



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

28TH LEGISLATIVE DAY

THURSDAY, MARCH 19, 2009

12:13 O'CLOCK P.M.

SENATE
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28th Legislative Day

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The Senate met pursuant to adjournment.
Senator Don Harmon, Oak Park, Illinois, presiding.
Prayer by Pastor Jon Morrisette, Lakeside Christian Church, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

At the hour of 12:16 p.m., President Cullerton, presiding, for an introduction.

At the hour of 12:26 p.m., Senator Haine, presiding, for an introduction.

At the hour of 12:30 o'clock p.m., Senator Harmon, presiding, and the Senate resumed consideration of business.

The Journal of Wednesday, March 18, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Annual Report of the Supported Employment Program 2008, submitted by Department of Central Management Services.

DJJ Quarterly Report to the Legislature, October 1, 2008, submitted by Department of Juvenile Justice.

DJJ Quarterly Report to the Legislature, January 1, 2009, submitted by Department of Juvenile Justice.

State of Illinois Economic Forecast Report, submitted by the Commission on Government Forecasting and Accountability.

Paving the Way for the Future Today, 2008 Annual Report of the Illinois Tollway, submitted by the Illinois Tollway.

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

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

March 19, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Madam Secretary:

[March 19, 2009]

Pursuant to Rule 3-2(c), I hereby appoint Senator Don Harmon to replace Senator Jeff Schoenberg as a member of the Senate Public Health Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Public Health Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

March 19, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Maggie Crotty to replace Senator Michael Bond as a member of the Senate Transportation Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Transportation Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

March 19, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Ira Silverstein to replace Senator Michael Bond as a member of the Senate Elections Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Elections Committee.

Sincerely,
s/John J. Cullerton
Senate President

[March 19, 2009]

cc: Senate Minority Leader Christine Radogno

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 2 to Senate Bill 1282
 Senate Floor Amendment No. 1 to Senate Bill 1344
 Senate Floor Amendment No. 2 to Senate Bill 1611
 Senate Floor Amendment No. 2 to Senate Bill 2051
 Senate Floor Amendment No. 1 to Senate Bill 2217

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

Senate Floor Amendment No. 2 to House Bill 210

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 1 to Senate Bill 1538

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

Senator Crotty, Chairperson of the Committee on Elections, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 4 to Senate Bill 80
 Senate Amendment No. 1 to Senate Bill 146
 Senate Amendment No. 1 to Senate Bill 1662

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

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 133
 Senate Amendment No. 1 to Senate Bill 134
 Senate Amendment No. 2 to Senate Bill 270
 Senate Amendment No. 1 to Senate Bill 1736

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

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Joint Resolution 3
 Senate Amendment No. 1 to Senate Bill 807
 Senate Amendment No. 2 to Senate Bill 1330

[March 19, 2009]

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

Senator Wilhelmi, Chairperson of the Committee on Judiciary, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 154
 Senate Amendment No. 1 to Senate Bill 177
 Senate Amendment No. 1 to Senate Bill 239
 Senate Amendment No. 2 to Senate Bill 243
 Senate Amendment No. 1 to Senate Bill 266
 Senate Amendment No. 1 to Senate Bill 291
 Senate Amendment No. 1 to Senate Bill 292
 Senate Amendment No. 1 to Senate Bill 1053
 Senate Amendment No. 1 to Senate Bill 1066
 Senate Amendment No. 1 to Senate Bill 1390
 Senate Amendment No. 1 to Senate Bill 1487
 Senate Amendment No. 2 to Senate Bill 1579

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

Senator Meeks, Chairperson of the Committee on Education, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 152
 Senate Amendment No. 1 to Senate Bill 153

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 148
 Senate Amendment No. 2 to Senate Bill 1833

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

Senator Garrett, Chairperson of the Committee on Environment, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Joint Resolution 36
 Senate Amendment No. 1 to Senate Bill 1269
 Senate Amendment No. 1 to Senate Bill 2184

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

Senator Koehler, Chairperson of the Committee on Local Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 337
 Senate Amendment No. 2 to Senate Bill 1995
 Senate Amendment No. 3 to Senate Bill 2057

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

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Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 42
Senate Amendment No. 1 to Senate Bill 1030

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

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 156

Offered by Senator Lightford and all Senators:
Mourns the death of I. J. Gardner.

SENATE RESOLUTION NO. 157

Offered by Senator Frerichs and all Senators:
Mourns the death of Louis Frederick Welch of Urbana.

SENATE RESOLUTION NO. 158

Offered by Senator Forby and all Senators:
Mourns the death of Donald Piazza of Benton.

SENATE RESOLUTION NO. 159

Offered by Senator Forby and all Senators:
Mourns the death of Regina “Jeannie” Kay Hansford of Johnston City.

SENATE RESOLUTION NO. 160

Offered by Senator Forby and all Senators:
Mourns the death of Lavada Ruth Caraker Henderson of Anna.

SENATE RESOLUTION NO. 161

Offered by Senator Forby and all Senators:
Mourns the death of Brother Paul McGinnis of Metropolis.

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

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

SENATE JOINT RESOLUTION NO. 54

WHEREAS, The overall health and welfare of people with developmental disabilities is of utmost importance; and

WHEREAS, Like the general population, many individuals with developmental disabilities struggle with obesity, diabetes, and hypertension; and

WHEREAS, Certain developmental disabilities have been found to predispose individuals to health conditions such as obesity; and

WHEREAS, A recent randomized study of residents of community-based residential programs in Illinois found that 57% of the residents met the classification of overweight or obese; and

[March 19, 2009]

WHEREAS, The United States Department of Health and Human Services' Centers for Disease Control and Prevention has cited the Body Mass Index as a reliable indicator of obesity, calculated from a person's height and weight, and revealed the prevalence of obesity in approximately 34.3% of adults in 2005-2006; and

WHEREAS, The 2002 report of the Surgeon General's conference on health disparities and mental retardation, "Closing the Gap: A National Blueprint to Improve the Health of Persons with Mental Retardation", found that the health of approximately one-third of individuals with mental retardation is reported to be fair or poor; and

WHEREAS, The lack of access to preventative health care and good nutrition can lead to poor quality of life and increases in illness, medication usage, instances of social isolation, and other healthcare issues; and

WHEREAS, The State of Illinois funds services to persons with developmental disabilities in various residential settings; and

WHEREAS, Such residential programs strive to provide quality services that promote individuals' general health and well-being; 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 affirm our commitment to the importance of supporting and improving health outcomes for people with developmental disabilities; and be it further

RESOLVED, That we urge all providers to adopt preventative health practices and work with those they serve to ultimately improve health outcomes; and be it further

RESOLVED, That we encourage the Department of Human Services Division of Developmental Disabilities to develop health related outcomes and standards as part of its quality management and monitoring efforts.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 7

A bill for AN ACT concerning elections.

HOUSE BILL NO. 436

A bill for AN ACT concerning finance.

HOUSE BILL NO. 2295

A bill for AN ACT concerning government.

HOUSE BILL NO. 3999

A bill for AN ACT concerning education.

Passed the House, March 18, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 7, 436, 2295 and 3999** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

[March 19, 2009]

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

HOUSE BILL NO. 202
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 489
A bill for AN ACT concerning deferred compensation.
HOUSE BILL NO. 773
A bill for AN ACT concerning business.
HOUSE BILL NO. 3972
A bill for AN ACT concerning elections.
HOUSE BILL NO. 3986
A bill for AN ACT concerning local government.
Passed the House, March 18, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 202, 489, 773, 3972 and 3986** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 303
A bill for AN ACT concerning revenue.
HOUSE BILL NO. 1099
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 1291
A bill for AN ACT concerning public employment benefits.
HOUSE BILL NO. 2370
A bill for AN ACT concerning property.
HOUSE BILL NO. 2680
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 3877
A bill for AN ACT concerning local government.
Passed the House, March 18, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 303, 1099, 1291, 2370, 2680 and 3877** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 379
A bill for AN ACT concerning finance.
HOUSE BILL NO. 706
A bill for AN ACT concerning veterans.
HOUSE BILL NO. 979
A bill for AN ACT concerning education.
HOUSE BILL NO. 1033
A bill for AN ACT concerning public aid.

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HOUSE BILL NO. 1079

A bill for AN ACT concerning education.
Passed the House, March 18, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 379, 706, 979, 1033 and 1079** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 392

A bill for AN ACT concerning education.

HOUSE BILL NO. 897

A bill for AN ACT concerning identification cards.

HOUSE BILL NO. 2687

A bill for AN ACT concerning insurance.

HOUSE BILL NO. 3990

A bill for AN ACT concerning local farm and food products.

Passed the House, March 18, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 392, 897, 2687 and 3990** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 442

A bill for AN ACT concerning transportation.

Passed the House, March 18, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 442** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 1327

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 1335

A bill for AN ACT concerning education.

HOUSE BILL NO. 2270

A bill for AN ACT making appropriations.

HOUSE BILL NO. 3962

A bill for AN ACT concerning criminal law.

Passed the House, March 18, 2009.

[March 19, 2009]

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1327, 1335, 2270 and 3962** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 2235

A bill for AN ACT concerning education.

HOUSE BILL NO. 2245

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 2266

A bill for AN ACT concerning children.

HOUSE BILL NO. 2481

A bill for AN ACT concerning State government, which may be referred to as Lilly's Law.
Passed the House, March 18, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 2235, 2245, 2266 and 2481** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 7, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 47, sponsored by Senator Millner, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 253, sponsored by Senator Dillard, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 303, sponsored by Senator J. Jones, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 379, sponsored by Senator Cronin, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 442, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 607, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 610, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 675, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 769, sponsored by Senator J. Jones, was taken up, read by title a first time and referred to the Committee on Assignments.

[March 19, 2009]

House Bill No. 773, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 897, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 979, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1033, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1079, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1291, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1327, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2245, sponsored by Senator Meeks, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2370, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2481, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2680, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2687, sponsored by Senator Risinger, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3670, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3962, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3986, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3990, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

INTRODUCTION OF BILLS

SENATE BILL NO. 2368. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2369. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

[March 19, 2009]

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2370. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2371. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2372. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2373. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2374. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2375. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2376. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2377. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2378. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2379. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2380. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

[March 19, 2009]

SENATE BILL NO. 2381. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2382. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2383. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2384. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2385. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2386. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2387. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2388. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2389. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2390. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2391. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2392. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

[March 19, 2009]

SENATE BILL NO. 2393. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2394. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2395. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2396. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2397. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2398. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2399. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2400. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2401. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2402. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2403. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2404. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

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The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2405. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2406. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2407. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2408. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2409. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2410. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2411. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2412. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2413. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2414. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2415. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2416. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2417. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2418. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2419. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2420. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2421. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2422. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2423. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2424. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2425. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2426. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2427. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

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SENATE BILL NO. 2428. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2429. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2430. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2431. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2432. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2433. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2434. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2435. Introduced by Senators Trotter - Sullivan, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2436. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2437. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2438. Introduced by Senator Collins, a bill for AN ACT concerning civil law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

ANNOUNCEMENT

[March 19, 2009]

Senator Syverson announced a Republican caucus to begin immediately upon adjournment.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Wilhelmi, **Senate Bill No. 1342**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Garrett	Lightford	Righter
Bivins	Haine	Link	Risinger
Bomke	Harmon	Luechtefeld	Rutherford
Burzynski	Hendon	Maloney	Sandoval
Clayborne	Holmes	Martinez	Schoenberg
Collins	Hultgren	McCarter	Silverstein
Cronin	Hunter	Meeks	Steans
Crotty	Hutchinson	Millner	Sullivan
Delgado	Jacobs	Munoz	Syverson
Demuzio	Jones, E.	Murphy	Trotter
Dillard	Jones, J.	Noland	Viverito
Duffy	Koehler	Pankau	Wilhelmi
Forby	Kotowski	Radogno	Mr. President
Frerichs	Laufen	Raoul	

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

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

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 162

Offered by Senators Raoul – Althoff – Millner – Munoz and all Senators:

Mourns the death of Rachel M. "Grammy" Sweitzer, nee Fairbanks, of Wilmette.

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

Senator Schoenberg offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 53

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, March 19, 2009, they stand adjourned until Tuesday, March 24, 2009 at 12:00 o'clock noon.

The motion prevailed.

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And the resolution was adopted.

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

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Sullivan, **Senate Bill No. 1186**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **Senate Bill No. 1197**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **Senate Bill No. 1221**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **Senate Bill No. 1252**, having been printed, was taken up, read by title a second time and ordered to a third reading.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 36

WHEREAS, Pastor Fred Winters devoted his life to preaching the word of God and through the teachings of Jesus Christ promoted a life of grace, salvation, kindness to others, and forgiveness; and

WHEREAS, On the morning of Sunday, March 8, 2009 Pastor Fred was suddenly taken from his family and his congregation in a tragic act of violence; and

WHEREAS, Pastor Fred died doing his life's work, using the word of God to help his fellow church members find peace and comfort in their own lives; and

WHEREAS, Fred Winters was born December 4, 1963, in Kansas City, Missouri; and

WHEREAS, Pastor Fred Winters had served as pastor of the First Baptist Church of Maryville since 1987; and

WHEREAS, Pastor Fred and Cindy Lee (Jackson) were married September 12, 1987 and were the proud and loving parents of two children: Alysia Grace and Cassidy Hope; and

WHEREAS, He graduated with a Bachelor of Arts degree from Southwest Baptist University in 1985, received his Master's degree in Systematic Theology and Church History from Wheaton Graduate School in 1986, and a Master's of Divinity from Midwestern Baptist Theological Seminary in 1991; he went on to earn a Doctorate from Southern Baptist Theological Seminary; and

WHEREAS, Pastor Fred is the former president of the Illinois Baptist State Association and an adjunct professor for Midwestern Baptist Theological Seminary; and

WHEREAS, Pastor Fred Winters is survived by his wife, Cindy; his daughters, Alysia Grace and Cassidy Hope; his mother, Jacqueline; his brothers, Karl (Ramona), Joe (Mary), Zach (Karen), Andrew, and John; his sister, Anna (Jim) Sublette; and his grandfather, Dr. Harlan Hannon; therefore, be it

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RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we mourn, with heavy hearts, the passing of Pastor Fred Winters and offer our sincerest condolences to his family, his congregation, and all who were touched by his life and his mission; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Pastor Fred Winters as a symbol of our sincere sympathy.

Adopted by the House, March 17, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 36 was referred to the Resolution Consent Calendar.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 288

A bill for AN ACT concerning education.

HOUSE BILL NO. 402

A bill for AN ACT concerning professional regulation.

HOUSE BILL NO. 658

A bill for AN ACT concerning safety.

HOUSE BILL NO. 1055

A bill for AN ACT concerning finance.

HOUSE BILL NO. 1115

A bill for AN ACT concerning insurance.

Passed the House, March 19, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 288, 402, 658, 1055 and 1115** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 312

A bill for AN ACT making appropriations.

HOUSE BILL NO. 313

A bill for AN ACT making appropriations.

HOUSE BILL NO. 314

A bill for AN ACT making appropriations.

Passed the House, March 19, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 312, 313 and 314** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 471

A bill for AN ACT concerning local government.

HOUSE BILL NO. 567

A bill for AN ACT concerning elections.

Passed the House, March 19, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 471 and 567** were taken up, ordered printed and placed on first reading.

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

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

SENATE BILL NO. 2016

A bill for AN ACT concerning the Olympic Games.

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

House Amendment No. 1 to SENATE BILL NO. 2016

House Amendment No. 2 to SENATE BILL NO. 2016

House Amendment No. 3 to SENATE BILL NO. 2016

Passed the House, as amended, March 19, 2009.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2016

AMENDMENT NO. 1. Amend Senate Bill 2016 by replacing everything after the enacting clause with the following:

"ARTICLE 1.

Section 1-1. Short title. This Act may be cited as the 2016 Olympic and Paralympic Games Act.

ARTICLE 5.

Section 5-1. Article title. This Article may be cited as the Olympic Games and Paralympic Games (2016) Law.

Section 5-5. Definitions. For purposes of this Article:

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities (including, without limitation, training activities) for the games as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

"Games" means the 2016 Olympic and Paralympic Games.

"Governor" means the Governor of Illinois.

"IOC" means the International Olympic Committee.

"IPC" means the International Paralympic Committee.

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"Net financial deficit" means any financial deficit of the OCOG or resulting from the conduct of the games.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities (including, without limitation, live sites, hospitality sites, and administrative and operational offices) for the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"OCOG" means the bid committee, as the same may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation that serves as the organizing committee for the games and to be established by the candidate city and the bid committee. Appointments of members to the OCOG should, to the greatest extent possible, reflect the ethnic and racial diversity of the candidate city.

"Olympic properties" means, collectively, (1) the properties on which the venues will be located and that are owned or controlled by the State and (2) the Olympic ancillary properties.

"Olympic ancillary properties" means all public rights-of-ways or public areas that are owned or controlled by the State (or over which it has jurisdiction), including but not limited to streets, highways, sidewalks, alleys, waterways, parks, and bridges necessary and appropriate to the staging of the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"State" means the State of Illinois.

"State indemnification obligation" means the obligation of the State to indemnify the IOC, IPC or USOC, or a combination of those entities, against claims of, and liabilities to, third parties relating to the games, as described in this Article.

"USOC" means the United States Olympic Committee.

"Venues" means, collectively, the competition venues and non-competition venues.

Section 5-10. Governmental Cooperation.

