts appropriated, the amount of $33,141,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 29

Section 25. In addition to other amounts appropriated, the amount of $1,990,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans' Affairs for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 30

Section 25. In addition to other amounts appropriated, the amount of $6,609,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 31

Section 25. In addition to other amounts appropriated, the amount of $18,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Deaf and Hard of Hearing Commission for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 32

Section 25. The sum of $14,630,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund for payment to the Board of the Comprehensive Health Insurance Plan pursuant to subsection (b) of Section 12 of the Comprehensive Health Insurance Plan Act.

ARTICLE 33

Section 25. In addition to other amounts appropriated, the amount of $120,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the East St. Louis Financial Advisory Authority for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 34

Section 25. In addition to other amounts appropriated, the amount of $650,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Criminal Justice Information Authority for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 35

Section 25. In addition to other amounts appropriated, the amount of $1,686,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Violence Prevention Authority for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 36

Section 25. In addition to other amounts appropriated, the amount of $1,654,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 37

Section 25. In addition to other amounts appropriated, the amount of $591,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Emergency Management Agency for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 38

Section 25. In addition to other amounts appropriated, the amount of $145,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Upper Illinois River Valley Development Authority for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 39

Section 25. In addition to other amounts appropriated, the amount of $511,316,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 40

Section 5. The amount of $32,522,400, or so much thereof as may be necessary, is appropriated from the Education Assistance Fund to the Public School Teachers' Pension and Retirement Fund of Chicago for the state's contribution for the fiscal year beginning July 1, 2009.

Section 10. The amount of $5,029,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Public School Teachers' Pension and Retirement Fund of Chicago for the state's contribution for retirement contributions under Section 17-127 of the Pension Code for the fiscal year beginning July 1, 2009.

ARTICLE 41

Section 25. In addition to other amounts appropriated, the amount of $7,151,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 42

Section 25. In addition to other amounts appropriated, the amount of $24,181,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 43

Section 25. In addition to other amounts appropriated, the amount of $220,031,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 44

Section 25. In addition to other amounts appropriated, the amount of $3,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Universities Civil Service System for operational expenses, awards, grants, and permanent improvements for the fiscal year ending June 30, 2010, except that no amounts may be expended for professional and artistic services. No money may be transferred into or out of this line item.

ARTICLE 45

Section 5. The sum of $8,540,000, 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.

ARTICLE 46

Section 5. The amount of $1,900,000, or so much thereof as may be necessary, is appropriated to the Department of Healthcare and Family Services from the General Revenue Fund for the purpose of paying legal fees in the settlement of Caro, et al. v. Blagojevich, et al., and the related appeals thereof, pursuant to the terms of any Settlement Agreement entered into by the Department with the approval of the Attorney General or ordered by the Court.

ARTICLE 47

Section 5. "AN ACT concerning appropriations", Public Act 95-734, approved July 9, 2008, as amended, is amended by repealing Section 12 and changing Sections 10, 11, 13 and 14 to Article 7 as follows:

(P.A. 95-734, Art. 7, Sec. 10)

Sec. 10. 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, 2008:

From the General Revenue Fund:

For Blind/Dyslexic Persons 1,218,800
For Charter Schools – Transition Impact Aid 3,421,500
For costs associated with the Chicago Aerospace Initiative 920,000
For Disabled Student Personnel Reimbursement 426,100,000
For Disabled Student Transportation Reimbursement 383,300,000
For Disabled Student Tuition, Private Tuition 151,600,000