(a) The State, in accordance with law and to the extent of the State's authority, and subject to the limitations of this Article:

(1) guarantees that the candidate city, working in partnership with the OCOG, shall be the primary and lead governmental authority for the planning, organization, and hosting of the games;

(2) guarantees that the candidate city shall be the primary and lead governmental authority for the planning, organization, and delivery of public services specific to the games;

(3) guarantees that the State shall designate a representative (designated as a games liaison) to be the primary point of contact for the State to the candidate city and the OCOG for purposes of intergovernmental coordination in connection with the games;

(4) guarantees the State's respect of the Olympic Charter and the Host City Contract promulgated by the IOC;

(5) agrees that all representations, warranties, and covenants set forth in this Article as well as any written commitments made by the State regarding the games shall be binding on the State;

(6) guarantees that the State will take all necessary measures in order that it fulfill its obligations completely under this Article and any written commitments made by the State to the IOC;

(7) declares and confirms that no other important national or international meeting or event will take place in the vicinity of the venues during the period one week before through one week after the games;

(8) guarantees that all construction work necessary for the organization of the games within the State, to the extent permitted or authorized by the State, will comply with (i) local, regional, and national environmental regulations and acts and (ii) international agreements and protocols to which the United States is a party regarding planning, construction, and protection of the environment;

(9) guarantees that it shall provide or cause to be provided all security, medical, and other government-related services that the State customarily provides for comparable large-scale events and that are necessary for the successful planning, organization, and staging of the portions of the games within the State, at no cost to the OCOG;

(10) agrees to take such action as may be required by law, and to be effective for the period not later than January 1, 2010 and through the end of the games, to suspend or waive the imposition and collection of fees and charges otherwise imposed and collected by or on behalf of the State for permits and licenses issued to the OCOG applicable to the design, development, construction, and operation or use of the venues and properties related to the games;

(11) agrees to cooperate with the candidate city, the bid committee and the OCOG, as well as local, regional, and national business, trade, and service organizations in order to promote and encourage, to the extent permitted by law, the charging of ordinary and customary prices for goods and services associated with the games within the State (including, but not limited to, hotel rates, restaurants, and related services) for anyone attending the games, including non-accredited spectators;

(12) agrees that, if requested by the candidate city, the bid committee, or the OCOG, it shall permit any member of the General Assembly to introduce legislation necessary to: (i) effectively reduce and sanction ambush marketing, (ii) eliminate illegal street vending during the period beginning 2 weeks before the games through the end of the games; and (iii) control advertising space (including, but not limited to, billboards and advertising on public transport) as well as air space and that any such legislation will be introduced as soon as possible but no later than January 1, 2014;

(13) agrees that it shall not engage in any marketing, commercial, or signage program in relation to the games without the prior written consent of the IOC;

(14) agrees that it shall coordinate and cooperate with the candidate city and the OCOG concerning a "Look of the Games" program;

(15) agrees that it will cooperate with the OCOG and the candidate city (including any applicable candidate city commission) in preventing ambush marketing at the games within the State;

(16) agrees to enter into a binding option agreement with the bid committee or the OCOG to provide the OCOG with the rights to any and all existing or hereafter developed outdoor commercial advertising space (including billboards) owned or controlled by the State and located within the vicinity of any Olympic properties, which agreement shall provide, among other things, that such advertising space will be available at the OCOG's option for a 12-week period encompassing the games at 2008 best commercial prices adjusted only for inflation;

(17) except as may be provided in any other agreement between the State and the candidate city, the bid committee, or the OCOG, agrees to make all of its non-competition and Olympic ancillary properties available at no cost to the OCOG;

(18) guarantees that the accessibility standards to be applied for the Paralympic Games shall include the Americans with Disabilities Act, the Fair Housing Act, the Illinois Environmental Barriers Act (and its implementing regulations, the Illinois Accessibility Code), and the Illinois Human Rights Act;

(19) shall cooperate with the OCOG to assure that accessibility will be fully integrated into the planning of the Paralympic Games comprising part of the games; and

(20) agrees to the formation and authority of the Chicago Olympic Public Safety Command.

(b) In the event of a conflict between any provision of this Act and any provision of any written commitments made by the State regarding the games, this Act shall prevail and control as to the State.

(c) The bid committee and the OCOG shall provide any information reasonably requested by the State, with copies to the leaders of both houses of the General Assembly, to assist in reviewing the provisions of and performance under this Article.

(d) Nothing in this Article shall be construed as impairing the Governor's constitutional authority.

Section 5-15. State indemnification obligation and net financial deficit.

(a) Solely through the funds contained in the Olympic Games and Paralympic Games Trust Fund created by this Article, the State shall be liable to the IOC, the IPC, and the USOC for:

(1) the State indemnification obligation; and

(2) any net financial deficit.

The State's liability for the State indemnification obligation and any net financial deficit shall be subject to the terms of this Section of this Article.

(b) The State shall not make any payments with respect to the State indemnification obligation or any net financial deficit until and after (i) all bid committee and all OCOG net operating revenues, surplus, reserves, contingencies, receivables, funds, and other available assets and security have been fully expended and (ii) the candidate city has first paid at least \$250,000,000 in the aggregate towards amounts that would give rise to a State indemnification obligation or a net financial deficit payment obligation on the State's part, or both.

(c) Any financial commitments of the State under this Section shall be satisfied exclusively by recourse to the Olympic Games and Paralympic Games Trust Fund.

(d) Any financial commitments of the State under this Section shall not exceed \$250,000,000 in the aggregate.

Section 5-20. Olympic Games and Paralympic Games Trust Fund.

(a) The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State Treasury.

(b) The State may choose to fund the Olympic Games and Paralympic Games Trust Fund in any manner it considers appropriate, and at such time or times the State determines necessary. By the beginning of State fiscal year 2016, the State shall appropriate sums of money to the Olympic Games and Paralympic Games Trust Fund to provide security for the State indemnification obligation and the net financial deficit.

(c) The moneys in the Olympic Games and Paralympic Games Trust Fund may be used only for the sole purpose of fulfilling the obligations of the State pursuant to the State indemnification obligation and any net financial deficit. For each dollar that is expended from the Olympic Games and Paralympic Games Trust Fund, the State shall expend an equivalent amount of State funds for road projects outside of the county in which the candidate city is located.

(d) No additional State funds shall be deposited into the Olympic Games and Paralympic Games Trust Fund once the Governor determines that the fund has achieved, or is reasonably expected to otherwise accrue, a sufficient balance to provide adequate security, acceptable to the IOC, to demonstrate the State's ability to fulfill its obligations to satisfy the State indemnification obligation and any net financial deficit payment obligation.

(e) If the candidate city is selected as the host city for the games, the Olympic Games and Paralympic Games Trust Fund shall be maintained until a determination by the Governor is made that the State's obligations to satisfy the State indemnification obligation and to be liable for any net financial deficit are satisfied and concluded, at which time the fund shall be terminated.

(f) Upon the termination of the Olympic Games and Paralympic Games Trust Fund, all sums earmarked, transferred, or contained in the fund, along with any investment earnings retained in the fund, shall immediately revert to the General Revenue Fund.

Section 5-25. Fund as security; liability. Any moneys deposited, transferred, or otherwise contained in the Olympic Games and Paralympic Games Trust Fund shall be, upon appropriation by the General Assembly, used for the sole purpose of providing adequate security, acceptable to the IOC, to demonstrate the State's ability to satisfy its State indemnification obligation and to be liable for any net financial deficit. The security may be provided by moneys contained in the Fund as provided in Section 5-20, or by insurance coverage, letters of credit, or other acceptable secured instruments purchased or secured by the moneys, or by any combination thereof.

Section 5-30. Insurance. The bid committee and the OCOG shall list the State and the candidate city as additional insureds on any policy of insurance purchased by the bid committee or the OCOG to be in effect in connection with the preparation for and conduct of the games.

Section 5-35. Bid committee and OCOG responsibilities. The bid committee and the OCOG may not engage in any conduct that reflects unfavorably upon the State, the candidate city, or the games, or that is contrary to law or to the rules and regulations of the IOC, IPC, or USOC.

Section 5-40. Authority of the Governor. Subject to the limitations of this Article, including but not limited to those contained in Section 5-15, the Governor, or his or her designee, on behalf of the State, may execute such other agreements or contracts as may be required by the OCOG, the USOC, the IOC, or the IPC in connection with the candidate city and bid committee's bid to host the Games.

Section 5-42. Diversity program.

(a) The OCOG shall establish and maintain a diversity program to ensure non-discrimination in the award of contracts by the OCOG and the administration of those contracts. To the maximum extent permitted by law, the OCOG shall establish goals as part of the program of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "the contracts") to minority owned businesses or businesses owned by a person with a disability, and 5% of the annual dollar value of the contracts to female owned businesses. The subject of the contracts includes, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. Recognizing that the planning, organization, and staging of the games is a unique undertaking, the goals established in this subsection shall exclude: all contracts, purchase orders, or other agreements that (i) must be awarded to a specific source as a result of the OCOG's legal obligations to the USOC or IOC or its official tier 1, tier 2 or tier 3 sponsors, (ii) the OCOG awards to a

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unique or limited supplier of a product, equipment, or service required for the games, and (iii) the payments under which are passed through to other constituencies involved in or attending the games (such as under the games accommodation program). If, however, the OCOG awards any contracts, purchase orders, or other agreements described in items (i) through (iii) to a minority-owned business, business owned by a person with a disability, or a female-owned business, those contracts shall be considered towards the goals described in this subsection.

(b) For purposes of this Section, the terms "minority owned business", "business owned by a person with a disability", and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. For purposes of meeting the goals of this Section, the State shall recognize OCOG contracts performed in the candidate city that are awarded to minority-owned business enterprises, business enterprises owned by persons with disabilities, or women-owned business enterprises, as those terms are defined in the municipal code of the candidate city.

(c) The OCOG shall establish and maintain a diversity program designed to promote equal employment opportunity with respect to its management and operations. The program shall include a plan, including timetables, as appropriate, that specify goals and methods for increasing participation by women, minorities, and persons with disabilities in those employment opportunities.

(d) Beginning on January 1, 2011, and each year thereafter until the completion of the games, the OCOG shall issue a written report to the Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, mayor of the candidate city, and city council of the candidate city providing the number of respective employees who have designated themselves as members of a minority group, as persons with a disability, or as women. The report shall also describe in detail the OCOG's compliance with the requirements of subsections (a) and (b) of this Section.

(e) The Diversity Program Commission is created to monitor, review, and report on minority, female, and persons with disabilities contracting and employment related to the planning, organization, and staging of the games. The Commission shall consist of 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Minority Leader of the Senate, 2 members appointed by the Speaker of the House of Representatives, 2 members appointed by the Minority Leader of the House of Representatives, 5 members appointed by the mayor of the candidate city, 5 representatives of the OCOG's outreach advisory council appointed by the mayor of the candidate city, one member appointed by the Metropolitan Pier and Exposition Authority Board, one member appointed by the Board of Trustees of the University of Illinois, and one member appointed by the Board of Commissioners of the Chicago Park District. All appointments shall be made by January 1, 2011. Beginning on January 1, 2012, and each year thereafter until the completion of the games, the Commission shall file a written report with the OCOG, the General Assembly, the Governor, the mayor of the candidate city, and the city council of the candidate city regarding compliance with the diversity requirements of this Article. The Commission may file a supplemental reports at any time. The Commission shall elect its own chairperson, and Commission members shall serve without compensation.

The Commission shall meet quarterly and as needed. The Commission shall also meet within one week after the issuance of the reports required under this subsection to, among other things, discuss whether or not: (i) the OCOG is in compliance with the requirements of this Section; (ii) the Metropolitan Pier and Exposition Authority is in compliance with Section 23.1 of the Metropolitan Pier and Exposition Authority Act as amended in this Article; (iii) the University of Illinois is in compliance with Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and Section 1.1 of the University of Illinois at Chicago Act as amended in this Article; and (iv) the Chicago Park District is in compliance with Section 7.07 of the Chicago Park District Act as amended in this Article.

The Commission shall include in any report required under this subsection, among other things: (i) a list that sets forth each person or entity awarded a contract by the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District the name, address, contact information, and total dollar amount of the contract or contracts; and (ii) a determination of whether the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District are in compliance with their respective obligations. If in any reporting period the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, or the Chicago Park District is not in compliance with its respective obligations, then each that is not in compliance shall file with the Commission within 14 business days a written explanation setting forth the reason or reasons for noncompliance. The Commission shall then meet within one week after receiving the written

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explanations to discuss the stated reason or reasons for noncompliance.

The OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District shall cooperate with the Commission and provide the Commission with requested information, unless disclosure is prohibited by law.

Section 5-45. Inoperability.

(a) If the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable upon that termination.

(b) If the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date.

Section 5-95. The State Finance Act is amended by adding Sections 5.719 and 6z-80 as follows:

(30 ILCS 105/5.719 new)

Sec. 5.719. The Olympic Games and Paralympic Games Trust Fund.

(30 ILCS 105/6z-80 new)

Sec. 6z-80. Appropriations from the Olympic Games and Paralympic Games Trust Fund. The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State treasury. Subject to appropriation, all money in the Olympic Games and Paralympic Games Trust Fund must be used to make payments required under the Olympic Games and Paralympic Games (2016) Law.

Section 5-96. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 4 as follows:

(30 ILCS 575/4) (from Ch. 127, par. 132.604)

(Section scheduled to be repealed on June 30, 2010)

Sec. 4. Award of State contracts.

(a) Except as provided in ~~subsections~~ ~~subsection~~ (b) and (c), not less than 12% of the total dollar amount of State contracts, as defined by the Secretary of the Council and approved by the Council, shall be established as a goal to be awarded to businesses owned by minorities, females, and persons with disabilities; provided, however, that contracts representing at least five-twelfths of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to female owned businesses, and that contracts representing at least one-sixth of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to businesses owned by persons with disabilities.

The above percentage relates to the total dollar amount of State contracts during each State fiscal year, calculated by examining independently each type of contract for each agency or university which lets such contracts. Only that percentage of arrangements which represents the participation of businesses owned by minorities, females, and persons with disabilities on such contracts shall be included.

(b) In the case of State construction contracts, the provisions of subsection (a) requiring a portion of State contracts to be awarded to businesses owned and controlled by persons with disabilities do not apply. Not less than 10% of the total dollar amount of State construction contracts is established as a goal to be awarded to minority and female owned businesses, and contracts representing 50% of the amount of all State construction contracts awarded to minority and female owned businesses shall be awarded to female owned businesses.

(c) In the case of all work undertaken by the University of Illinois related to the planning, organization, and staging of the games, the University of Illinois shall establish a goal of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, and other agreements (collectively referred to as "the contracts") to minority-owned businesses or businesses owned by a person with a disability and 5% of the annual dollar value the contracts to female-owned businesses. For purposes of this subsection, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 87-701; 88-597, eff. 8-28-94.)

Section 5-97. The State Mandates Act is amended by adding Section 8.33 as follows:

(30 ILCS 805/8.33 new)

Sec. 8.33. Exempt mandate. Notwithstanding the provisions of Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

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Section 95-98. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 23.1 as follows:

(70 ILCS 210/23.1) (from Ch. 85, par. 1243.1)

Sec. 23.1. Affirmative action.

(a) The Authority shall, within 90 days after the effective date of this amendatory Act of 1984, establish and maintain an affirmative action program designed to promote equal employment opportunity and eliminate the effects of past discrimination. Such program shall include a plan, including timetables where appropriate, which shall specify goals and methods for increasing participation by women and minorities in employment, including employment related to the planning, organization, and staging of the games, by the Authority and by parties which contract with the Authority. The Authority shall submit a detailed plan with the General Assembly prior to September 1 of each year. Such program shall also establish procedures and sanctions (including debarment), which the Authority shall enforce to ensure compliance with the plan established pursuant to this Section and with State and federal laws and regulations relating to the employment of women and minorities. A determination by the Authority as to whether a party to a contract with the Authority has achieved the goals or employed the methods for increasing participation by women and minorities shall be determined in accordance with the terms of such contracts or the applicable provisions of rules and regulations of the Authority existing at the time such contract was executed, including any provisions for consideration of good faith efforts at compliance which the Authority may reasonably adopt.

(b) The Authority shall adopt and maintain minority and female owned business enterprise procurement programs under the affirmative action program described in subsection (a) for any and all work, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. That work shall include, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. The programs shall establish goals of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "contracts") to minority owned businesses and 5% of the annual dollar value of all contracts to female owned businesses. Without limiting the generality of the foregoing, the programs shall require in connection with the prequalification or consideration of vendors for professional service contracts, construction contracts, and contracts for supplies, materials, equipment, and services that each proposer or bidder submit as part of his or her proposal or bid a commitment detailing how he or she will expend 25% or more of the dollar value of his or her contracts with one or more minority owned businesses and 5% or more of the dollar value with one or more female owned businesses. Bids or proposals that do not include such detailed commitments are not responsive and shall be rejected unless the Authority deems it appropriate to grant a waiver of these requirements. In addition the Authority may, in connection with the selection of providers of professional services, reserve the right to select a minority or female owned business or businesses to fulfill the commitment to minority and female business participation. The commitment to minority and female business participation may be met by the contractor or professional service provider's status as a minority or female owned business, by joint venture or by subcontracting a portion of the work with or purchasing materials for the work from one or more such businesses, or by any combination thereof. Each contract shall require the contractor or provider to submit a certified monthly report detailing the status of that contractor or provider's compliance with the Authority's minority and female owned business enterprise procurement program. The Authority, after reviewing the monthly reports of the contractors and providers, shall compile a comprehensive report regarding compliance with this procurement program and file it quarterly with the General Assembly. If, in connection with a particular contract, the Authority determines that it is impracticable or excessively costly to obtain minority or female owned businesses to perform sufficient work to fulfill the commitment required by this subsection, the Authority shall reduce or waive the commitment in the contract, as may be appropriate. The Authority shall establish rules and regulations setting forth the standards to be used in determining whether or not a reduction or waiver is appropriate. The terms "minority owned business" and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(c) The Authority shall adopt and maintain an affirmative action program in connection with the hiring of minorities and women on the Expansion Project and on any and all construction projects, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. The program shall be designed to promote equal employment opportunity and shall specify the goals and methods for increasing the participation of minorities and women in a representative mix of job classifications required to perform the respective contracts awarded by the Authority.

(d) In connection with the Expansion Project, the Authority shall incorporate the following elements into its minority and female owned business procurement programs to the extent feasible: (1) a major contractors program that permits minority owned businesses and female owned businesses to bear significant responsibility and risk for a portion of the project; (2) a mentor/protege program that provides financial, technical, managerial, equipment, and personnel support to minority owned businesses and female owned businesses; (3) an emerging firms program that includes minority owned businesses and female owned businesses that would not otherwise qualify for the project due to inexperience or limited resources; (4) a small projects program that includes participation by smaller minority owned businesses and female owned businesses on jobs where the total dollar value is \$5,000,000 or less; and (5) a set-aside program that will identify contracts requiring the expenditure of funds less than \$50,000 for bids to be submitted solely by minority owned businesses and female owned businesses.

(e) The Authority is authorized to enter into agreements with contractors' associations, labor unions, and the contractors working on the Expansion Project to establish an Apprenticeship Preparedness Training Program to provide for an increase in the number of minority and female journeymen and apprentices in the building trades and to enter into agreements with Community College District 508 to provide readiness training. The Authority is further authorized to enter into contracts with public and private educational institutions and persons in the hospitality industry to provide training for employment in the hospitality industry.

(f) McCormick Place Advisory Board. There is created a McCormick Place Advisory Board composed as follows: 2 members shall be appointed by the Mayor of Chicago; 2 members shall be appointed by the Governor; 2 members shall be State Senators appointed by the President of the Senate; 2 members shall be State Senators appointed by the Minority Leader of the Senate; 2 members shall be State Representatives appointed by the Speaker of the House of Representatives; and 2 members shall be State Representatives appointed by the Minority Leader of the House of Representatives. The terms of all previously appointed members of the Advisory Board expire on the effective date of this amendatory Act of the 92nd General Assembly. A State Senator or State Representative member may appoint a designee to serve on the McCormick Place Advisory Board in his or her absence.

A "member of a minority group" shall mean a person who is a citizen or lawful permanent resident of the United States and who is

- (1) Black (a person having origins in any of the black racial groups in Africa);
- (2) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race);
- (3) 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
- (4) American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

Members of the McCormick Place Advisory Board shall serve 2-year terms and until their successors are appointed, except members who serve as a result of their elected position whose terms shall continue as long as they hold their designated elected positions. Vacancies shall be filled by appointment for the unexpired term in the same manner as original appointments are made. The McCormick Place Advisory Board shall elect its own chairperson.

Members of the McCormick Place Advisory Board shall serve without compensation but, at the Authority's discretion, shall be reimbursed for necessary expenses in connection with the performance of their duties.

The McCormick Place Advisory Board shall meet quarterly, or as needed, shall produce any reports it deems necessary, and shall:

- (1) Work with the Authority on ways to improve the area physically and economically;
- (2) Work with the Authority regarding potential means for providing increased economic opportunities to minorities and women produced indirectly or directly from the construction and operation of the Expansion Project;
- (3) Work with the Authority to minimize any potential impact on the area surrounding the McCormick Place Expansion Project, including any impact on minority or female owned businesses, resulting from the construction and operation of the Expansion Project;
- (4) Work with the Authority to find candidates for building trades apprenticeships, for employment in the hospitality industry, and to identify job training programs;
- (5) Work with the Authority to implement the provisions of subsections (a) through (e) of this Section in the construction of the Expansion Project, including the Authority's goal of awarding not less than 25% and 5% of the annual dollar value of contracts to minority and female owned businesses, the outreach program for minorities and women, and the mentor/protege program for

providing assistance to minority and female owned businesses.

(g) The Authority shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law. For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 91-422, eff. 1-1-00; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01.)

Section 95-99. The Chicago Park District Act is amended by adding Section 7.07 as follows:
(70 ILCS 1505/7.07 new)

Sec. 7.07. Olympic and paralympic games; contracts and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable ordinances contained in the Code of the Chicago Park District, including but not limited to Chapter I (General Provisions and Definitions), Chapter IV (Human Rights), Chapter V (Personnel), and Chapter XI (Purchasing and Contracting).

(b) The Chicago Park District shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(c) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

Section 95-100. The University of Illinois at Chicago Act is amended by adding Section 1.1 as follows:

(110 ILCS 320/1.1 new)

Sec. 1.1. Olympic and paralympic games; contracting and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable laws, policies, and statements, including but not limited to Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the Statement of Reaffirmation, Affirmative Action in Employment, University of Illinois at Chicago, June 2008. The University shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(b) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

ARTICLE 10.

Section 10-1. Article title. This Article may be cited as the Olympic Public Safety Law.

Section 10-5. Purpose. As part of the bid to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for the creation of a commission, known as the Chicago Olympic Public Safety Command, or COPSC, that will engage in security and public safety planning, management, and administration if Chicago is selected as the host city for the 2016 Olympic and Paralympic Games. In the event of such selection, it is intended that COPSC will contribute to the achievement of the following objectives: foster the intergovernmental cooperation of local, State, and federal public safety agencies in providing for the public safety of the Olympic and Paralympic Games; develop a comprehensive security and public safety plan; create a unified chain of command; and implement an effective and efficient public safety and security operation that does not compromise the celebratory spirit of the Olympic and Paralympic Games.

Section 10-10. Definitions. As used in this Article:

"Chicago 2016" means Chicago 2016, an Illinois not-for-profit corporation formed to bid for the opportunity of hosting the Olympic and Paralympic Games, or as the context requires, a successor in interest to Chicago 2016, such as an organizing committee for the Olympic and Paralympic Games formed after the selection of Chicago as the host city for that event.

"COPSC" means the Chicago Olympic Public Safety Command contemplated in Section 10-15.

"COPSC Chairperson" means the Chairperson of COPSC.

"ESG" means Executive Strategy Group of COPSC.

"Law enforcement and public safety services" includes programs and services to, among other things:

- (1) provide for crowd and traffic safety;
- (2) suppress or reduce crime;
- (3) provide for or assist in criminal investigation;
- (4) provide forensic, communications, and records support services;

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(5) facilitate intelligence and information sharing among federal, State, and local authorities and with relevant private sector participants;

(6) deter and disrupt terrorism activity related to the Olympic and Paralympic Games through aggressive investigation and prosecution;

(7) assure that the organizational structure and plans exist to effectively prepare for, and respond to, any terrorist incidents or other emergencies in the State related to the Olympic and Paralympic Games; and

(8) assure that public safety plans are coordinated and integrated with the operations plans of Chicago 2016 for the Olympic and Paralympic Games.

"Local law enforcement agency" means any political subdivision of the State or an agency of a political subdivision that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"Local public safety agency" means a political subdivision of the State or an agency of a political subdivision of the State that exists to provide:

- (1) fire service;
- (2) emergency medical services; or
- (3) emergency management and communication.

"Olympic and Paralympic Games" means the 2016 Olympic and Paralympic Games that may be hosted by the City of Chicago.

"Period of the Olympic and Paralympic Games" means the period commencing 21 days before the opening ceremony of the 2016 Olympic Games and concluding 14 days after the closing ceremony of the 2016 Paralympic Games.

"State" means the State of Illinois.

"State agency" means any department, division, commission, council, board, bureau, committee, institution, government, corporation, or other establishment or official of the State, except the Legislature, and for purposes of this Article includes a State institution of higher education.

"State law enforcement agency" means any entity administered by the State that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"State public safety agency" means an entity administered by the State that exists to provide:

- (1) fire service;
- (2) emergency medical services; or
- (3) emergency management and communication.

"Venue Commander" means a person who shall direct and coordinate law enforcement and public safety personnel and responsibilities at a designated Olympic venue during the period of the Olympic and Paralympic Games, as set forth in this Article.

Section 10-15. Chicago Olympic Public Safety Command.

(a) If the International Olympic Committee selects the City of Chicago to host the Olympic and Paralympic Games, then the Chicago Olympic Public Safety Command (COPSC) shall be established.

(b) The policymaking responsibility of COPSC shall be vested in ESG.

(c) ESG shall consist of the following initial members:

- (1) the COPSC Chairperson;
- (2) the Executive Director of COPSC (non-voting member);
- (3) the Commissioner of the Chicago Fire Department;
- (4) a representative of Chicago 2016 appointed by the COPSC Chairperson;
- (5) the Executive Director for the Office of Emergency Management and Communications of the City of Chicago;
- (6) the Special Agent-In-Charge of the Chicago Division of the United States Federal Bureau of Investigation, or other representative designated by the United States Federal Bureau of Investigation;
- (7) the Special Agent-In-Charge of the Chicago Division of the United States Secret Service, or other representative designated by the United States Secret Service;
- (8) the Regional Director for the Federal Emergency Management Agency;
- (9) a representative appointed by the Director of the Illinois State Police; and
- (10) the Superintendent of the Chicago Police Department, if the COPSC Chairperson is someone other than the Superintendent of the Chicago Police Department.

(d) Each member of COPSC, including those of ESG and the Executive Director of COPSC, shall serve without additional compensation from the State of Illinois.

(e) The COPSC Chairperson shall be the Superintendent of the Chicago Police Department, or such

other suitably qualified person appointed by the Mayor of the City of Chicago. The COPSC Chairperson shall chair COPSC and ESG and shall call meetings of each from time to time in furtherance of the purposes of this Article. A majority of the members of ESG constitutes a quorum for the transaction of business. All members of ESG other than the Executive Director of COPSC shall be voting members, and the action of a majority of a quorum of ESG shall constitute the action of ESG.

(f) The COPSC Chairperson may appoint additional members of ESG at a properly constituted meeting of ESG, but each such appointment shall be subject to written consent by a majority of the other members of ESG present at the same or a subsequent properly constituted meeting of ESG.

(g) ESG shall establish a strategic plan for law enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies.

(h) ESG shall define the composition, organizational structure, and high-level administrative policies of COPSC.

(i) COPSC shall:

(1) in furtherance of the strategic plan developed by ESG, and in consultation with State, local, and federal law enforcement and public safety agencies, establish a detailed plan for law enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies;

(2) develop any policies necessary to inform and direct COPSC in the implementation of that plan;

(3) amend that plan to promote the effective, efficient, and cooperative implementation of the plan and the preservation of public safety;

(4) integrate that plan with the operations plans of Chicago 2016 for the Olympic and Paralympic Games; and

(5) perform such other functions as directed by the COPSC Chairperson or ESG, consistent with the purposes of this Article.

(j) All State and local law enforcement and public safety agencies shall cooperate with the planning and coordination efforts of COPSC, as requested by COPSC and subject to applicable law. COPSC shall, unless it relinquishes such authority in whole or part, and subject to applicable superior federal law or authority, have primary responsibility for law enforcement and public safety services at each Olympic venue in the State (including an area extending up to approximately 300 yards from the secure perimeter of each Olympic site, as defined and promulgated by COPSC) during the period of the Olympic and Paralympic Games. Designated Venue Commanders at each such Olympic venue shall direct and coordinate on-scene law enforcement and public safety personnel and responsibilities and shall be managed by the COPSC Chairperson or his or her designee.

Section 10-20. COPSC Chairperson; Venue Commanders.

(a) The COPSC Chairperson shall appoint qualified individuals to serve as Venue Commanders at Olympic venues during the period of the Olympic and Paralympic Games.

(b) The COPSC Chairperson shall coordinate law enforcement and public safety agency activities during the Olympic and Paralympic Games with respect to Olympic venues and events, and shall direct the execution of the plan established by COPSC.

Section 10-25. Executive Director of COPSC.

(a) The COPSC Chairperson shall appoint a representative of Chicago 2016 as the Executive Director of COPSC.

(b) The Executive Director of COPSC shall report to the COPSC Chairperson and manage the day-to-day activities of COPSC.

Section 10-30. Deputization. COPSC may enter into agreements with political subdivisions of the State and with other states, regional authorities, and the federal Government. Pursuant to these agreements, the COPSC Chairperson may deputize or otherwise designate qualified law enforcement personnel from those other governmental units to assist COPSC in performing specifically described activities under this Article during the period of the Olympic and Paralympic Games. Those deputized or designated persons shall have the status of a peace officer in the State during the period of the Olympic and Paralympic Games, and shall have all the powers possessed by policemen in cities and by sheriffs, including the power to make arrests for violations of State statutes or municipal or county ordinances, except that those powers (i) may be exercised only within the geographic areas affirmatively authorized

in writing by the COPSC Chairperson and (ii) may be otherwise restricted or limited by the COPSC Chairperson in that writing. Any authorization for deputization or designation pursuant to this subsection shall be made in writing, and should be carried by each such deputized or designated person (or kept in reasonable proximity thereto) and produced upon demand by another peace officer.

Section 10-35. Inoperability. This Article shall be inoperable as follows:

(a) if the City of Chicago terminates its candidacy to become the host city for the Olympic and Paralympic Games, then this Article is inoperable upon that termination;

(b) if the International Olympic Committee does not select the City of Chicago as of the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the City of Chicago is chosen as the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 15.

Section 15-1. Article title. This Article may be cited as the Olympic and Paralympic Trademark Protection Law.

Section 15-5. Purpose. As part of the bid of Chicago 2016, an Illinois not-for-profit corporation, and the City of Chicago to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for additional protection for trademarks used by or reserved for exclusive use by the United States Olympic Committee and Chicago 2016 and its successor organizing committee for the Games (the OCOG) in the marketing, promotion, and operation of such Games. This Article amends the Trademark Registration and Protection Act to: prohibit any third party from registering trade names or trademarks used by the USOC, Chicago 2016, or the OCOG; protect against infringement of Olympic trademarks; and provide the USOC, Chicago 2016, and the OCOG, with exclusive rights to use certain words, emblems, slogans, mascots, and symbols for the Games, and the ability to enforce those rights against others who use them in commerce, including in Circuit Court in Cook County. This Article also amends the Business Corporation Act of 1983, the General Not For Profit Corporation Act of 1986, and the Limited Liability Company Act to prohibit registration of business names featuring certain Olympic trademarks from and after the effective date of this Article.

Section 15-10. The Trademark Registration and Protection Act is amended by changing Section 10 and by adding Section 62 as follows:

(765 ILCS 1036/10)

Sec. 10. Registrability. A mark by which the goods or services of an applicant for registration may be distinguished from the goods or services of others shall not be registered if it:

(a) consists of or comprises immoral, deceptive, or scandalous matter; or
 (b) consists of or comprises matter that may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute; or

(c) consists of or comprises the flag or coat of arms or other insignia of the United States, or of any state or municipality, or of any foreign nation, or any simulation thereof; or

(d) consists of or comprises the name, signature or portrait identifying a particular living individual, except by the individual's written consent; or

(e) consists of a mark which: (1) when used on or in connection with the goods or services of the applicant, is merely descriptive or deceptively misdescriptive of them, or (2) when used on or in connection with the goods or services of the applicant is primarily geographically descriptive or deceptively misdescriptive of them, or (3) is primarily merely a surname; however, nothing in this subsection (e) shall prevent the registration of a mark used by the applicant which has become distinctive of the applicant's goods or services. The Secretary may accept as evidence that the mark has become distinctive, as used on or in connection with the applicant's goods or services, proof of continuous use thereof as a mark by the applicant in this State for the 5 years before the date on which the claim of distinctiveness is made; or

(f) consists of or comprises a mark which so resembles a mark registered in this State of a mark of tradename previously used by another and not abandoned, as to be likely, when used on or in connection with the goods or services of the applicant, to cause confusion or mistake or to deceive; or -

(g) without the consent of the United States Olympic Committee;

(1) contains or consists of the symbol of the International Olympic Committee, consisting of 5

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interlocking rings, or the symbol of the International Paralympic Committee;

(2) contains or consists of the terms "Olympic", "Olympiad", "Paralympic", "Paralympiad", "Citius Altius Fortius", or "Chicago 2016"; or

(3) is substantially identical to any other mark or trade name used by the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, or Chicago 2016 or its successor organizing committee for the 2016 Olympic and Paralympic Games.

(Source: P.A. 90-231, eff. 1-1-98.)

(765 ILCS 1036/62 new)

Sec. 62. Infringement of Olympic marks. Notwithstanding any other Section of this Act:

(a) The United States Olympic Committee has the exclusive right to use, and license for use, in this State any of the following:

(1) any mark to which the United States Olympic Committee has exclusive rights under 36 U.S.C. 220506;

(2) the designations "Chicago 2016", "CHICOG", "Chicago Organizing Committee for the 2016 Olympic and Paralympic Games", "Chicago Olympic Committee" and "Chicago Paralympic Committee";

(3) the emblem of Chicago 2016, featuring a stylized design of a 6-pointed star superimposed over vertical stripes, and any other official emblem adopted by Chicago 2016;

(4) the slogan "Stir the Soul" and any other official slogan adopted by Chicago 2016;

(5) any official mascot or mascots adopted by Chicago 2016; and

(6) the phrases "Chicago Olympic Games", "Chicago Olympics", "Chicago Paralympic Games", and "Chicago Paralympics" and any other official phrase adopted by Chicago 2016.

(b) The United States Olympic Committee, Chicago 2016 as designee of the United States Olympic Committee, or both, may file a civil action in the Circuit Court of Cook County, or any other circuit court in the State of Illinois permitted by law, against any person for the remedies provided under Section 70 of this Act if the person, without the consent of the United States Olympic Committee or Chicago 2016, uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition:

(1) any mark registered in Illinois to the United States Olympic Committee or Chicago 2016;

(2) any mark referenced in subsection (a) of this Section; or

(3) any word, symbol, design, graphic, or image, or combination thereof, tending to cause confusion or mistake, to deceive, or to falsely suggest a connection or association with, or authorization by, the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, Chicago 2016, or any Olympic or Paralympic activity.

(c) If any provision of this Section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Section which can be given effect without the invalid provision, and to this end the provisions of this Section are severable.

(d) For the purposes of this Section, references to Chicago 2016 include the Illinois not-for-profit corporation of that name and its successor organizing committee for the 2016 Olympic and Paralympic Games.

(e) Nothing in this Section is intended to limit any rights or remedies provided under the Counterfeit Trademark Act.

Section 15-15. The Business Corporation Act of 1983 is amended by changing Sections 4.05 and 4.15 as follows:

(805 ILCS 5/4.05) (from Ch. 32, par. 4.05)

Sec. 4.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:

(1) Shall contain, separate and apart from any other word or abbreviation in such name, the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of such words, and if the name of a foreign corporation does not contain, separate and apart from any other word or abbreviation, one of such words or abbreviations, the corporation shall add at the end of its name, as a separate word or abbreviation, one of such words or an abbreviation of one of such words.

(2) Shall not contain any word or phrase which indicates or implies that the

corporation (i) is authorized or empowered to conduct the business of insurance, assurance, indemnity, or the acceptance of savings deposits; (ii) is authorized or empowered to conduct the business of banking unless otherwise permitted by the Commissioner of Banks and Real Estate pursuant to Section 46 of the Illinois Banking Act; or (iii) is authorized or empowered to be in the business of a

corporate fiduciary unless otherwise permitted by the Commissioner of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a corporation only if it has first complied with Section 1-9 of the Corporate Fiduciary Act. The word "bank", "banker" or "banking" may only be used by a corporation if it has first complied with Section 46 of the Illinois Banking Act.

(3) Shall be distinguishable upon the records in the office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether profit or not for profit, existing under any Act of this State or of the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether profit or not for profit, authorized to transact business in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to transact business in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporate name or names in accordance with Section 4.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to transact business in this State only under such assumed corporate name or names.

(4) Shall contain the word "trust", if it be a domestic corporation organized for the purpose of accepting and executing trusts, shall contain the word "pawners", if it be a domestic corporation organized as a pawners' society, and shall contain the word "cooperative", if it be a domestic corporation organized as a cooperative association for pecuniary profit.

(5) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with.

(6) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State.

(7) Shall be the name under which the corporation shall transact business in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name.

(8) (Blank).

(9) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) the word "corporation", "company", "incorporated", or "limited", "limited liability" or an abbreviation of one of such words;

(2) articles, conjunctions, contractions, abbreviations, different tenses or number of the same word;

(c) Nothing in this Section or Sections 4.15 or 4.20 shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any.

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of names or symbols.

(Source: P.A. 92-33, eff. 7-1-01.)

(805 ILCS 5/4.15) (from Ch. 32, par. 4.15)
Sec. 4.15. Assumed corporate name.

(a) A domestic corporation or a foreign corporation admitted to transact business or attempting to gain admission to transact business may elect to adopt an assumed corporate name that complies with the

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requirements of paragraphs (2), (3), (4), (5), ~~and (6)~~ and (9) of subsection (a) of Section 4.05 of this Act with respect to corporate names.

(b) As used in this Act, "assumed corporate name" means any corporate name other than the true corporate name, except that the following shall not constitute the use of an assumed corporate name under this Act:

(1) the identification by a corporation of its business with a trademark or service mark of which it is the owner or licensed user; and

(2) the use of a name of a division, not separately incorporated and not containing the word "corporation", "incorporated", or "limited" or an abbreviation of one of such words, provided the corporation also clearly discloses its corporate name.

(c) Before transacting any business in this State under an assumed corporate name or names, the corporation shall, for each assumed corporate name, pursuant to resolution by its board of directors, execute and file in duplicate in accordance with Section 1.10 of this Act, an application setting forth:

(1) The true corporate name.

(2) The state or country under the laws of which it is organized.

(3) That it intends to transact business under an assumed corporate name.

(4) The assumed corporate name which it proposes to use.

(d) The right to use an assumed corporate name shall be effective from the date of filing by the Secretary of State until the first day of the anniversary month of the corporation that falls within the next calendar year evenly divisible by 5, however, if an application is filed within the 2 months immediately preceding the anniversary month of a corporation that falls within a calendar year evenly divisible by 5, the right to use the assumed corporate name shall be effective until the first day of the anniversary month of the corporation that falls within the next succeeding calendar year evenly divisible by 5.

(e) A corporation shall renew the right to use its assumed corporate name or names, if any, within the 60 days preceding the expiration of such right, for a period of 5 years, by making an election to do so at the time of filing its annual report form and by paying the renewal fee as prescribed by this Act.