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 7,850,000
For Fast Growth Schools, 18-8.10
of the School Code 7,500,000
For Funding for Children Requiring
Special Education, 14-7.02b
of the School Code 331,051,100
For Gifted Education 7,000,000
For Healthy Kids/Healthy Minds/ Expanded
Vision per 34-18.32 of the School Code... 3,000,000
For a Healthy Kids/Healthy Minds/ Expanded
Vision Program in Cicero & Berwyn... 1,000,000
For After School Matters 500,000
For Arts and Foreign Language 4,000,000
For Agudath Israel of Illinois for grants
For School Transportation 1,200,000
For the Illinois Governmental
Internship Program 129,900
For Jobs for Illinois Grads 4,000,000
For the Metro East Consortium for
Child Advocacy 217,100
For Parental Guardian Programs/
Transportation Reimbursement 11,954,700
For the Philip J. Rock Center
and School 3,577,800
For Homeless Education 3,000,000
For Reimbursement for the Free Breakfast/
Lunch Program 26,300,000
For Rural Technology Initiatives 4,000,000
For the School Breakfast Incentive
Program 723,500
For Teachers and Administrators
Mentoring Program 14,000,000
For Principal Mentoring Program 3,100,000
For Chicago Principals
and Administrators Association 1,000,000
For Summer School Payments, 18-4.3
of the School Code 11,000,000
For Targeted Interventions 4,000,000
For Tax-Equivalent Grants, 18-4.4 of
the School Code 222,600
For Textbook Loans, 18-17 of the
School Code 42,826,500
For Transitional Assistance 36,763,600
For Transition of Minority Students 578,800
For Transportation-Regular/Vocational
Common School Transportation
Reimbursement, 29-5
of the School Code 339,500,000
For Visually Impaired/Educational
Materials Coordinating Unit, 14-11.01
of the School Code 2,121,000
For Regular Education Reimbursement
Per 18-3 of the
School Code 11,600,000

For Special Education Reimbursement
Per 14-7.03 of
the School Code 101,800,000
For all costs associated with Alternative
Education/Regional Safe Schools 18,535,500
For Truant Alternative and Optional
Education Program 20,078,100
For costs associated with Teach for America 450,000
For grants to Local Education Agencies
to conduct Agriculture Education
Programs 3,381,200
For Mentoring and Afterschool Programs 9,700,000
Total $2,004,221,700

From the Education Assistance Fund:
For Career and Technical Education 38,562,100
For General State Aid ..... 549,095,200 ~~463,850,400~~
For General State Aid – Hold Harmless 26,106,400
For the Reading Improvement Block Grant 76,139,800
For the School Safety and Educational
Improvement Block Grant 74,841,000
For the Summer Bridges Program 22,238,100
For National Board Certified Teachers 11,485,000
For the Illinois Teacher of the Year 135,000
Total ..... $798,602,600 ~~$713,357,800~~

From the Common School Fund:
For General State Aid ..... 2,993,478,800 ~~3,162,650,000~~
For Regional Superintendents' and
Assistant' Compensation 9,100,000
Total ..... $3,002,578,800 ~~$3,171,750,000~~

From the General Revenue Fund
For Regional Superintendent's Services 6,318,000
For Regional Superintendents Services –
Bus Driver Training 70,000
For Regional Superintendents Services –
Supervisory Expenses 102,000
Total $6,490,000

From the School District Emergency
Financial Assistance Fund:
For Emergency Financial Assistance, 1B-8
of the School Code 1,000,000

From the Drivers Education Fund:
For Drivers Education 17,929,600

From the Charter Schools Revolving Loan Fund:
For Charter Schools Loans 20,000

From the School Technology Revolving Loan Fund:
For School Technology Loans, 2-3.117a
of the School Code 5,000,000

From the Temporary Relocation Expenses
Revolving Grant Fund:
For Temporary Relocation Expenses, 2-3.77
of the School Code 1,400,000

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 2,000,000

From the State Board of Education Federal
Department of Agriculture Fund:
For Child Nutrition 525,000,000
From the State Board of Education
Federal Department of Education Fund:
For Title I 675,000,000
For Title I, Reading First 60,000,000
For Title II, Teacher/Principal Training 135,000,000
For Title III, English Language
Acquisition 40,000,000
For Title IV, 21st Century/Community
Service Programs 55,000,000
For Title IV, Safe and Drug Free Schools 15,000,000
For Title V, Innovation Programs 8,000,000
For Title VI, Rural and Low Income
Students 1,500,000
For Title X, Homeless Education 3,250,000
For Enhancing Education through Technology 20,000,000
For Individuals with Disabilities Act,
Deaf/Blind 450,000
For Individuals with Disabilities Act,
IDEA 570,000,000
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 55,000,000
For Grants for Vocational
Education – Technical Preparation 5,000,000
For Charter Schools 6,000,000
For Transition to Teaching 1,000,000
For Advanced Placement Fee 2,000,000
For Math/Science Partnerships 9,000,000
For Integration of Mental Health 400,000
For ONPAR 2,000,000
For Special Federal Congressional Projects 5,000,000
Total $2,251,349,600