(f) Once an application for an assumed corporate name has been filed by the Secretary of State, one copy thereof may be filed for record in the office of the recorder of the county in which the registered office of the corporation is situated in this State.

(g) A foreign corporation may not use an assumed or fictitious name in the conduct of its business to intentionally misrepresent the geographic origin or location of the corporation within Illinois. (Source: P.A. 91-906, eff. 1-1-01.)

Section 15-20. The General Not For Profit Corporation Act of 1986 is amended by changing Section 104.05 as follows:

(805 ILCS 105/104.05) (from Ch. 32, par. 104.05)

Sec. 104.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:

(1) May contain, separate and apart from any other word or abbreviation in such name,

the word "corporation," "company," "incorporated," or "limited," or an abbreviation of one of such words;

(2) Must end with the letters "NFP" if the corporate name contains any word or phrase which indicates or implies that the corporation is organized for any purpose other than a purpose for which corporations may be organized under this Act or a purpose other than a purpose set forth in the corporation's articles of incorporation;

(3) Shall be distinguishable upon the records in the ~~the~~ office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether for profit or not for profit, existing under any Act of this State or the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether for profit or not for profit, authorized to transact business or conduct affairs in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to conduct its affairs in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporation name or names in accordance with Section 104.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to conduct affairs in

this State only under such assumed corporate name or names;

(4) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with;

(5) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State;

(6) Shall not contain the words "regular democrat," "regular democratic," "regular republican," "democrat," "democratic," or "republican," nor the name of any other established political party, unless consent to usage of such words or name is given to the corporation by the State central committee of such established political party; notwithstanding any other provisions of this Act, any corporation, whose name at the time this amendatory Act takes effect contains any of the words listed in this paragraph shall certify to the Secretary of State no later than January 1, 1989, that consent has been given by the State central committee; consent given to a corporation by the State central committee to use the above listed words may be revoked upon notification to the corporation and the Secretary of State; ~~and~~

(7) Shall be the name under which the corporation shall conduct affairs in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name; and -

(8) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "corporation," "company," "incorporated," or "limited" or an abbreviation of one of such words;

(2) Articles, conjunctions, contractions, abbreviations, different tenses or number of the same word.

(c) Nothing in this Section or Sections 104.15 or 104.20 of this Act shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any; or

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of name or symbols.

(Source: P.A. 92-33, eff. 7-1-01; revised 10-28-08.)

Section 15-25. The Limited Liability Company Act is amended by changing Section 1-10 as follows: (805 ILCS 180/1-10)

Sec. 1-10. Limited liability company name.

(a) The name of each limited liability company as set forth in its articles of organization:

(1) shall contain the terms "limited liability company", "L.L.C.", or "LLC";

(2) may not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless the restriction has been complied with;

(3) shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the Office of the Secretary of State;

(4) shall not contain any of the following terms: "Corporation," "Corp.," "Incorporated," "Inc.," "Ltd.," "Co.," "Limited Partnership" or "L.P.;"

(5) shall be the name under which the limited liability company transacts business in this State unless the limited liability company also elects to adopt an assumed name or names as provided in this Act; provided, however, that the limited liability company may use any divisional designation or trade name without complying with the requirements of this Act, provided the limited liability company also clearly discloses its name;

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(6) shall not contain any word or phrase that indicates or implies that the limited liability company is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of the Office of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a limited liability company only if it has first complied with Section 1-9 of the Corporate Fiduciary Act; ~~and~~

(7) shall contain the word "trust", if it is a limited liability company organized for the purpose of accepting and executing trusts; ~~and~~ -

(8) shall not, as to any limited liability company organized or amending its company name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) Nothing in this Section or Section 1-20 shall abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States of America with respect to the right to acquire and protect copyrights, trade names, trademarks, service marks, service names, or any other right to the exclusive use of names or symbols.

(c) (Blank).

(d) The name shall be distinguishable upon the records in the Office of the Secretary of State from all of the following:

(1) Any limited liability company that has articles of organization filed with the Secretary of State under Section 5-5.

(2) Any foreign limited liability company admitted to transact business in this State.

(3) Any name for which an exclusive right has been reserved in the Office of the Secretary of State under Section 1-15.

(4) Any assumed name that is registered with the Secretary of State under Section 1-20.

(5) Any corporate name or assumed corporate name of a domestic or foreign corporation subject to the provisions of Section 4.05 of the Business Corporation Act of 1983 or Section 104.05 of the General Not For Profit Corporation Act of 1986.

(e) The provisions of subsection (d) of this Section shall not apply if the organizer files with the Secretary of State a certified copy of a final decree of a court of competent jurisdiction establishing the prior right of the applicant to the use of that name in this State.

(f) The Secretary of State shall determine whether a name is "distinguishable" from another name for the purposes of this Act. Without excluding other names that may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "limited", "liability" or "company" or an abbreviation of one of those words.

(2) Articles, conjunctions, contractions, abbreviations, or different tenses or number of the same word.

(Source: P.A. 92-33, eff. 7-1-01; 93-59, eff. 7-1-03.)

ARTICLE 20.

Section 20-5. Article title. This Article may be cited as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-10. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-350 as follows:

(20 ILCS 2105/2105-350 new)

Sec. 2105-350. Licensing exemptions related to the 2016 Olympic and Paralympic Games.

(a) Definitions. For purposes of this Section:

"Eligible personnel" means individuals formally accredited by the OCOG under IOC procedures and regulations, or in the case of a sanctioned test event, the individuals formally designated by the OCOG under specific procedures applicable to the sanctioned test event.

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

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"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be the host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities, including, without limitation, training activities, for the games or sanctioned test events as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

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

"Foreign licensing body" means (i) another state or territory of the United States of America, or (ii) a foreign country or other political entity recognized by the United States of America as sovereign, or a political subdivision thereof.

"Games" means the 2016 Olympic and Paralympic Games, including all associated meetings, ceremonies, performances, and events.

"IOC" means the International Olympic Committee.

"NOC" means a National Olympic Committee.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities, including, without limitation, the Olympic village, broadcast and media center, live sites, hospitality sites, and administrative and operational offices, for the games or sanctioned test events, as determined by the IOC, the USOC, or the OCOG or the candidate city.

"NPC" means a National Paralympic Committee.

"OCOG" means the bid committee or the same as may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation to be established by the candidate city and the bid committee, which is to serve as the organizing committee for the games.

"Period of the games" means the period commencing 28 days prior to the opening ceremony of the 2016 Olympic Games and concluding 28 days after the closing ceremony of the 2016 Paralympic Games.

"Representative" means an individual formally accredited by the OCOG under IOC procedures and regulations as a member or guest of an NOC or NPC delegation participating in the games, or an individual formally designated by the OCOG or another applicable organizing committee of a sanctioned test event as being a member or guest of an NOC or NPC delegation, or athletic team, participating in the sanctioned test event.

"Sanctioned test event" means an event designated in writing by the OCOG to the Department at least 30 days in advance and which is conducted for the purpose of preparing or evaluating the ability and preparedness of the OCOG or the candidate city to host the games.

"Specified occupation" means the following occupations or professions: physician, chiropractic physician, advanced practice nurse, practical nurse, licensed practical nurse, registered nurse, registered professional nurse, physical therapist, physical therapist assistant, physician assistant, athletic trainer, veterinarian, veterinary technician, and massage therapist.

"Sponsoring delegation" means an NOC or NPC delegation or another accredited delegation for the games, or in the case of a sanctioned test event, an NOC or NPC delegation or athletic team, which engages, funds, supports, or otherwise requires the attendance and participation of the individual or entity to whom or which a licensing exception contained in this Section would apply.

"State" means the State of Illinois.

"USOC" means the U.S. Olympic Committee.

"Venues" means, collectively, the competition and non-competition venues.

(b) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department or by the Department of Public Health of the State, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a foreign licensing body;

(2) provides services at the invitation of an OCOG for the professional purpose of caring for or attending to the needs of individuals participating in or attending the games;

(3) restricts his, her or its licensed or authorized services and duties solely to the provision of care or service at one or more venues as specified by the OCOG, and in the case of venues without access control, restricts his, her or its licensed or authorized services and duties solely to the provision of care or service to eligible personnel;

(4) provides only the care or services that the individual or entity is licensed or otherwise authorized by the foreign licensing body to provide; and

(5) restricts the provision of the care or services to the period of the games or to the period of a sanctioned test event, together with any necessary period before and after the test event.

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(c) Any person or entity practicing or providing services of a specified occupation as set forth in subsection (b) who, in good faith, provides emergency care without fee to a person, shall not be liable for civil damages or professional liability as a result of his, her, or its acts or omissions, except to the extent that the person or entity engages in willful or wanton misconduct in providing that care. This subsection (c) shall also apply to any person or entity that provides emergency care without fee but that is duly licensed or authorized to do so by the Department or the Department of Public Health of the State.

(d) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a foreign licensing body;

(2) provides services for the professional purposes of attending to the needs of the representatives of a sponsoring delegation;

(3) restricts his or her or its licensed or authorized services and duties solely to the representatives of the sponsoring delegation during the representatives' stay in the State;

(4) provides services at the invitation of a sponsoring delegation;

(5) provides only those services of a specified occupation that the individual or entity is licensed or otherwise authorized to provide by the foreign licensing body; and

(6) restricts the provision of said care or services to the period of the games, or in the case of a sanctioned test event, to the period of said sanctioned test event together with any necessary period before and after said sanctioned test event, which period shall not commence more than 28 days before said sanctioned test event or terminate more than 28 days after said sanctioned test event.

(e) The requirements of this Section 2105-350 do not apply to the exemptions authorized by the Department pursuant to Section 2105-400 of this Act.

(f) This Section becomes inoperable as provided in Section 20-15 of the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-15. Inoperability. This Article, including Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, shall be inoperable as follows:

(a) if the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable upon that termination;

(b) if the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the candidate city is chosen as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017; except that subsection (c) of Section 20-10 of this Article shall survive until the expiration of all relevant statutes of limitation.

Section 20-20. The Illinois Athletic Trainers Practice Act is amended by changing Section 4 as follows:

(225 ILCS 5/4) (from Ch. 111, par. 7604)

(Section scheduled to be repealed on January 1, 2016)

Sec. 4. Licensure requirement - Exempt activities. After the effective date of this Act, no person shall provide any of the services set forth in subsection (4) of Section 3 of this Act, or use the title "athletic trainer" or "certified athletic trainer" or "athletic trainer certified" or the letters "A.T.", "C.A.T.", "A.T.C.", "A.C.T.", or "I.A.T.L." after his name, unless licensed under this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed or registered in this State by any other law from engaging in the profession or occupation for which he or she is licensed or registered.

(2) Any person employed as an athletic trainer by the Government of the United States, if such person provides athletic training solely under the direction or control of the organization by which he or she is employed.

(3) Any person pursuing a course of study leading to a degree or certificate in athletic training at an accredited educational program if such activities and services constitute a part of a supervised course of study involving daily personal or verbal contact at the site of supervision between the athletic training student and the licensed athletic trainer who plans, directs, advises, and evaluates the student's athletic training clinical education. The supervising licensed athletic trainer must be on-site where the athletic training clinical education is being obtained. A person meeting the

criteria under this paragraph (3) must be designated by a title which clearly indicates his or her status as a student or trainee.

(4) (Blank).

(5) The practice of athletic training under the supervision of a licensed athletic trainer by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 except the passing of the examination to be eligible to receive such license. In no event shall this exemption extend to any person for longer than 3 months. Anyone who has previously failed the examination, or who fails the examination during this 3-month period, shall immediately cease practice as an athletic trainer and shall not engage in the practice of athletic training again until he or she passes the examination.

(6) Any person in a coaching position from rendering emergency care on an as needed basis to the athletes under his or her supervision when a licensed athletic trainer is not available.

(7) Any person who is an athletic trainer from another nation, state, or territory acting as an athletic trainer while performing his duties for his or her respective non-Illinois based team or organization, so long as he or she restricts his or her duties to his or her team or organization during the course of his or her team's or organization's stay in this State. For the purposes of this Act, a team shall be considered based in Illinois if its home contests are held in Illinois, regardless of the location of the team's administrative offices.

(8) The practice of athletic training by persons licensed in another state who have applied in writing to the Department for licensure by endorsement for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(9) The practice of athletic training by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(10) The practice of athletic training by persons actively licensed as an athletic trainer in another state, or currently certified by the National Athletic Trainers Association Board of Certification, Inc., or its successor entity, at a special athletic tournament or event conducted by a sanctioned amateur athletic organization, including, but not limited to, the Prairie State Games and the Special Olympics, for no more than 14 days. This shall not include contests or events that are part of a scheduled series of regular season events.

(11) Athletic trainer aides from performing patient care activities under the on-site supervision of a licensed athletic trainer. These patient care activities shall not include interpretation of referrals or evaluation procedures, planning or major modifications of patient programs, administration of medication, or solo practice or event coverage without immediate access to a licensed athletic trainer.

(12) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.
(Source: P.A. 94-246, eff. 1-1-06.)

Section 20-25. The Massage Licensing Act is amended by changing Section 25 as follows:

(225 ILCS 57/25)

(Section scheduled to be repealed on January 1, 2012)

Sec. 25. Exemptions.

(a) This Act does not prohibit a person licensed under any other Act in this State from engaging in the practice for which he or she is licensed.

(b) Persons exempted under this Section include, but are not limited to, physicians, podiatrists, naprapaths, and physical therapists.

(c) Nothing in this Act prohibits qualified members of other professional groups, including but not limited to nurses, occupational therapists, cosmetologists, and estheticians, from performing massage in a manner consistent with their training and the code of ethics of their respective professions.

(d) Nothing in this Act prohibits a student of an approved massage school or program from performing massage, provided that the student does not hold himself or herself out as a licensed massage therapist and does not charge a fee for massage therapy services.

(e) Nothing in this Act prohibits practitioners that do not involve intentional soft tissue manipulation, including but not limited to Alexander Technique, Feldenkrais, Reike, and Therapeutic Touch, from

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practicing.

(f) Practitioners of certain service marked bodywork approaches that do involve intentional soft tissue manipulation, including but not limited to Rolwing, Trager Approach, Polarity Therapy, and Orthobionomy, are exempt from this Act if they are approved by their governing body based on a minimum level of training, demonstration of competency, and adherence to ethical standards.

(g) Practitioners of Asian bodywork approaches are exempt from this Act if they are members of the American Organization of Bodywork Therapies of Asia as certified practitioners or if they are approved by an Asian bodywork organization based on a minimum level of training, demonstration of competency, and adherence to ethical standards set by their governing body.

(h) Practitioners of other forms of bodywork who restrict manipulation of soft tissue to the feet, hands, and ears, and who do not have the client disrobe, such as reflexology, are exempt from this Act.

(i) Nothing in this Act applies to massage therapists from other states or countries when providing educational programs or services for a period not exceeding 30 days within a calendar year.

(j) Nothing in this Act prohibits a person from treating ailments by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.

(k) Nothing in this Act applies to persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 92-860, eff. 6-1-03.)

Section 20-30. The Medical Practice Act of 1987 is amended by changing Section 4 as follows:

(225 ILCS 60/4) (from Ch. 111, par. 4400-4)

(Section scheduled to be repealed on December 31, 2010)

Sec. 4. Exemptions.

(a) This Act does not apply to the following:

(1) persons lawfully carrying on their particular profession or business under any valid existing regulatory Act of this State;

(2) persons rendering gratuitous services in cases of emergency; ~~or~~

(3) persons treating human ailments by prayer or spiritual means as an exercise or enjoyment of religious freedom; or -

(4) persons practicing the specified occupations set forth in in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(b) (Blank).

(Source: P.A. 93-379, eff. 7-24-03.)

Section 20-35. The Nurse Practice Act is amended by changing Section 50-15 as follows:

(225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

(Section scheduled to be repealed on January 1, 2018)

Sec. 50-15. Policy; application of Act.

(a) For the protection of life and the promotion of health, and the prevention of illness and communicable diseases, any person practicing or offering to practice advanced, professional, or practical nursing in Illinois shall submit evidence that he or she is qualified to practice, and shall be licensed as provided under this Act. No person shall practice or offer to practice advanced, professional, or practical nursing in Illinois or use any title, sign, card or device to indicate that such a person is practicing professional or practical nursing unless such person has been licensed under the provisions of this Act.

(b) This Act does not prohibit the following:

(1) The practice of nursing in Federal employment in the discharge of the employee's duties by a person who is employed by the United States government or any bureau, division or agency thereof and is a legally qualified and licensed nurse of another state or territory and not in conflict with Sections 50-50, 55-10, 60-10, and 70-5 of this Act.

(2) Nursing that is included in the program of study by students enrolled in programs of nursing or in current nurse practice update courses approved by the Department.

(3) The furnishing of nursing assistance in an emergency.

(4) The practice of nursing by a nurse who holds an active license in another state when providing services to patients in Illinois during a bonafide emergency or in immediate

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preparation for or during interstate transit.

(5) The incidental care of the sick by members of the family, domestic servants or housekeepers, or care of the sick where treatment is by prayer or spiritual means.

(6) Persons from being employed as unlicensed assistive personnel in private homes, long term care facilities, nurseries, hospitals or other institutions.

(7) The practice of practical nursing by one who is a licensed practical nurse under the laws of another U.S. jurisdiction and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(8) The practice of advanced practice nursing by one who is an advanced practice nurse under the laws of another state, territory of the United States, or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an advanced practice nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(9) The practice of professional nursing by one who is a registered professional nurse under the laws of another state, territory of the United States or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a registered professional nurse and who is qualified to receive such license under Section 55-10, until (1) the expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(10) The practice of professional nursing that is included in a program of study by one who is a registered professional nurse under the laws of another state or territory of the United States or foreign country, territory or province and who is enrolled in a graduate nursing education program or a program for the completion of a baccalaureate nursing degree in this State, which includes clinical supervision by faculty as determined by the educational institution offering the program and the health care organization where the practice of nursing occurs.

(11) Any person licensed in this State under any other Act from engaging in the practice for which she or he is licensed.

(12) Delegation to authorized direct care staff trained under Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act consistent with the policies of the Department.

(13) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician, dentist, or podiatrist to a licensed practical nurse, a registered professional nurse, or other persons.

(Source: P.A. 95-639, eff. 10-5-07; 95-876, eff. 8-21-08.)

Section 20-40. The Illinois Physical Therapy Act is amended by changing Section 2 as follows:

(225 ILCS 90/2) (from Ch. 111, par. 4252)

(Section scheduled to be repealed on January 1, 2016)

Sec. 2. Licensure requirement; exempt activities. Practice without a license forbidden - exception. No person shall after the date of August 31, 1965 begin to practice physical therapy in this State or hold himself out as being able to practice this profession, unless he is licensed as such in accordance with the provisions of this Act. After the effective date of this amendatory Act of 1990, no person shall practice or hold himself out as a physical therapist assistant unless he is licensed as such under this Act. A physical therapist shall use the initials "PT" in connection with his or her name to denote licensure under this Act, and a physical therapist assistant shall use the initials "PTA" in connection with his or her name to denote licensure under this Act.

This Act does not prohibit:

- (1) Any person licensed in this State under any other Act from engaging in the practice for which he is licensed.
- (2) The practice of physical therapy by those persons, practicing under the supervision

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of a licensed physical therapist and who have met all of the qualifications as provided in Sections 7, 8.1, and 9 of this Act, until the next examination is given for physical therapists or physical therapist assistants and the results have been received by the Department and the Department has determined the applicant's eligibility for a license. Anyone failing to pass said examination shall not again practice physical therapy until such time as an examination has been successfully passed by such person.

(3) The practice of physical therapy for a period not exceeding 6 months by a person who is in this State on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project, and who meets the qualifications for a physical therapist as set forth in Sections 7 and 8 of this Act and is licensed in another state as a physical therapist.

(4) Practice of physical therapy by qualified persons who have filed for endorsement for no longer than one year or until such time that notification of licensure has been granted or denied, whichever period of time is lesser.

(5) One or more licensed physical therapists from forming a professional service corporation under the provisions of the "Professional Service Corporation Act", approved September 15, 1969, as now or hereafter amended, and licensing such corporation for the practice of physical therapy.

(6) Physical therapy aides from performing patient care activities under the on-site supervision of a licensed physical therapist or licensed physical therapist assistant. These patient care activities shall not include interpretation of referrals, evaluation procedures, the planning of or major modifications of, patient programs.

(7) Physical Therapist Assistants from performing patient care activities under the general supervision of a licensed physical therapist. The physical therapist must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction to insure the safety and welfare of the patient.

(8) The practice of physical therapy by a physical therapy student or a physical therapist assistant student under the on-site supervision of a licensed physical therapist. The physical therapist shall be readily available for direct supervision and instruction to insure the safety and welfare of the patient.

(9) The practice of physical therapy as part of an educational program by a physical therapist licensed in another state or country for a period not to exceed 6 months.

(10) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 93-1010, eff. 8-24-04.)

Section 20-45. The Physician Assistant Practice Act of 1987 is amended by changing Section 5 as follows:

(225 ILCS 95/5) (from Ch. 111, par. 4605)

(Section scheduled to be repealed on January 1, 2018)

Sec. 5. This Act does not prohibit:

1. Any person licensed in this State under any other Act from engaging in the practice for which he is licensed;

2. The practice as a physician assistant by a person who is employed by the United States government or any bureau, division or agency thereof while in the discharge of the employee's official duties;

3. The practice as a physician assistant which is included in their program of study by students enrolled in schools or in refresher courses approved by the Department.

4. The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 85-1209.)

Section 20-50. The Veterinary Medicine and Surgery Practice Act of 2004 is amended by changing Section 4 as follows:

(225 ILCS 115/4) (from Ch. 111, par. 7004)

(Section scheduled to be repealed on January 1, 2014)

Sec. 4. Exemptions. Nothing in this Act shall apply to any of the following:

- (1) Veterinarians employed by the federal or State government while engaged in their official duties.
- (2) Licensed veterinarians from other states who are invited to Illinois for consultation or lecturing.
- (3) Veterinarians employed by colleges or universities while engaged in the performance of their official duties, or faculty engaged in animal husbandry or animal management programs of colleges or universities.
- (4) A veterinarian employed by an accredited college of veterinary medicine providing assistance requested by a veterinarian licensed in Illinois, acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.
- (5) Veterinary students in an accredited college, university, department of a university, or other institution of veterinary medicine and surgery engaged in duties assigned by their instructors.
- (6) Any person engaged in bona fide scientific research which requires the use of animals.
- (7) An owner of livestock and any of the owner's employees or the owner and employees of a service and care provider of livestock caring for and treating livestock belonging to the owner or under a provider's care, including but not limited to, the performance of husbandry and livestock management practices such as dehorning, castration, emasculation, or docking of cattle, horses, sheep, goats, and swine, artificial insemination, and drawing of semen. Nor shall this Act be construed to prohibit any person from administering in a humane manner medicinal or surgical treatment to any livestock in the care of such person. However, any such services shall comply with the Humane Care for Animals Act.
- (8) An owner of an animal, or an agent of the owner acting with the owner's approval, in caring for, training, or treating an animal belonging to the owner, so long as that individual or agent does not represent himself or herself as a veterinarian or use any title associated with the practice of veterinary medicine or surgery or diagnose, prescribe drugs, or perform surgery. The agent shall provide the owner with a written statement summarizing the nature of the services provided and obtain a signed acknowledgment from the owner that they accept the services provided. The services shall comply with the Humane Care for Animals Act. The provisions of this item (8) do not apply to a person who is exempt under item (7).
- (9) A member in good standing of another licensed or regulated profession within any state or a member of an organization or group approved by the Department by rule providing assistance requested by a veterinarian licensed in this State acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient, as defined by rule. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.
- (10) A graduate of a non-accredited college of veterinary medicine who is in the process of obtaining a certificate of educational equivalence and is performing duties or actions assigned by instructors in an approved college of veterinary medicine.
- (11) A certified euthanasia technician who is authorized to perform euthanasia in the course and scope of his or her employment.
- (12) A person who, without expectation of compensation, provides emergency veterinary care in an emergency or disaster situation so long as he or she does not represent himself or herself as a veterinarian or use a title or degree pertaining to the practice of veterinary medicine and surgery.
- (13) An employee of a licensed veterinarian performing duties other than diagnosis, prognosis, prescription, or surgery under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee.
- (14) An approved humane investigator regulated under the Humane Care for Animals Act or employee of a shelter licensed under the Animal Welfare Act, working under the indirect supervision of a licensed veterinarian.
- (15) An individual providing equine dentistry services requested by a veterinarian licensed to practice in this State, an owner, or an owner's agent. For the purposes of this item (15), "equine dentistry services" means floating teeth without the use of drugs or extraction.
- (16) Private treaty sale of animals unless otherwise provided by law.

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(17) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.
(Source: P.A. 92-449, eff. 1-1-02; 93-281, eff. 12-31-03.)

ARTICLE 25.

Section 25-1. Article title. This Article may be cited as the Illinois 2016 Olympic and Paralympic Games Shooting Competition Exemption Law.

Section 25-5. Purpose. It is the intent of the Legislature in enacting this Article to ensure that competitive shooting athletes may bring into the State, possess, transport, and use competition firearms that are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation (the international governing body for shooting competitions), or USA Shooting (the national governing body for Olympic shooting sports in the United States) in connection with the athletes' participation in official shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games. These provisions only have the effect of allowing possession of, transport of, and use of, firearms for Olympic-style shooting by athletes in such competitions, without affecting other firearms regulated under existing law.

Section 25-10. The Firearm Owners Identification Card Act is amended by changing Section 2 as follows:

(430 ILCS 65/2) (from Ch. 38, par. 83-2)

Sec. 2. Firearm Owner's Identification Card required; exceptions.

- (a) (1) No person may acquire or possess any firearm, stun gun, or taser within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.
- (2) No person may acquire or possess firearm ammunition within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.
- (b) The provisions of this Section regarding the possession of firearms, firearm ammunition, stun guns, and tasers do not apply to:
 - (1) United States Marshals, while engaged in the operation of their official duties;
 - (2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;
 - (3) Federal officials required to carry firearms, while engaged in the operation of their official duties;
 - (4) Members of bona fide veterans organizations which receive firearms directly from the armed forces of the United States, while using the firearms for ceremonial purposes with blank ammunition;
 - (5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;
 - (6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Natural Resources owned or managed sites;
 - (7) Nonresidents while on a firing or shooting range recognized by the Department of State Police; however, these persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;
 - (8) Nonresidents while at a firearm showing or display recognized by the Department of State Police; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;
 - (9) Nonresidents whose firearms are unloaded and enclosed in a case;
 - (10) Nonresidents who are currently licensed or registered to possess a firearm in their resident state;
 - (11) Unemancipated minors while in the custody and immediate control of their parent or

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legal guardian or other person in loco parentis to the minor if the parent or legal guardian or other person in loco parentis to the minor has a currently valid Firearm Owner's Identification Card;

(12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition;

(13) Nonresident hunters whose state of residence does not require them to be licensed or registered to possess a firearm and only during hunting season, with valid hunting licenses, while accompanied by, and using a firearm owned by, a person who possesses a valid Firearm Owner's Identification Card and while in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled, but in no instance upon sites owned or managed by the Department of Natural Resources;

(14) Resident hunters who are properly authorized to hunt and, while accompanied by a person who possesses a valid Firearm Owner's Identification Card, hunt in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled; and

(15) A person who is otherwise eligible to obtain a Firearm Owner's Identification Card under this Act and is under the direct supervision of a holder of a Firearm Owner's Identification Card who is 21 years of age or older while the person is on a firing or shooting range or is a participant in a firearms safety and training course recognized by a law enforcement agency or a national, statewide shooting sports organization; and -

(16) Competitive shooting athletes whose competition firearms are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athletes' training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(c) The provisions of this Section regarding the acquisition and possession of firearms, firearm ammunition, stun guns, and tasers do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties.

(Source: P.A. 94-6, eff. 1-1-06.)

Section 25-15. The Criminal Code of 1961 is amended by changing Section 24-2 as follows:

(720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subdivision (a)(5) shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Professional Regulation as prescribed by Section 28 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, prior to becoming eligible for this exemption. The Department of Professional Regulation shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

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(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special

permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and

actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, those devices shall be detached from any weapon or not immediately accessible.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card. (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07; 95-885, eff. 1-1-09.)

Section 25-20. Inoperability. This Article shall be inoperable as follows:

(a) if the City of Chicago terminates its candidacy to become the host city for the 2016 Olympic and Paralympic Games, then this Article is inoperable upon that termination;

(b) if the International Olympic Committee does not select the City of Chicago as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the City of Chicago is chosen as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 99.

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

AMENDMENT NO. 2 TO SENATE BILL 2016

AMENDMENT NO. 2. Amend Senate Bill 2016, AS AMENDED, by replacing everything after the enacting clause with the following:

"ARTICLE 1.

Section 1-1. Short title. This Act may be cited as the 2016 Olympic and Paralympic Games Act.

ARTICLE 5.

Section 5-1. Article title. This Article may be cited as the Olympic Games and Paralympic Games (2016) Law.

Section 5-5. Definitions. For purposes of this Article:

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be

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host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities (including, without limitation, training activities) for the games as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

"Games" means the 2016 Olympic and Paralympic Games.

"Governor" means the Governor of Illinois.

"IOC" means the International Olympic Committee.

"IPC" means the International Paralympic Committee.

"Net financial deficit" means any financial deficit of the OCOG or resulting from the conduct of the games.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities (including, without limitation, live sites, hospitality sites, and administrative and operational offices) for the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"OCOG" means the bid committee, as the same may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation that serves as the organizing committee for the games and to be established by the candidate city and the bid committee.

"Olympic properties" means, collectively, (1) the properties on which the venues will be located and that are owned or controlled by the State and (2) the Olympic ancillary properties.

"Olympic ancillary properties" means all public rights-of-ways or public areas that are owned or controlled by the State (or over which it has jurisdiction), including but not limited to streets, highways, sidewalks, alleys, waterways, parks, and bridges necessary and appropriate to the staging of the games as determined by the OCOG or the candidate city, or both, and subject to the reasonable approval of the State.

"State" means the State of Illinois.

"State indemnification obligation" means the obligation of the State to indemnify the IOC, IPC or USOC, or a combination of those entities, against claims of, and liabilities to, third parties relating to the games, as described in this Article.

"USOC" means the United States Olympic Committee.

"Venues" means, collectively, the competition venues and non-competition venues.

Section 5-10. Governmental Cooperation.

(a) The State, in accordance with law and to the extent of the State's authority, and subject to the limitations of this Article:

(1) guarantees that the candidate city, working in partnership with the OCOG, shall be the primary and lead governmental authority for the planning, organization, and hosting of the games;

(2) guarantees that the candidate city shall be the primary and lead governmental authority for the planning, organization, and delivery of public services specific to the games;

(3) guarantees that the State shall designate a representative (designated as a games liaison) to be the primary point of contact for the State to the candidate city and the OCOG for purposes of intergovernmental coordination in connection with the games;

(4) guarantees the State's respect of the Olympic Charter and the Host City Contract promulgated by the IOC;

(5) agrees that all representations, warranties, and covenants set forth in this Article as well as any written commitments made by the State regarding the games shall be binding on the State;

(6) guarantees that the State will take all necessary measures in order that it fulfill its obligations completely under this Article and any written commitments made by the State to the IOC;

(7) declares and confirms that no other important national or international meeting or event will take place in the vicinity of the venues during the period one week before through one week after the games;

(8) guarantees that all construction work necessary for the organization of the games within the State, to the extent permitted or authorized by the State, will comply with (i) local, regional, and national environmental regulations and acts and (ii) international agreements and protocols to which the United States is a party regarding planning, construction, and protection of the environment;

(9) guarantees that it shall provide or cause to be provided all security, medical, and other government-related services that the State customarily provides for comparable large-scale events and that are necessary for the successful planning, organization, and staging of the portions of

the games within the State, at no cost to the OCOG;

(10) agrees to take such action as may be required by law, and to be effective for the period not later than January 1, 2010 and through the end of the games, to suspend or waive the imposition and collection of fees and charges otherwise imposed and collected by or on behalf of the State for permits and licenses issued to the OCOG applicable to the design, development, construction, and operation or use of the venues and properties related to the games;

(11) agrees to cooperate with the candidate city, the bid committee and the OCOG, as well as local, regional, and national business, trade, and service organizations in order to promote and encourage, to the extent permitted by law, the charging of ordinary and customary prices for goods and services associated with the games within the State (including, but not limited to, hotel rates, restaurants, and related services) for anyone attending the games, including non-accredited spectators;

(12) agrees that, if requested by the candidate city, the bid committee, or the OCOG, it shall permit any member of the General Assembly to introduce legislation necessary to: (i) effectively reduce and sanction ambush marketing, (ii) eliminate illegal street vending during the period beginning 2 weeks before the games through the end of the games; and (iii) control advertising space (including, but not limited to, billboards and advertising on public transport) as well as air space and that any such legislation will be introduced as soon as possible but no later than January 1, 2014;

(13) agrees that it shall not engage in any marketing, commercial, or signage program in relation to the games without the prior written consent of the IOC;

(14) agrees that it shall coordinate and cooperate with the candidate city and the OCOG concerning a "Look of the Games" program;

(15) agrees that it will cooperate with the OCOG and the candidate city (including any applicable candidate city commission) in preventing ambush marketing at the games within the State;

(16) agrees to enter into a binding option agreement with the bid committee or the OCOG to provide the OCOG with the rights to any and all existing or hereafter developed outdoor commercial advertising space (including billboards) owned or controlled by the State and located within the vicinity of any Olympic properties, which agreement shall provide, among other things, that such advertising space will be available at the OCOG's option for a 12-week period encompassing the games at 2008 best commercial prices adjusted only for inflation;

(17) except as may be provided in any other agreement between the State and the candidate city, the bid committee, or the OCOG, agrees to make all of its non-competition and Olympic ancillary properties available at no cost to the OCOG;

(18) guarantees that the accessibility standards to be applied for the Paralympic Games shall include the Americans with Disabilities Act, the Fair Housing Act, the Illinois Environmental Barriers Act (and its implementing regulations, the Illinois Accessibility Code), and the Illinois Human Rights Act;

(19) shall cooperate with the OCOG to assure that accessibility will be fully integrated into the planning of the Paralympic Games comprising part of the games; and

(20) agrees to the formation and authority of the Chicago Olympic Public Safety Command.

(b) In the event of a conflict between any provision of this Act and any provision of any written commitments made by the State regarding the games, this Act shall prevail and control as to the State.

(c) The bid committee and the OCOG shall provide any information reasonably requested by the State, with copies to the leaders of both houses of the General Assembly, to assist in reviewing the provisions of and performance under this Article.

(d) Nothing in this Article shall be construed as impairing the Governor's constitutional authority.

Section 5-15. State indemnification obligation and net financial deficit.

(a) Solely through the funds contained in the Olympic Games and Paralympic Games Trust Fund created by this Article, the State shall be liable to the IOC, the IPC, and the USOC for:

(1) the State indemnification obligation; and

(2) any net financial deficit.

The State's liability for the State indemnification obligation and any net financial deficit shall be subject to the terms of this Section of this Article.

(b) The State shall not make any payments with respect to the State indemnification obligation or any net financial deficit until and after (i) all bid committee and all OCOG net operating revenues, surplus, reserves, contingencies, receivables, funds, and other available assets and security have been fully expended and (ii) the candidate city has first paid at least \$250,000,000 in the aggregate towards amounts that would give rise to a State indemnification obligation or a net financial deficit payment obligation on the State's part, or both.

- (c) Any financial commitments of the State under this Section shall be satisfied exclusively by recourse to the Olympic Games and Paralympic Games Trust Fund.
- (d) Any financial commitments of the State under this Section shall not exceed \$250,000,000 in the aggregate.

Section 5-20. Olympic Games and Paralympic Games Trust Fund.

(a) The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State Treasury.

(b) The State may choose to fund the Olympic Games and Paralympic Games Trust Fund in any manner it considers appropriate, and at such time or times the State determines necessary. By the beginning of State fiscal year 2016, the State shall appropriate sums of money to the Olympic Games and Paralympic Games Trust Fund to provide security for the State indemnification obligation and the net financial deficit.

(c) The moneys in the Olympic Games and Paralympic Games Trust Fund may be used only for the sole purpose of fulfilling the obligations of the State pursuant to the State indemnification obligation and any net financial deficit. For each dollar that is expended from the Olympic Games and Paralympic Games Trust Fund, the State shall expend an equivalent amount of State funds for road projects outside of the county in which the candidate city is located.

(d) No additional State funds shall be deposited into the Olympic Games and Paralympic Games Trust Fund once the Governor determines that the fund has achieved, or is reasonably expected to otherwise accrue, a sufficient balance to provide adequate security, acceptable to the IOC, to demonstrate the State's ability to fulfill its obligations to satisfy the State indemnification obligation and any net financial deficit payment obligation.

(e) If the candidate city is selected as the host city for the games, the Olympic Games and Paralympic Games Trust Fund shall be maintained until a determination by the Governor is made that the State's obligations to satisfy the State indemnification obligation and to be liable for any net financial deficit are satisfied and concluded, at which time the fund shall be terminated.

(f) Upon the termination of the Olympic Games and Paralympic Games Trust Fund, all sums earmarked, transferred, or contained in the fund, along with any investment earnings retained in the fund, shall immediately revert to the General Revenue Fund.

Section 5-25. Fund as security; liability. Any moneys deposited, transferred, or otherwise contained in the Olympic Games and Paralympic Games Trust Fund shall be, upon appropriation by the General Assembly, used for the sole purpose of providing adequate security, acceptable to the IOC, to demonstrate the State's ability to satisfy its State indemnification obligation and to be liable for any net financial deficit. The security may be provided by moneys contained in the Fund as provided in Section 5-20, or by insurance coverage, letters of credit, or other acceptable secured instruments purchased or secured by the moneys, or by any combination thereof.

Section 5-30. Insurance. The bid committee and the OCOG shall list the State and the candidate city as additional insureds on any policy of insurance purchased by the bid committee or the OCOG to be in effect in connection with the preparation for and conduct of the games.