(P.A. 95-734, Art. 7, Sec. 11)

Sec. 11. In addition to any other amounts appropriated for such purposes, the following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois State Board of Education for the fiscal year beginning July 1, 2008, pursuant to Title XIV (Education) of the American Recovery and Reinvestment Act of 2009:

For General State Aid ..... $1,038,987,600 ~~$689,595,900~~

(P.A. 95-734, Art. 7, Sec. 13)

Sec. 13. In addition to any other amounts appropriated for such purposes, the following named amounts, or so much thereof as may be necessary, are appropriated from the State Board of Education Federal Department of Education Fund, pursuant to the American Recovery and Reinvestment Act of 2009, to the Illinois State Board of Education for the fiscal year beginning July 1, 2008:

For Title I 210,074,400
For Title X, Homeless Education ..... 2,581,600 ~~2,020,000~~
For Individuals with Disabilities

Education Act, IDEA 253,240,000
For Individuals with Disabilities
Education Act, Pre-School 9,155,500
Total..... $475,051,500 ~~$474,489,900~~

(P.A. 95-734, Art. 7, Sec. 14)

Sec. 14. In addition to any other amounts appropriated for such purposes, the following named amounts, or so much thereof as may be necessary, are appropriated from the State Board of Education Federal Department of Agriculture Fund, pursuant to the American Recovery and Reinvestment Act of 2009, to the Illinois State Board of Education for the fiscal year beginning July 1, 2008:

For Child Nutrition..... $3,657,300 ~~$3,294,000~~

ARTICLE 99

Section 99. Effective date. This Act takes effect on July 1, 2009, except that Article 45, Article 46, Article 47, and Article 99 take effect upon becoming law.".

The foregoing motion prevailed and the amendment was adopted.

There being no further amendments, the foregoing amendment(s) was adopted and the bill, as amended, was held on the order of Second Reading.

Having been reproduced, the following bills were taken up, read by title a second time and held on the order of Second Reading: SENATE BILLS 1180, 1181, 1182, 1183, 1184, 1185, 1211, 1212, 1213, 1214, 1215 and 1216.

At the hour of 11:56 o'clock p.m., Representative Currie moved that the House do now adjourn until Sunday, May 31, 2009, at 1:00 o'clock p.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

NO. 1

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

May 30, 2009

0 YEAS 0 NAYS 117 PRESENT

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

E - Denotes Excused Absence

NO. 2

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1602
PUBLIC SERVICE ACCOUNTABILITY
THIRD READING
PASSED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 3

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1623
LOTTERY-SPECIALTY RETAILER LIC
THIRD READING
PASSED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 4

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1995
SCHOOL DEBT-30 YEARS
THIRD READING
PASSED

May 30, 2009

86 YEAS 31 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 5

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2116
LOC GOV/SCHOOL-ENERGY CONSERV
THIRD READING
PASSED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 6

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 562
ANIMAL-CHILD ABUSE REPORTING
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 7

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2246
ANTITRUST-ATTY GENL POWERS
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 8

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2448
SCH CD-REMOTE EDUCATIONAL PROG
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 9

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2470
PROP TX-HOUSING ABATEMENT
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

114 YEAS 0 NAYS 2 PRESENT

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

E - Denotes Excused Absence

NO. 10

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2335
LIMITED LIABILITY-PROFESSIONS
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 3
CONCURRED

May 30, 2009

89 YEAS 28 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 11

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2539
PUBLIC GUARDIAN-CERTF-FEES
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 12

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2542
CRIM CD-STALKING&CYBERSTALKING
MOTION TO CONCUR IN SENATE AMENDMENT NO. 2
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 13

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2625
VEH CD-TEAMSTERS PLATES
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 2
CONCURRED

May 30, 2009

104 YEAS 11 NAYS 2 PRESENT

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

E - Denotes Excused Absence

NO. 14

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2660
DOMESTIC VIOLENCE
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 15

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2675
SCH CD-SCH HOLIDAYS-WAIVER
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 3
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 16

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2686
FORENSIC PSYCHIATRY FELLOWSHIP
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 17

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3325
VEH CD-TINTED FILM-WINDOWS
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 18

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3641
HFS-DHS-CHILD HLTH PARTNRSHIP
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 2
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 19

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3658
IDOT LAND CONVEYANCE
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 20

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3681
VEH CD-APPEARANCE DATE
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 21

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3714
DOMESTIC VIOLENCE-NOTICE
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

102 YEAS 14 NAYS 1 PRESENT

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

E - Denotes Excused Absence

NO. 22

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3767
OBESITY PREVENTION INITIATIVE
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 23

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3785
MUNI CD-POLITICAL SIGNS
MOTION CONCUR IN SENATE AMENDMENT NO. 1
LOST

May 30, 2009

58 YEAS 59 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 24

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3832
VEH CD-MOTOR CARRIER INDEMNITY
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 25

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3854
CARBON CAPTURE LEGISLATION COM
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 2
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 26

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3922
DPH ACT - NUCLEAR AGENTS
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 2
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 27

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3970
DPT VET AFF-VETERAN HOME STAFF
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 28

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3974
IDPH-YOUTH HIV/AIDS PREV MSGS
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

116 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 29

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3990
AGRICULTURE-TECH
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 30

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3991
FOID CARD-REVOCATION
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 31

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3994
IDPH-EMS-STRETCHER VAN PROVIDR
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

96 YEAS 21 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 32

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4011
MORTGAGE LOAN ORIGINATORS
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 2 & 3
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 33

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4021
EPA-SOIL GAS, GROUNDWATER
MOTION TO CONCUR IN SENATE AMENDMENT NO. 2
CONCURRED

May 30, 2009

103 YEAS 14 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 34

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4237
DPT VET AFF-IDPH-VETS HOMES
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 35

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4241
ST GROUP INS-DEPENDENT AGE
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 36

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4120
PROP TX-VACANT FACILITIES
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

116 YEAS 0 NAYS 1 PRESENT

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

E - Denotes Excused Absence

NO. 37

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3874
PRIVATE ALARM CONTRACTOR
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 2
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 38

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3649
IDPH-HOSPITALS-ABUSE-NEGLECT
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 39

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2557
PEN CD-ECON OPPORTUNITY INVEST
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 3
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-0

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 6
BLACK NURSES DAY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-1

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 43
RONALD REAGAN DAY
ADOPTED

May 30, 2009

113 YEAS 2 NAYS 2 PRESENT

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

E - Denotes Excused Absence

NO. 40-2

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 47
SUPPORT SOCIAL SEC LEGISLATION
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-3

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 55
SUPPORT FAIR TRADE
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-4

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 56
ISBE-CLOSE STU ACHIEVEMNT GAP
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-5

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 59
EMERGENCY MEDICAL SERVICES DIR
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-6

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 68
STB - RAILROAD MERGERS
ADOPTED

May 30, 2009

115 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-7

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 74
U OF I BD OF TRUSTEES-ALUMNI
ADOPTED

May 30, 2009

116 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-8

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 81
MESOTHELIOMA AWARE DAY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-9

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 86
HNR CONTRIB AFRICAN-AMER SLAV
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-10

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 117
STIMULUS FUNDS-GOV
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-11

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 140
CIVIL SERVC COMMN-AUDIT
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-12

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 141
URGE CONGRESS/DOD - LESO FUNDS
ADOPTED

May 30, 2009

115 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-13

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 152
ESOPHAGEAL CANCER MONTH
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-14

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 186
GREEK INDEPENDENCE DAY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-15