Section 5-35. Bid committee and OCOG responsibilities. The bid committee and the OCOG may not engage in any conduct that reflects unfavorably upon the State, the candidate city, or the games, or that is contrary to law or to the rules and regulations of the IOC, IPC, or USOC.

Section 5-40. Authority of the Governor. Subject to the limitations of this Article, including but not limited to those contained in Section 5-15, the Governor, or his or her designee, on behalf of the State, may execute such other agreements or contracts as may be required by the OCOG, the USOC, the IOC, or the IPC in connection with the candidate city and bid committee's bid to host the Games.

Section 5-42. Diversity program.

(a) The OCOG shall establish and maintain a diversity program to ensure non-discrimination in the award of contracts by the OCOG and the administration of those contracts. To the maximum extent permitted by law, the OCOG shall establish goals as part of the program of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "the contracts") to minority owned businesses or businesses owned by a person with a disability, and

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5% of the annual dollar value of the contracts to female owned businesses. The subject of the contracts includes, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. Recognizing that the planning, organization, and staging of the games is a unique undertaking, the goals established in this subsection shall exclude: all contracts, purchase orders, or other agreements that (i) must be awarded to a specific source as a result of the OCOG's legal obligations to the USOC or IOC or its official tier 1, tier 2 or tier 3 sponsors, (ii) the OCOG awards to a unique or limited supplier of a product, equipment, or service required for the games, or (iii) the payments under which are passed through to other constituencies involved in or attending the games (such as under the games accommodation program). If, however, the OCOG awards any contracts, purchase orders, or other agreements described in items (i) through (iii) to a minority-owned business, business owned by a person with a disability, or a female-owned business, those contracts shall be considered towards the goals described in this subsection.

(b) For purposes of this Section, the terms "minority owned business", "business owned by a person with a disability", and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. For purposes of meeting the goals of this Section, the State shall recognize OCOG contracts performed in the candidate city that are awarded to minority-owned business enterprises, business enterprises owned by persons with disabilities, or women-owned business enterprises, as those terms are defined in the municipal code of the candidate city.

(c) The OCOG shall establish and maintain a diversity program designed to promote equal employment opportunity with respect to its management and operations. The program shall include a plan, including timetables, as appropriate, that specify goals and methods for increasing participation by women, minorities, and persons with disabilities in those employment opportunities.

(d) Beginning on January 1, 2011, and each year thereafter until the completion of the games, the OCOG shall issue a written report to the Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, mayor of the candidate city, and city council of the candidate city providing the number of respective employees who have designated themselves as members of a minority group, as persons with a disability, or as women. The report shall also describe in detail the OCOG's compliance with the requirements of subsections (a) and (c) of this Section.

(e) The Diversity Program Commission is created to monitor, review, and report on minority, female, and persons with disabilities contracting and employment related to the planning, organization, and staging of the games. The Commission shall consist of 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Minority Leader of the Senate, 2 members appointed by the Speaker of the House of Representatives, 2 members appointed by the Minority Leader of the House of Representatives, one member appointed by the Metropolitan Pier and Exposition Authority Board, one member appointed by the Board of Trustees of the University of Illinois, one member appointed by the Board of Commissioners of the Chicago Park District, 5 members appointed by the mayor of the candidate city, and 5 representatives of the OCOG's outreach advisory council appointed by the other members of the Commission upon an affirmative vote of at least 10 of those other members. All appointments shall be made by January 1, 2011. Beginning on January 1, 2012, and each year thereafter until the completion of the games, the Commission shall file a written report with the OCOG, the General Assembly, the Governor, the mayor of the candidate city, and the city council of the candidate city regarding compliance with the diversity requirements of this Article. The Commission may file a supplemental reports at any time. The Commission shall elect its own chairperson, and Commission members shall serve without compensation.

The Commission shall meet quarterly and as needed. The Commission shall also meet within one week after the issuance of the reports required under this subsection to, among other things, discuss whether or not: (i) the OCOG is in compliance with the requirements of this Section; (ii) the Metropolitan Pier and Exposition Authority is in compliance with Section 23.1 of the Metropolitan Pier and Exposition Authority Act as amended in this Article; (iii) the University of Illinois is in compliance with Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and Section 1.1 of the University of Illinois at Chicago Act as amended in this Article; and (iv) the Chicago Park District is in compliance with Section 7.07 of the Chicago Park District Act as amended in this Article.

The Commission shall include in any report required under this subsection, among other things: (i) a list that sets forth each person or entity awarded a contract that is the subject of the diversity program described in this Section by the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District and the name, address, contact information, and total dollar

amount of the contract or contracts; and (ii) a determination of whether the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District are in compliance with their respective obligations. If in any reporting period the OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, or the Chicago Park District is not in compliance with its respective obligations, then each that is not in compliance shall file with the Commission within 14 business days a written explanation setting forth the reason or reasons for noncompliance. The Commission shall then meet within one week after receiving the written explanations to discuss the stated reason or reasons for noncompliance.

The OCOG, the Metropolitan Pier and Exposition Authority, the University of Illinois, and the Chicago Park District shall cooperate with the Commission and provide the Commission with requested information, unless disclosure is prohibited by law.

Section 5-43. OCOG membership diversity. The State encourages all parties with the power to appoint members to the OCOG Board of Directors to take into account the racial and ethnic diversity of the candidate city in making such appointments.

Section 5-45. Inoperability.

(a) If the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable on that termination.

(b) If the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date.

Section 5-95. The State Finance Act is amended by adding Sections 5.719 and 6z-80 as follows:

(30 ILCS 105/5.719 new)

Sec. 5.719. The Olympic Games and Paralympic Games Trust Fund.

(30 ILCS 105/6z-80 new)

Sec. 6z-80. Appropriations from the Olympic Games and Paralympic Games Trust Fund. The Olympic Games and Paralympic Games Trust Fund is created as a special fund in the State treasury. Subject to appropriation, all money in the Olympic Games and Paralympic Games Trust Fund must be used to make payments required under the Olympic Games and Paralympic Games (2016) Law.

Section 5-96. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 4 as follows:

(30 ILCS 575/4) (from Ch. 127, par. 132.604)

(Section scheduled to be repealed on June 30, 2010)

Sec. 4. Award of State contracts.

(a) Except as provided in ~~subsections subsection~~ (b) and (c), not less than 12% of the total dollar amount of State contracts, as defined by the Secretary of the Council and approved by the Council, shall be established as a goal to be awarded to businesses owned by minorities, females, and persons with disabilities; provided, however, that contracts representing at least five-twelfths of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to female owned businesses, and that contracts representing at least one-sixth of the total amount of all State contracts awarded to businesses owned by minorities, females, and persons with disabilities pursuant to this Section shall be awarded to businesses owned by persons with disabilities.

The above percentage relates to the total dollar amount of State contracts during each State fiscal year, calculated by examining independently each type of contract for each agency or university which lets such contracts. Only that percentage of arrangements which represents the participation of businesses owned by minorities, females, and persons with disabilities on such contracts shall be included.

(b) In the case of State construction contracts, the provisions of subsection (a) requiring a portion of State contracts to be awarded to businesses owned and controlled by persons with disabilities do not apply. Not less than 10% of the total dollar amount of State construction contracts is established as a goal to be awarded to minority and female owned businesses, and contracts representing 50% of the amount of all State construction contracts awarded to minority and female owned businesses shall be awarded to female owned businesses.

(c) In the case of all work undertaken by the University of Illinois related to the planning, organization, and staging of the games, the University of Illinois shall establish a goal of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, and other agreements (collectively referred to as "the contracts") to minority-owned businesses or businesses owned by a

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person with a disability and 5% of the annual dollar value the contracts to female-owned businesses. For purposes of this subsection, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 87-701; 88-597, eff. 8-28-94.)

Section 5-97. The State Mandates Act is amended by adding Section 8.33 as follows:

(30 ILCS 805/8.33 new)

Sec. 8.33. Exempt mandate. Notwithstanding the provisions of Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

Section 95-98. The Metropolitan Pier and Exposition Authority Act is amended by changing Section 23.1 as follows:

(70 ILCS 210/23.1) (from Ch. 85, par. 1243.1)

Sec. 23.1. Affirmative action.

(a) The Authority shall, within 90 days after the effective date of this amendatory Act of 1984, establish and maintain an affirmative action program designed to promote equal employment opportunity and eliminate the effects of past discrimination. Such program shall include a plan, including timetables where appropriate, which shall specify goals and methods for increasing participation by women and minorities in employment, including employment related to the planning, organization, and staging of the games, by the Authority and by parties which contract with the Authority. The Authority shall submit a detailed plan with the General Assembly prior to September 1 of each year. Such program shall also establish procedures and sanctions (including debarment), which the Authority shall enforce to ensure compliance with the plan established pursuant to this Section and with State and federal laws and regulations relating to the employment of women and minorities. A determination by the Authority as to whether a party to a contract with the Authority has achieved the goals or employed the methods for increasing participation by women and minorities shall be determined in accordance with the terms of such contracts or the applicable provisions of rules and regulations of the Authority existing at the time such contract was executed, including any provisions for consideration of good faith efforts at compliance which the Authority may reasonably adopt.

(b) The Authority shall adopt and maintain minority and female owned business enterprise procurement programs under the affirmative action program described in subsection (a) for any and all work, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. That work shall include, but is not limited to, the purchase of professional services, construction services, supplies, materials, and equipment. The programs shall establish goals of awarding not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as "contracts") to minority owned businesses and 5% of the annual dollar value of all contracts to female owned businesses. Without limiting the generality of the foregoing, the programs shall require in connection with the prequalification or consideration of vendors for professional service contracts, construction contracts, and contracts for supplies, materials, equipment, and services that each proposer or bidder submit as part of his or her proposal or bid a commitment detailing how he or she will expend 25% or more of the dollar value of his or her contracts with one or more minority owned businesses and 5% or more of the dollar value with one or more female owned businesses. Bids or proposals that do not include such detailed commitments are not responsive and shall be rejected unless the Authority deems it appropriate to grant a waiver of these requirements. In addition the Authority may, in connection with the selection of providers of professional services, reserve the right to select a minority or female owned business or businesses to fulfill the commitment to minority and female business participation. The commitment to minority and female business participation may be met by the contractor or professional service provider's status as a minority or female owned business, by joint venture or by subcontracting a portion of the work with or purchasing materials for the work from one or more such businesses, or by any combination thereof. Each contract shall require the contractor or provider to submit a certified monthly report detailing the status of that contractor or provider's compliance with the Authority's minority and female owned business enterprise procurement program. The Authority, after reviewing the monthly reports of the contractors and providers, shall compile a comprehensive report regarding compliance with this procurement program and file it quarterly with the General Assembly. If, in connection with a particular contract, the Authority determines that it is impracticable or excessively costly to obtain minority or female owned businesses to perform sufficient work to fulfill the commitment required by this subsection, the Authority shall reduce or waive the commitment in the contract, as may be appropriate.

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The Authority shall establish rules and regulations setting forth the standards to be used in determining whether or not a reduction or waiver is appropriate. The terms "minority owned business" and "female owned business" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(c) The Authority shall adopt and maintain an affirmative action program in connection with the hiring of minorities and women on the Expansion Project and on any and all construction projects, including all contracting related to the planning, organization, and staging of the games, undertaken by the Authority. The program shall be designed to promote equal employment opportunity and shall specify the goals and methods for increasing the participation of minorities and women in a representative mix of job classifications required to perform the respective contracts awarded by the Authority.

(d) In connection with the Expansion Project, the Authority shall incorporate the following elements into its minority and female owned business procurement programs to the extent feasible: (1) a major contractors program that permits minority owned businesses and female owned businesses to bear significant responsibility and risk for a portion of the project; (2) a mentor/protege program that provides financial, technical, managerial, equipment, and personnel support to minority owned businesses and female owned businesses; (3) an emerging firms program that includes minority owned businesses and female owned businesses that would not otherwise qualify for the project due to inexperience or limited resources; (4) a small projects program that includes participation by smaller minority owned businesses and female owned businesses on jobs where the total dollar value is \$5,000,000 or less; and (5) a set-aside program that will identify contracts requiring the expenditure of funds less than \$50,000 for bids to be submitted solely by minority owned businesses and female owned businesses.

(e) The Authority is authorized to enter into agreements with contractors' associations, labor unions, and the contractors working on the Expansion Project to establish an Apprenticeship Preparedness Training Program to provide for an increase in the number of minority and female journeymen and apprentices in the building trades and to enter into agreements with Community College District 508 to provide readiness training. The Authority is further authorized to enter into contracts with public and private educational institutions and persons in the hospitality industry to provide training for employment in the hospitality industry.

(f) McCormick Place Advisory Board. There is created a McCormick Place Advisory Board composed as follows: 2 members shall be appointed by the Mayor of Chicago; 2 members shall be appointed by the Governor; 2 members shall be State Senators appointed by the President of the Senate; 2 members shall be State Senators appointed by the Minority Leader of the Senate; 2 members shall be State Representatives appointed by the Speaker of the House of Representatives; and 2 members shall be State Representatives appointed by the Minority Leader of the House of Representatives. The terms of all previously appointed members of the Advisory Board expire on the effective date of this amendatory Act of the 92nd General Assembly. A State Senator or State Representative member may appoint a designee to serve on the McCormick Place Advisory Board in his or her absence.

A "member of a minority group" shall mean a person who is a citizen or lawful permanent resident of the United States and who is

- (1) Black (a person having origins in any of the black racial groups in Africa);
- (2) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race);
- (3) 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
- (4) American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

Members of the McCormick Place Advisory Board shall serve 2-year terms and until their successors are appointed, except members who serve as a result of their elected position whose terms shall continue as long as they hold their designated elected positions. Vacancies shall be filled by appointment for the unexpired term in the same manner as original appointments are made. The McCormick Place Advisory Board shall elect its own chairperson.

Members of the McCormick Place Advisory Board shall serve without compensation but, at the Authority's discretion, shall be reimbursed for necessary expenses in connection with the performance of their duties.

The McCormick Place Advisory Board shall meet quarterly, or as needed, shall produce any reports it deems necessary, and shall:

- (1) Work with the Authority on ways to improve the area physically and economically;
- (2) Work with the Authority regarding potential means for providing increased economic

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opportunities to minorities and women produced indirectly or directly from the construction and operation of the Expansion Project;

(3) Work with the Authority to minimize any potential impact on the area surrounding the McCormick Place Expansion Project, including any impact on minority or female owned businesses, resulting from the construction and operation of the Expansion Project;

(4) Work with the Authority to find candidates for building trades apprenticeships, for employment in the hospitality industry, and to identify job training programs;

(5) Work with the Authority to implement the provisions of subsections (a) through (e) of this Section in the construction of the Expansion Project, including the Authority's goal of awarding not less than 25% and 5% of the annual dollar value of contracts to minority and female owned businesses, the outreach program for minorities and women, and the mentor/protege program for providing assistance to minority and female owned businesses.

(g) The Authority shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law. For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

(Source: P.A. 91-422, eff. 1-1-00; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01.)

Section 95-99. The Chicago Park District Act is amended by adding Section 7.07 as follows:

(70 ILCS 1505/7.07 new)

Sec. 7.07. Olympic and paralympic games; contracts and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable ordinances contained in the Code of the Chicago Park District, including but not limited to Chapter I (General Provisions and Definitions), Chapter IV (Human Rights), Chapter V (Personnel), and Chapter XI (Purchasing and Contracting).

(b) The Chicago Park District shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(c) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

Section 95-100. The University of Illinois at Chicago Act is amended by adding Section 1.1 as follows:

(110 ILCS 320/1.1 new)

Sec. 1.1. Olympic and paralympic games; contracting and employment.

(a) All contracting and employment related to the planning, organization, and staging of the games shall be subject to all applicable laws, policies, and statements, including but not limited to Section 4 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the Statement of Reaffirmation, Affirmative Action in Employment, University of Illinois at Chicago, June 2008. The University shall comply with subsection (e) of Section 5-42 of the Olympic Games and Paralympic Games (2016) Law.

(b) For purposes of this Section, the term "games" has the meaning set forth in the Olympic Games and Paralympic Games (2016) Law.

ARTICLE 10.

Section 10-1. Article title. This Article may be cited as the Olympic Public Safety Law.

Section 10-5. Purpose. As part of the bid to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for the creation of a commission, known as the Chicago Olympic Public Safety Command, or COPSC, that will engage in security and public safety planning, management, and administration if Chicago is selected as the host city for the 2016 Olympic and Paralympic Games. In the event of such selection, it is intended that COPSC will contribute to the achievement of the following objectives: foster the intergovernmental cooperation of local, State, and federal public safety agencies in providing for the public safety of the Olympic and Paralympic Games; develop a comprehensive security and public safety plan; create a unified chain of command; and implement an effective and efficient public safety and security operation that does not compromise the celebratory spirit of the Olympic and Paralympic Games.

Section 10-10. Definitions. As used in this Article:

"Chicago 2016" means Chicago 2016, an Illinois not-for-profit corporation formed to bid for the

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opportunity of hosting the Olympic and Paralympic Games, or as the context requires, a successor in interest to Chicago 2016, such as an organizing committee for the Olympic and Paralympic Games formed after the selection of Chicago as the host city for that event.

"COPSC" means the Chicago Olympic Public Safety Command contemplated in Section 10-15.

"COPSC Chairperson" means the Chairperson of COPSC.

"ESG" means Executive Strategy Group of COPSC.

"Law enforcement and public safety services" includes programs and services to, among other things:

- (1) provide for crowd and traffic safety;
- (2) suppress or reduce crime;
- (3) provide for or assist in criminal investigation;
- (4) provide forensic, communications, and records support services;
- (5) facilitate intelligence and information sharing among federal, State, and local authorities and with relevant private sector participants;
- (6) deter and disrupt terrorism activity related to the Olympic and Paralympic Games through aggressive investigation and prosecution;
- (7) assure that the organizational structure and plans exist to effectively prepare for, and respond to, any terrorist incidents or other emergencies in the State related to the Olympic and Paralympic Games; and
- (8) assure that public safety plans are coordinated and integrated with the operations plans of Chicago 2016 for the Olympic and Paralympic Games.

"Local law enforcement agency" means any political subdivision of the State or an agency of a political subdivision that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"Local public safety agency" means a political subdivision of the State or an agency of a political subdivision of the State that exists to provide:

- (1) fire service;
- (2) emergency medical services; or
- (3) emergency management and communication.

"Olympic and Paralympic Games" means the 2016 Olympic and Paralympic Games that may be hosted by the City of Chicago.

"Period of the Olympic and Paralympic Games" means the period commencing 21 days before the opening ceremony of the 2016 Olympic Games and concluding 14 days after the closing ceremony of the 2016 Paralympic Games.

"State" means the State of Illinois.

"State agency" means any department, division, commission, council, board, bureau, committee, institution, government, corporation, or other establishment or official of the State, except the Legislature, and for purposes of this Article includes a State institution of higher education.

"State law enforcement agency" means any entity administered by the State that exists primarily to deter and detect crime and enforce criminal laws, statutes, and ordinances.

"State public safety agency" means an entity administered by the State that exists to provide:

- (1) fire service;
- (2) emergency medical services; or
- (3) emergency management and communication.

"Venue Commander" means a person who shall direct and coordinate law enforcement and public safety personnel and responsibilities at a designated Olympic venue during the period of the Olympic and Paralympic Games, as set forth in this Article.