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 189
SCHOOL BUILDINGS-NAMING OF
ADOPTED

May 30, 2009

115 YEAS 0 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-16

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 198
WORLD MRSA DAY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-17

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 201
ABUSE AND NEGLECT WORK GROUP
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-18

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 212
POTASSIUM BROMATE
ADOPTED

May 30, 2009

115 YEAS 1 NAY 1 PRESENT

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

E - Denotes Excused Absence

NO. 40-19

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 235
IL MINE SUBSIDENCE INS FUND
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-20

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 239
URGE GOV-COMM COLLEGE FUNDS
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-21

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 246
NEUROFIBROMATOSIS MONTH
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-22

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 248
DPT VET AFF-PTSD TREATMENT
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-23

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 250
REAFFIRM IL-TAIWAN RELATIONS
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-24

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 267
URGE VA-LOCAL MENTAL HEALTH
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-25

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 274
INTERSTITIAL LUNG DISEASE WEEK
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-26

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 275
URGE DNR-CONSERVATION CONGRESS
ADOPTED

May 30, 2009

116 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-27

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 293
FED RESPITE CARE ACT-FED FUNDS
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-28

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 296
COMPACT FLUORESCENT LIGHTING
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-29

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 309
DOC-INMATES CARE THOROUGHBRED
ADOPTED

May 30, 2009

116 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-30

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 315
ADOLESCENT HEALTH AND WELLNESS
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-31

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 317
EL DIA DE LOS NINOS
ADOPTED

May 30, 2009

115 YEAS 1 NAY 1 PRESENT

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

E - Denotes Excused Absence

NO. 40-32

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 322
TEE IT UP FOR THE TROOPS DAY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-33

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 338
CITY OF DIXON-CATFISH CAPITAL
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-34

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 339
HELP BELVIDERE CHRYSLER PLANT
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-35

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 343
COMMISSION-STATUS OF WOMEN
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-36

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 351
MANOR TOOL DAY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-37

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 360
WILD BILL HICKOK DAY
ADOPTED

May 30, 2009

115 YEAS 2 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-38

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 374
COLLEGE LOANS-INTEREST RATE
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-39

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 375
WORKFORCE DEVELOPMENT WEEK
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-40

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 379
NAT'L MOMENT OF REMEMBRANCE
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-41

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 386
CHILDREN'S DAY
ADOPTED

May 30, 2009

115 YEAS 1 NAY 1 PRESENT

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

E - Denotes Excused Absence

NO. 40-42

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 390
URGE CONGRESS-MOTORCYCLES/ATV
ADOPTED

May 30, 2009

115 YEAS 0 NAYS 1 PRESENT

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

E - Denotes Excused Absence

NO. 40-43

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 391
STROKE AWARENESS
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-44

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE JOINT RESOLUTION 27
LEAVE NO CHILD INSIDE MONTH
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-45

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 2
VETERANS MEMORIAL PKWY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-46

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 3
CONGRESS-MEDICARE-ALZHEIMER'S
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-47

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 5
PARENTS ACCOUNTABLTY COMMITTEE
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-48

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 6
JUSTICE STUDY COMMITTEE-EXTEND
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-49

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 7
FETAL ALCHL SPECTRUM DISORDERS
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-50

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 12
GEORGE SANGMEISTER MEM HIGHWAY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-51

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 16
NATIONAL GUARD-FIREFIGHTERS
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-52

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 19
HIGH SCHOOL BASS FISHING MONTH
ADOPTED

May 30, 2009

116 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-53

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 29
UNEMP INS FOR ACADEMC WRKRS TF
ADOPTED

May 30, 2009

115 YEAS 1 NAY 1 PRESENT

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

E - Denotes Excused Absence

NO. 40-54

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 31
GOMB-COMMUNITY CARE FUNDING
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-55

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 32
HONORS-COMMUNITYHEALTH
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-56

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 36
CAP. BILL-ENVTL RESPONSIBILITY
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-57

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 42
25X'25 VISION
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-58

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 51
URGE POTUS/CONGRESS - DBE
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-59