Section 10-15. Chicago Olympic Public Safety Command.

(a) If the International Olympic Committee selects the City of Chicago to host the Olympic and Paralympic Games, then the Chicago Olympic Public Safety Command (COPSC) shall be established.

(b) The policymaking responsibility of COPSC shall be vested in ESG.

(c) ESG shall consist of the following initial members:

- (1) the COPSC Chairperson;
- (2) the Executive Director of COPSC (non-voting member);
- (3) the Commissioner of the Chicago Fire Department;
- (4) a representative of Chicago 2016 appointed by the COPSC Chairperson;
- (5) the Executive Director for the Office of Emergency Management and Communications of the City of Chicago;
- (6) the Special Agent-In-Charge of the Chicago Division of the United States Federal

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Bureau of Investigation, or other representative designated by the United States Federal Bureau of Investigation;

(7) the Special Agent-In-Charge of the Chicago Division of the United States Secret Service, or other representative designated by the United States Secret Service;

(8) the Regional Director for the Federal Emergency Management Agency;

(9) a representative appointed by the Director of the Illinois State Police; and

(10) the Superintendent of the Chicago Police Department, if the COPSC Chairperson is someone other than the Superintendent of the Chicago Police Department.

(d) Each member of COPSC, including those of ESG and the Executive Director of COPSC, shall serve without additional compensation from the State of Illinois.

(e) The COPSC Chairperson shall be the Superintendent of the Chicago Police Department, or such other suitably qualified person appointed by the Mayor of the City of Chicago. The COPSC Chairperson shall chair COPSC and ESG and shall call meetings of each from time to time in furtherance of the purposes of this Article. A majority of the members of ESG constitutes a quorum for the transaction of business. All members of ESG other than the Executive Director of COPSC shall be voting members, and the action of a majority of a quorum of ESG shall constitute the action of ESG.

(f) The COPSC Chairperson may appoint additional members of ESG at a properly constituted meeting of ESG, but each such appointment shall be subject to written consent by a majority of the other members of ESG present at the same or a subsequent properly constituted meeting of ESG.

(g) ESG shall establish a strategic plan for law enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies.

(h) ESG shall define the composition, organizational structure, and high-level administrative policies of COPSC.

(i) COPSC shall:

(1) in furtherance of the strategic plan developed by ESG, and in consultation with State, local, and federal law enforcement and public safety agencies, establish a detailed plan for law enforcement and public safety services related to the Olympic and Paralympic Games, including the coordination of personnel and resources of State, local, and federal law enforcement and public safety agencies;

(2) develop any policies necessary to inform and direct COPSC in the implementation of that plan;

(3) amend that plan to promote the effective, efficient, and cooperative implementation of the plan and the preservation of public safety;

(4) integrate that plan with the operations plans of Chicago 2016 for the Olympic and Paralympic Games; and

(5) perform such other functions as directed by the COPSC Chairperson or ESG, consistent with the purposes of this Article.

(j) All State and local law enforcement and public safety agencies shall cooperate with the planning and coordination efforts of COPSC, as requested by COPSC and subject to applicable law. COPSC shall, unless it relinquishes such authority in whole or part, and subject to applicable superior federal law or authority, have primary responsibility for law enforcement and public safety services at each Olympic venue in the State (including an area extending up to approximately 300 yards from the secure perimeter of each Olympic site, as defined and promulgated by COPSC) during the period of the Olympic and Paralympic Games. Designated Venue Commanders at each such Olympic venue shall direct and coordinate on-scene law enforcement and public safety personnel and responsibilities and shall be managed by the COPSC Chairperson or his or her designee.

Section 10-20. COPSC Chairperson; Venue Commanders.

(a) The COPSC Chairperson shall appoint qualified individuals to serve as Venue Commanders at Olympic venues during the period of the Olympic and Paralympic Games.

(b) The COPSC Chairperson shall coordinate law enforcement and public safety agency activities during the Olympic and Paralympic Games with respect to Olympic venues and events, and shall direct the execution of the plan established by COPSC.

Section 10-25. Executive Director of COPSC.

(a) The COPSC Chairperson shall appoint a representative of Chicago 2016 as the Executive Director of COPSC.

(b) The Executive Director of COPSC shall report to the COPSC Chairperson and manage the

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day-to-day activities of COPSC.

Section 10-30. Deputization. COPSC may enter into agreements with political subdivisions of the State and with other states, regional authorities, and the federal Government. Pursuant to these agreements, the COPSC Chairperson may deputize or otherwise designate qualified law enforcement personnel from those other governmental units to assist COPSC in performing specifically described activities under this Article during the period of the Olympic and Paralympic Games. Those deputized or designated persons shall have the status of a peace officer in the State during the period of the Olympic and Paralympic Games, and shall have all the powers possessed by policemen in cities and by sheriffs, including the power to make arrests for violations of State statutes or municipal or county ordinances, except that those powers (i) may be exercised only within the geographic areas affirmatively authorized in writing by the COPSC Chairperson and (ii) may be otherwise restricted or limited by the COPSC Chairperson in that writing. Any authorization for deputization or designation pursuant to this subsection shall be made in writing, and should be carried by each such deputized or designated person (or kept in reasonable proximity thereto) and produced upon demand by another peace officer.

Section 10-35. Inoperability. This Article shall be inoperable as follows:

- (a) if the City of Chicago terminates its candidacy to become the host city for the Olympic and Paralympic Games, then this Article is inoperable upon that termination;
- (b) if the International Olympic Committee does not select the City of Chicago as of the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or
- (c) if the City of Chicago is chosen as the host city for the Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 15.

Section 15-1. Article title. This Article may be cited as the Olympic and Paralympic Trademark Protection Law.

Section 15-5. Purpose. As part of the bid of Chicago 2016, an Illinois not-for-profit corporation, and the City of Chicago to host the 2016 Olympic and Paralympic Games in Chicago, this Article provides for additional protection for trademarks used by or reserved for exclusive use by the United States Olympic Committee and Chicago 2016 and its successor organizing committee for the Games (the OCOG) in the marketing, promotion, and operation of such Games. This Article amends the Trademark Registration and Protection Act to: prohibit any third party from registering trade names or trademarks used by the USOC, Chicago 2016, or the OCOG; protect against infringement of Olympic trademarks; and provide the USOC, Chicago 2016, and the OCOG, with exclusive rights to use certain words, emblems, slogans, mascots, and symbols for the Games, and the ability to enforce those rights against others who use them in commerce, including in Circuit Court in Cook County. This Article also amends the Business Corporation Act of 1983, the General Not For Profit Corporation Act of 1986, and the Limited Liability Company Act to prohibit registration of business names featuring certain Olympic trademarks from and after the effective date of this Article.

Section 15-10. The Trademark Registration and Protection Act is amended by changing Section 10 and by adding Section 62 as follows:

(765 ILCS 1036/10)

Sec. 10. Registrability. A mark by which the goods or services of an applicant for registration may be distinguished from the goods or services of others shall not be registered if it:

- (a) consists of or comprises immoral, deceptive, or scandalous matter; or
- (b) consists of or comprises matter that may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute; or
- (c) consists of or comprises the flag or coat of arms or other insignia of the United States, or of any state or municipality, or of any foreign nation, or any simulation thereof; or
- (d) consists of or comprises the name, signature or portrait identifying a particular living individual, except by the individual's written consent; or
- (e) consists of a mark which: (1) when used on or in connection with the goods or services of the applicant, is merely descriptive or deceptively misdescriptive of them, or (2) when used on or in connection with the goods or services of the applicant is primarily geographically descriptive or

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deceptively misdescriptive of them, or (3) is primarily merely a surname; however, nothing in this subsection (e) shall prevent the registration of a mark used by the applicant which has become distinctive of the applicant's goods or services. The Secretary may accept as evidence that the mark has become distinctive, as used on or in connection with the applicant's goods or services, proof of continuous use thereof as a mark by the applicant in this State for the 5 years before the date on which the claim of distinctiveness is made; or

(f) consists of or comprises a mark which so resembles a mark registered in this State of a mark of tradename previously used by another and not abandoned, as to be likely, when used on or in connection with the goods or services of the applicant, to cause confusion or mistake or to deceive; or -

(g) without the consent of the United States Olympic Committee:

(1) contains or consists of the symbol of the International Olympic Committee, consisting of 5 interlocking rings, or the symbol of the International Paralympic Committee;

(2) contains or consists of the terms "Olympic", "Olympiad", "Paralympic", "Paralympiad", "Citius Altius Fortius", or "Chicago 2016"; or

(3) is substantially identical to any other mark or trade name used by the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, or Chicago 2016 or its successor organizing committee for the 2016 Olympic and Paralympic Games.

(Source: P.A. 90-231, eff. 1-1-98.)

(765 ILCS 1036/62 new)

Sec. 62. Infringement of Olympic marks. Notwithstanding any other Section of this Act:

(a) The United States Olympic Committee has the exclusive right to use, and license for use, in this State any of the following:

(1) any mark to which the United States Olympic Committee has exclusive rights under 36 U.S.C. 220506;

(2) the designations "Chicago 2016", "CHICOG", "Chicago Organizing Committee for the 2016 Olympic and Paralympic Games", "Chicago Olympic Committee" and "Chicago Paralympic Committee";

(3) the emblem of Chicago 2016, featuring a stylized design of a 6-pointed star superimposed over vertical stripes, and any other official emblem adopted by Chicago 2016;

(4) the slogan "Stir the Soul" and any other official slogan adopted by Chicago 2016;

(5) any official mascot or mascots adopted by Chicago 2016; and

(6) the phrases "Chicago Olympic Games", "Chicago Olympics", "Chicago Paralympic Games", and "Chicago Paralympics" and any other official phrase adopted by Chicago 2016.

(b) The United States Olympic Committee, Chicago 2016 as designee of the United States Olympic Committee, or both, may file a civil action in the Circuit Court of Cook County, or any other circuit court in the State of Illinois permitted by law, against any person for the remedies provided under Section 70 of this Act if the person, without the consent of the United States Olympic Committee or Chicago 2016, uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition:

(1) any mark registered in Illinois to the United States Olympic Committee or Chicago 2016;

(2) any mark referenced in subsection (a) of this Section; or

(3) any word, symbol, design, graphic, or image, or combination thereof, tending to cause confusion or mistake, to deceive, or to falsely suggest a connection or association with, or authorization by, the International Olympic Committee, the International Paralympic Committee, the United States Olympic Committee, Chicago 2016, or any Olympic or Paralympic activity.

(c) If any provision of this Section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Section which can be given effect without the invalid provision, and to this end the provisions of this Section are severable.

(d) For the purposes of this Section, references to Chicago 2016 include the Illinois not-for-profit corporation of that name and its successor organizing committee for the 2016 Olympic and Paralympic Games.

(e) Nothing in this Section is intended to limit any rights or remedies provided under the Counterfeit Trademark Act.

Section 15-15. The Business Corporation Act of 1983 is amended by changing Sections 4.05 and 4.15 as follows:

(805 ILCS 5/4.05) (from Ch. 32, par. 4.05)

Sec. 4.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or

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subject to the provisions of this Act:

(1) Shall contain, separate and apart from any other word or abbreviation in such name, the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of such words, and if the name of a foreign corporation does not contain, separate and apart from any other word or abbreviation, one of such words or abbreviations, the corporation shall add at the end of its name, as a separate word or abbreviation, one of such words or an abbreviation of one of such words.

(2) Shall not contain any word or phrase which indicates or implies that the corporation (i) is authorized or empowered to conduct the business of insurance, assurance, indemnity, or the acceptance of savings deposits; (ii) is authorized or empowered to conduct the business of banking unless otherwise permitted by the Commissioner of Banks and Real Estate pursuant to Section 46 of the Illinois Banking Act; or (iii) is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a corporation only if it has first complied with Section 1-9 of the Corporate Fiduciary Act. The word "bank", "banker" or "banking" may only be used by a corporation if it has first complied with Section 46 of the Illinois Banking Act.

(3) Shall be distinguishable upon the records in the office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized under the Limited Liability Company Act, whether profit or not for profit, existing under any Act of this State or of the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether profit or not for profit, authorized to transact business in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to transact business in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporate name or names in accordance with Section 4.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to transact business in this State only under such assumed corporate name or names.

(4) Shall contain the word "trust", if it be a domestic corporation organized for the purpose of accepting and executing trusts, shall contain the word "pawners", if it be a domestic corporation organized as a pawners' society, and shall contain the word "cooperative", if it be a domestic corporation organized as a cooperative association for pecuniary profit.

(5) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with.

(6) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State.

(7) Shall be the name under which the corporation shall transact business in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name.

(8) (Blank).

(9) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) the word "corporation", "company", "incorporated", or "limited", "limited liability" or an abbreviation of one of such words;

(2) articles, conjunctions, contractions, abbreviations, different tenses or number of the same word;

(c) Nothing in this Section or Sections 4.15 or 4.20 shall:

(1) Require any domestic corporation existing or any foreign corporation having a

certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any.

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of names or symbols.

(Source: P.A. 92-33, eff. 7-1-01.)

(805 ILCS 5/4.15) (from Ch. 32, par. 4.15)

Sec. 4.15. Assumed corporate name.

(a) A domestic corporation or a foreign corporation admitted to transact business or attempting to gain admission to transact business may elect to adopt an assumed corporate name that complies with the requirements of paragraphs (2), (3), (4), (5), ~~and~~ (6) and (9) of subsection (a) of Section 4.05 of this Act with respect to corporate names.

(b) As used in this Act, "assumed corporate name" means any corporate name other than the true corporate name, except that the following shall not constitute the use of an assumed corporate name under this Act:

(1) the identification by a corporation of its business with a trademark or service mark of which it is the owner or licensed user; and

(2) the use of a name of a division, not separately incorporated and not containing the word "corporation", "incorporated", or "limited" or an abbreviation of one of such words, provided the corporation also clearly discloses its corporate name.

(c) Before transacting any business in this State under an assumed corporate name or names, the corporation shall, for each assumed corporate name, pursuant to resolution by its board of directors, execute and file in duplicate in accordance with Section 1.10 of this Act, an application setting forth:

(1) The true corporate name.

(2) The state or country under the laws of which it is organized.

(3) That it intends to transact business under an assumed corporate name.

(4) The assumed corporate name which it proposes to use.

(d) The right to use an assumed corporate name shall be effective from the date of filing by the Secretary of State until the first day of the anniversary month of the corporation that falls within the next calendar year evenly divisible by 5, however, if an application is filed within the 2 months immediately preceding the anniversary month of a corporation that falls within a calendar year evenly divisible by 5, the right to use the assumed corporate name shall be effective until the first day of the anniversary month of the corporation that falls within the next succeeding calendar year evenly divisible by 5.

(e) A corporation shall renew the right to use its assumed corporate name or names, if any, within the 60 days preceding the expiration of such right, for a period of 5 years, by making an election to do so at the time of filing its annual report form and by paying the renewal fee as prescribed by this Act.

(f) Once an application for an assumed corporate name has been filed by the Secretary of State, one copy thereof may be filed for record in the office of the recorder of the county in which the registered office of the corporation is situated in this State.

(g) A foreign corporation may not use an assumed or fictitious name in the conduct of its business to intentionally misrepresent the geographic origin or location of the corporation within Illinois.

(Source: P.A. 91-906, eff. 1-1-01.)

Section 15-20. The General Not For Profit Corporation Act of 1986 is amended by changing Section 104.05 as follows:

(805 ILCS 105/104.05) (from Ch. 32, par. 104.05)

Sec. 104.05. Corporate name of domestic or foreign corporation.

(a) The corporate name of a domestic corporation or of a foreign corporation organized, existing or subject to the provisions of this Act:

(1) May contain, separate and apart from any other word or abbreviation in such name, the word "corporation," "company," "incorporated," or "limited," or an abbreviation of one of such words;

(2) Must end with the letters "NFP" if the corporate name contains any word or phrase which indicates or implies that the corporation is organized for any purpose other than a purpose for which corporations may be organized under this Act or a purpose other than a purpose set forth in the corporation's articles of incorporation;

(3) Shall be distinguishable upon the records in the ~~the~~ office of the Secretary of State from the name or assumed name of any domestic corporation or limited liability company organized

under the Limited Liability Company Act, whether for profit or not for profit, existing under any Act of this State or the name or assumed name of any foreign corporation or foreign limited liability company registered under the Limited Liability Company Act, whether for profit or not for profit, authorized to transact business or conduct affairs in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act or Section 1-15 of the Limited Liability Company Act, except that, subject to the discretion of the Secretary of State, a foreign corporation that has a name prohibited by this paragraph may be issued a certificate of authority to conduct its affairs in this State, if the foreign corporation:

(i) Elects to adopt an assumed corporation name or names in accordance with Section 104.15 of this Act; and

(ii) Agrees in its application for a certificate of authority to conduct affairs in this State only under such assumed corporate name or names;

(4) Shall not contain a word or phrase, or an abbreviation or derivation thereof, the use of which is prohibited or restricted by any other statute of this State unless such restriction has been complied with;

(5) Shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the office of the Secretary of State;

(6) Shall not contain the words "regular democrat," "regular democratic," "regular republican," "democrat," "democratic," or "republican," nor the name of any other established political party, unless consent to usage of such words or name is given to the corporation by the State central committee of such established political party; notwithstanding any other provisions of this Act, any corporation, whose name at the time this amendatory Act takes effect contains any of the words listed in this paragraph shall certify to the Secretary of State no later than January 1, 1989, that consent has been given by the State central committee; consent given to a corporation by the State central committee to use the above listed words may be revoked upon notification to the corporation and the Secretary of State; ~~and~~

(7) Shall be the name under which the corporation shall conduct affairs in this State unless the corporation shall also elect to adopt an assumed corporate name or names as provided in this Act; provided, however, that the corporation may use any divisional designation or trade name without complying with the requirements of this Act, provided the corporation also clearly discloses its corporate name; and -

(8) Shall not, as to any corporation organized or amending its corporate name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) The Secretary of State shall determine whether a name is "distinguishable" from another name for purposes of this Act. Without excluding other names which may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "corporation," "company," "incorporated," or "limited" or an abbreviation of one of such words;

(2) Articles, conjunctions, contractions, abbreviations, different tenses or number of the same word.

(c) Nothing in this Section or Sections 104.15 or 104.20 of this Act shall:

(1) Require any domestic corporation existing or any foreign corporation having a certificate of authority on the effective date of this Act, to modify or otherwise change its corporate name or assumed corporate name, if any; or

(2) Abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States with respect to the right to acquire and protect copyrights, trade names, trade marks, service names, service marks, or any other right to the exclusive use of name or symbols.

(Source: P.A. 92-33, eff. 7-1-01; revised 10-28-08.)

Section 15-25. The Limited Liability Company Act is amended by changing Section 1-10 as follows: (805 ILCS 180/1-10)

Sec. 1-10. Limited liability company name.