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 54
PREVENTATIVE HEALTH/NUTRITION
ADOPTED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 40-60

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 56
TSK FRCE ON BREED & PET STORES
ADOPTED

May 30, 2009

115 YEAS 2 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 41

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 177
STATE MONEYS-GOVMT SECURITIES
MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1 & 2
CONCURRED

May 30, 2009

116 YEAS 1 NAY 0 PRESENT

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

E - Denotes Excused Absence

NO. 42

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1917
IDPH-NURSING HOME-PENALTY
THIRD READING
PASSED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 43

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2057
SPECIAL NEEDS ALERT PROGRAM
THIRD READING
PASSED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 44

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 351
GOVERNMENT-TECH
THIRD READING
PASSED

May 30, 2009

70 YEAS 46 NAYS 1 PRESENT

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

E - Denotes Excused Absence

NO. 45

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1928
GUARDIAN-ADVOCACY-DIRECTOR
THIRD READING
PASSED

May 30, 2009

63 YEAS 54 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 46

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1984
EDUC LABOR REL-CHARTER SCHOOLS
THIRD READING
PASSED

May 30, 2009

102 YEAS 14 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 47

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 612
EDUCATION-TECH
THIRD READING
PASSED

May 30, 2009

115 YEAS 0 NAYS 2 PRESENT

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

E - Denotes Excused Absence

NO. 48

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 415
MEDICAID-NURSING HOME RATES
MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
CONCURRED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 49

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE JOINT RESOLUTION 51
CREATES-GUN TRAFFICKING TF
ADOPTED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 50

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 31
CONAMEND-GOVERNOR RECALL
THIRD READING
PASSED

May 30, 2009

109 YEAS 6 NAYS 2 PRESENT

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

E - Denotes Excused Absence

NO. 51

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2024
COURT CLERK FEE DISBURSEMENT
THIRD READING
PASSED

May 30, 2009

104 YEAS 12 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 52

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1595
HORSE RACING-OTB-SCHOOLS
THIRD READING
LOST

May 30, 2009

59 YEAS 56 NAYS 1 PRESENT

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

E - Denotes Excused Absence

NO. 53

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE JOINT RESOLUTION 65
PENSION SYSTM MODERNIZATION TF
ADOPTED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 54

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE JOINT RESOLUTION 60
JACK B. WILLIAMS UNDERPASS
ADOPTED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 55

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1595
HORSE RACING-OTB-SCHOOLS
MOTION TO RECONSIDER VOTE
PREVAILED

May 30, 2009

65 YEAS 47 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 56

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1595
HORSE RACING-OTB-SCHOOLS
THIRD READING
PASSED

May 30, 2009

61 YEAS 56 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 57

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1909
STAR BONDS FINANCING ACT
THIRD READING
PASSED

May 30, 2009

78 YEAS 39 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 58

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1609
DESIGN-BUILD-NO REPEAL
THIRD READING
PASSED

May 30, 2009

117 YEAS 0 NAYS 0 PRESENT

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

E - Denotes Excused Absence

NO. 59

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1433
COURT ALTERNATIVE DISPUTE FUND
THIRD READING
PASSED

May 30, 2009

66 YEAS 51 NAYS 0 PRESENT

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

E - Denotes Excused Absence

65TH LEGISLATIVE DAY

Perfunctory Session

SUNDAY, MAY 31, 2009

At the hour of 12:05 o'clock a.m., the House convened perfunctory session.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4581. Introduced by Representative Lang, AN ACT concerning appropriations.

HOUSE BILL 4582. Introduced by Representative Davis, Monique, AN ACT concerning public employee benefits.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 552 (Burke) and 2190 (Brauer).

SENATE RESOLUTIONS

The following Senate Joint Resolutions, received from the Senate, were read by the Clerk and referred to the Committee on Rules: SENATE JOINT RESOLUTION 30 (Ryg), 34 (Bost), 63 (Watson) and 71 (Bellock).

At the hour of 12:06 o'clock a.m., the House Perfunctory Session adjourned.