(a) The name of each limited liability company as set forth in its articles of organization:

(1) shall contain the terms "limited liability company", "L.L.C.", or "LLC";

(2) may not contain a word or phrase, or an abbreviation or derivation thereof, the use

of which is prohibited or restricted by any other statute of this State unless the restriction has been complied with;

(3) shall consist of letters of the English alphabet, Arabic or Roman numerals, or symbols capable of being readily reproduced by the Office of the Secretary of State;

(4) shall not contain any of the following terms: "Corporation," "Corp.," "Incorporated," "Inc.," "Ltd.," "Co.," "Limited Partnership" or "L.P.";

(5) shall be the name under which the limited liability company transacts business in this State unless the limited liability company also elects to adopt an assumed name or names as provided in this Act; provided, however, that the limited liability company may use any divisional designation or trade name without complying with the requirements of this Act, provided the limited liability company also clearly discloses its name;

(6) shall not contain any word or phrase that indicates or implies that the limited liability company is authorized or empowered to be in the business of a corporate fiduciary unless otherwise permitted by the Commissioner of the Office of Banks and Real Estate under Section 1-9 of the Corporate Fiduciary Act. The word "trust", "trustee", or "fiduciary" may be used by a limited liability company only if it has first complied with Section 1-9 of the Corporate Fiduciary Act; ~~and~~

(7) shall contain the word "trust", if it is a limited liability company organized for the purpose of accepting and executing trusts; and -

(8) shall not, as to any limited liability company organized or amending its company name on or after the effective date of this amendatory Act of the 96th General Assembly, without the express written consent of the United States Olympic Committee, contain the words: (i) "Olympic"; (ii) "Olympiad"; (iii) "Paralympic"; (iv) "Paralympiad"; (v) "Citius Altius Fortius"; (vi) "CHICOG"; or (vii) "Chicago 2016".

(b) Nothing in this Section or Section 1-20 shall abrogate or limit the common law or statutory law of unfair competition or unfair trade practices, nor derogate from the common law or principles of equity or the statutes of this State or of the United States of America with respect to the right to acquire and protect copyrights, trade names, trademarks, service marks, service names, or any other right to the exclusive use of names or symbols.

(c) (Blank).

(d) The name shall be distinguishable upon the records in the Office of the Secretary of State from all of the following:

(1) Any limited liability company that has articles of organization filed with the Secretary of State under Section 5-5.

(2) Any foreign limited liability company admitted to transact business in this State.

(3) Any name for which an exclusive right has been reserved in the Office of the Secretary of State under Section 1-15.

(4) Any assumed name that is registered with the Secretary of State under Section 1-20.

(5) Any corporate name or assumed corporate name of a domestic or foreign corporation subject to the provisions of Section 4.05 of the Business Corporation Act of 1983 or Section 104.05 of the General Not For Profit Corporation Act of 1986.

(e) The provisions of subsection (d) of this Section shall not apply if the organizer files with the Secretary of State a certified copy of a final decree of a court of competent jurisdiction establishing the prior right of the applicant to the use of that name in this State.

(f) The Secretary of State shall determine whether a name is "distinguishable" from another name for the purposes of this Act. Without excluding other names that may not constitute distinguishable names in this State, a name is not considered distinguishable, for purposes of this Act, solely because it contains one or more of the following:

(1) The word "limited", "liability" or "company" or an abbreviation of one of those words.

(2) Articles, conjunctions, contractions, abbreviations, or different tenses or number of the same word.

(Source: P.A. 92-33, eff. 7-1-01; 93-59, eff. 7-1-03.)

ARTICLE 20.

Section 20-5. Article title. This Article may be cited as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-10. The Department of Professional Regulation Law of the Civil Administrative Code of

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Illinois is amended by adding Section 2105-350 as follows:

(20 ILCS 2105/2105-350 new)

Sec. 2105-350. Licensing exemptions related to the 2016 Olympic and Paralympic Games.

(a) Definitions. For purposes of this Section:

"Eligible personnel" means individuals formally accredited by the OCOG under IOC procedures and regulations, or in the case of a sanctioned test event, the individuals formally designated by the OCOG under specific procedures applicable to the sanctioned test event.

"Bid committee" means Chicago 2016, a local organizing committee that has been incorporated as a not-for-profit corporation, that is authorized by the candidate city to submit a bid on the candidate city's behalf to the IOC for selection as the host city for the games, and that may serve as (or help form) the OCOG if the candidate city is selected as the host city for the games.

"Candidate city" means the City of Chicago, which has been selected as a candidate by the IOC to be the host city of the games.

"Competition venues" means, collectively, the venues or facilities to be used for competition and related activities, including, without limitation, training activities, for the games or sanctioned test events as may be determined by the IOC, the USOC, or the OCOG or the candidate city.

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

"Foreign licensing body" means (i) another state or territory of the United States of America, or (ii) a foreign country or other political entity recognized by the United States of America as sovereign, or a political subdivision thereof.

"Games" means the 2016 Olympic and Paralympic Games, including all associated meetings, ceremonies, performances, and events.

"IOC" means the International Olympic Committee.

"NOC" means a National Olympic Committee.

"Non-competition venues" means, collectively, the venues or facilities to be used for non-competition activities, including, without limitation, the Olympic village, broadcast and media center, live sites, hospitality sites, and administrative and operational offices, for the games or sanctioned test events, as determined by the IOC, the USOC, or the OCOG or the candidate city.

"NPC" means a National Paralympic Committee.

"OCOG" means the bid committee or the same as may be reorganized or reconstituted if the candidate city is selected as the host city for the games, or another not-for-profit corporation to be established by the candidate city and the bid committee, which is to serve as the organizing committee for the games.

"Period of the games" means the period commencing 28 days prior to the opening ceremony of the 2016 Olympic Games and concluding 28 days after the closing ceremony of the 2016 Paralympic Games.

"Representative" means an individual formally accredited by the OCOG under IOC procedures and regulations as a member or guest of an NOC or NPC delegation participating in the games, or an individual formally designated by the OCOG or another applicable organizing committee of a sanctioned test event as being a member or guest of an NOC or NPC delegation, or athletic team, participating in the sanctioned test event.

"Sanctioned test event" means an event designated in writing by the OCOG to the Department at least 30 days in advance and which is conducted for the purpose of preparing or evaluating the ability and preparedness of the OCOG or the candidate city to host the games.

"Specified occupation" means the following occupations or professions: physician, chiropractic physician, advanced practice nurse, practical nurse, licensed practical nurse, registered nurse, registered professional nurse, physical therapist, physical therapist assistant, physician assistant, athletic trainer, veterinarian, veterinary technician, and massage therapist.

"Sponsoring delegation" means an NOC or NPC delegation or another accredited delegation for the games, or in the case of a sanctioned test event, an NOC or NPC delegation or athletic team, which engages, funds, supports, or otherwise requires the attendance and participation of the individual or entity to whom or which a licensing exception contained in this Section would apply.

"State" means the State of Illinois.

"USOC" means the U.S. Olympic Committee.

"Venues" means, collectively, the competition and non-competition venues.

(b) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department or by the Department of Public Health of the State, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a

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foreign licensing body;

(2) provides services at the invitation of an OCOG for the professional purpose of caring for or attending to the needs of individuals participating in or attending the games;

(3) restricts his, her or its licensed or authorized services and duties solely to the provision of care or service at one or more venues as specified by the OCOG, and in the case of venues without access control, restricts his, her or its licensed or authorized services and duties solely to the provision of care or service to eligible personnel;

(4) provides only the care or services that the individual or entity is licensed or otherwise authorized by the foreign licensing body to provide; and

(5) restricts the provision of the care or services to the period of the games or to the period of a sanctioned test event, together with any necessary period before and after the test event.

(c) Any person or entity practicing or providing services of a specified occupation as set forth in subsection (b) who, in good faith, provides emergency care without fee to a person, shall not be liable for civil damages or professional liability as a result of his, her, or its acts or omissions, except to the extent that the person or entity engages in willful or wanton misconduct in providing that care. This subsection (c) shall also apply to any person or entity that provides emergency care without fee but that is duly licensed or authorized to do so by the Department or the Department of Public Health of the State.

(d) Notwithstanding any law of the State or political subdivision thereof to the contrary, an individual or entity may engage in the practice of the specified occupations without being licensed under any Act administered by the Department, provided that the individual or entity:

(1) is duly licensed by, or otherwise authorized to practice the profession or occupation by, a foreign licensing body;

(2) provides services for the professional purposes of attending to the needs of the representatives of a sponsoring delegation;

(3) restricts his or her or its licensed or authorized services and duties solely to the representatives of the sponsoring delegation during the representatives' stay in the State;

(4) provides services at the invitation of a sponsoring delegation;

(5) provides only those services of a specified occupation that the individual or entity is licensed or otherwise authorized to provide by the foreign licensing body; and

(6) restricts the provision of said care or services to the period of the games, or in the case of a sanctioned test event, to the period of said sanctioned test event together with any necessary period before and after said sanctioned test event, which period shall not commence more than 28 days before said sanctioned test event or terminate more than 28 days after said sanctioned test event.

(e) The requirements of this Section 2105-350 do not apply to the exemptions authorized by the Department pursuant to Section 2105-400 of this Act.

(f) This Section becomes inoperable as provided in Section 20-15 of the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law.

Section 20-15. Inoperability. This Article, including Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, shall be inoperable as follows:

(a) if the candidate city terminates its candidacy to become the host city for the games, then this Article is inoperable upon that termination;

(b) if the IOC does not select the candidate city as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the candidate city is chosen as the host city for the games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017; except that subsection (c) of Section 20-10 of this Article shall survive until the expiration of all relevant statutes of limitation.

Section 20-20. The Illinois Athletic Trainers Practice Act is amended by changing Section 4 as follows:

(225 ILCS 5/4) (from Ch. 111, par. 7604)

(Section scheduled to be repealed on January 1, 2016)

Sec. 4. Licensure requirement - Exempt activities. After the effective date of this Act, no person shall provide any of the services set forth in subsection (4) of Section 3 of this Act, or use the title "athletic trainer" or "certified athletic trainer" or "athletic trainer certified" or the letters "A.T.", "C.A.T.", "A.T.C.", "A.C.T.", or "I.A.T.L." after his name, unless licensed under this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

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(1) Any person licensed or registered in this State by any other law from engaging in the profession or occupation for which he or she is licensed or registered.

(2) Any person employed as an athletic trainer by the Government of the United States, if such person provides athletic training solely under the direction or control of the organization by which he or she is employed.

(3) Any person pursuing a course of study leading to a degree or certificate in athletic training at an accredited educational program if such activities and services constitute a part of a supervised course of study involving daily personal or verbal contact at the site of supervision between the athletic training student and the licensed athletic trainer who plans, directs, advises, and evaluates the student's athletic training clinical education. The supervising licensed athletic trainer must be on-site where the athletic training clinical education is being obtained. A person meeting the criteria under this paragraph (3) must be designated by a title which clearly indicates his or her status as a student or trainee.

(4) (Blank).

(5) The practice of athletic training under the supervision of a licensed athletic trainer by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 except the passing of the examination to be eligible to receive such license. In no event shall this exemption extend to any person for longer than 3 months. Anyone who has previously failed the examination, or who fails the examination during this 3-month period, shall immediately cease practice as an athletic trainer and shall not engage in the practice of athletic training again until he or she passes the examination.

(6) Any person in a coaching position from rendering emergency care on an as needed basis to the athletes under his or her supervision when a licensed athletic trainer is not available.

(7) Any person who is an athletic trainer from another nation, state, or territory acting as an athletic trainer while performing his duties for his or her respective non-Illinois based team or organization, so long as he or she restricts his or her duties to his or her team or organization during the course of his or her team's or organization's stay in this State. For the purposes of this Act, a team shall be considered based in Illinois if its home contests are held in Illinois, regardless of the location of the team's administrative offices.

(8) The practice of athletic training by persons licensed in another state who have applied in writing to the Department for licensure by endorsement for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(9) The practice of athletic training by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(10) The practice of athletic training by persons actively licensed as an athletic trainer in another state, or currently certified by the National Athletic Trainers Association Board of Certification, Inc., or its successor entity, at a special athletic tournament or event conducted by a sanctioned amateur athletic organization, including, but not limited to, the Prairie State Games and the Special Olympics, for no more than 14 days. This shall not include contests or events that are part of a scheduled series of regular season events.

(11) Athletic trainer aides from performing patient care activities under the on-site supervision of a licensed athletic trainer. These patient care activities shall not include interpretation of referrals or evaluation procedures, planning or major modifications of patient programs, administration of medication, or solo practice or event coverage without immediate access to a licensed athletic trainer.

(12) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.
(Source: P.A. 94-246, eff. 1-1-06.)

Section 20-25. The Massage Licensing Act is amended by changing Section 25 as follows:
(225 ILCS 57/25)

(Section scheduled to be repealed on January 1, 2012)

Sec. 25. Exemptions.

(a) This Act does not prohibit a person licensed under any other Act in this State from engaging in the

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practice for which he or she is licensed.

(b) Persons exempted under this Section include, but are not limited to, physicians, podiatrists, naprapaths, and physical therapists.

(c) Nothing in this Act prohibits qualified members of other professional groups, including but not limited to nurses, occupational therapists, cosmetologists, and estheticians, from performing massage in a manner consistent with their training and the code of ethics of their respective professions.

(d) Nothing in this Act prohibits a student of an approved massage school or program from performing massage, provided that the student does not hold himself or herself out as a licensed massage therapist and does not charge a fee for massage therapy services.

(e) Nothing in this Act prohibits practitioners that do not involve intentional soft tissue manipulation, including but not limited to Alexander Technique, Feldenkrais, Reike, and Therapeutic Touch, from practicing.

(f) Practitioners of certain service marked bodywork approaches that do involve intentional soft tissue manipulation, including but not limited to Rolwing, Trager Approach, Polarity Therapy, and Orthobionomy, are exempt from this Act if they are approved by their governing body based on a minimum level of training, demonstration of competency, and adherence to ethical standards.

(g) Practitioners of Asian bodywork approaches are exempt from this Act if they are members of the American Organization of Bodywork Therapies of Asia as certified practitioners or if they are approved by an Asian bodywork organization based on a minimum level of training, demonstration of competency, and adherence to ethical standards set by their governing body.

(h) Practitioners of other forms of bodywork who restrict manipulation of soft tissue to the feet, hands, and ears, and who do not have the client disrobe, such as reflexology, are exempt from this Act.

(i) Nothing in this Act applies to massage therapists from other states or countries when providing educational programs or services for a period not exceeding 30 days within a calendar year.

(j) Nothing in this Act prohibits a person from treating ailments by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination.

(k) Nothing in this Act applies to persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 92-860, eff. 6-1-03.)

Section 20-30. The Medical Practice Act of 1987 is amended by changing Section 4 as follows:

(225 ILCS 60/4) (from Ch. 111, par. 4400-4)

(Section scheduled to be repealed on December 31, 2010)

Sec. 4. Exemptions.

(a) This Act does not apply to the following:

(1) persons lawfully carrying on their particular profession or business under any valid existing regulatory Act of this State;

(2) persons rendering gratuitous services in cases of emergency; ~~or~~

(3) persons treating human ailments by prayer or spiritual means as an exercise or enjoyment of religious freedom; ~~or -~~

(4) persons practicing the specified occupations set forth in in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(b) (Blank).

(Source: P.A. 93-379, eff. 7-24-03.)

Section 20-35. The Nurse Practice Act is amended by changing Section 50-15 as follows:

(225 ILCS 65/50-15) (was 225 ILCS 65/5-15)

(Section scheduled to be repealed on January 1, 2018)

Sec. 50-15. Policy; application of Act.

(a) For the protection of life and the promotion of health, and the prevention of illness and communicable diseases, any person practicing or offering to practice advanced, professional, or practical nursing in Illinois shall submit evidence that he or she is qualified to practice, and shall be licensed as provided under this Act. No person shall practice or offer to practice advanced, professional, or practical nursing in Illinois or use any title, sign, card or device to indicate that such a person is practicing

professional or practical nursing unless such person has been licensed under the provisions of this Act.

(b) This Act does not prohibit the following:

(1) The practice of nursing in Federal employment in the discharge of the employee's duties by a person who is employed by the United States government or any bureau, division or agency thereof and is a legally qualified and licensed nurse of another state or territory and not in conflict with Sections 50-50, 55-10, 60-10, and 70-5 of this Act.

(2) Nursing that is included in the program of study by students enrolled in programs of nursing or in current nurse practice update courses approved by the Department.

(3) The furnishing of nursing assistance in an emergency.

(4) The practice of nursing by a nurse who holds an active license in another state when providing services to patients in Illinois during a bonafide emergency or in immediate preparation for or during interstate transit.

(5) The incidental care of the sick by members of the family, domestic servants or housekeepers, or care of the sick where treatment is by prayer or spiritual means.

(6) Persons from being employed as unlicensed assistive personnel in private homes, long term care facilities, nurseries, hospitals or other institutions.

(7) The practice of practical nursing by one who is a licensed practical nurse under the laws of another U.S. jurisdiction and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(8) The practice of advanced practice nursing by one who is an advanced practice nurse under the laws of another state, territory of the United States, or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an advanced practice nurse and who is qualified to receive such license under this Act, until (i) the expiration of 6 months after the filing of such written application, (ii) the withdrawal of such application, or (iii) the denial of such application by the Department.

(9) The practice of professional nursing by one who is a registered professional nurse under the laws of another state, territory of the United States or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a registered professional nurse and who is qualified to receive such license under Section 55-10, until (1) the expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(10) The practice of professional nursing that is included in a program of study by one who is a registered professional nurse under the laws of another state or territory of the United States or foreign country, territory or province and who is enrolled in a graduate nursing education program or a program for the completion of a baccalaureate nursing degree in this State, which includes clinical supervision by faculty as determined by the educational institution offering the program and the health care organization where the practice of nursing occurs.

(11) Any person licensed in this State under any other Act from engaging in the practice for which she or he is licensed.

(12) Delegation to authorized direct care staff trained under Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act consistent with the policies of the Department.

(13) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician, dentist, or podiatrist to a licensed practical nurse, a registered professional nurse, or other persons.

(Source: P.A. 95-639, eff. 10-5-07; 95-876, eff. 8-21-08.)

Section 20-40. The Illinois Physical Therapy Act is amended by changing Section 2 as follows:
(225 ILCS 90/2) (from Ch. 111, par. 4252)

(Section scheduled to be repealed on January 1, 2016)

Sec. 2. Licensure requirement; exempt activities. Practice without a license forbidden - exception. No

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person shall after the date of August 31, 1965 begin to practice physical therapy in this State or hold himself out as being able to practice this profession, unless he is licensed as such in accordance with the provisions of this Act. After the effective date of this amendatory Act of 1990, no person shall practice or hold himself out as a physical therapist assistant unless he is licensed as such under this Act. A physical therapist shall use the initials "PT" in connection with his or her name to denote licensure under this Act, and a physical therapist assistant shall use the initials "PTA" in connection with his or her name to denote licensure under this Act.

This Act does not prohibit:

- (1) Any person licensed in this State under any other Act from engaging in the practice for which he is licensed.
 - (2) The practice of physical therapy by those persons, practicing under the supervision of a licensed physical therapist and who have met all of the qualifications as provided in Sections 7, 8.1, and 9 of this Act, until the next examination is given for physical therapists or physical therapist assistants and the results have been received by the Department and the Department has determined the applicant's eligibility for a license. Anyone failing to pass said examination shall not again practice physical therapy until such time as an examination has been successfully passed by such person.
 - (3) The practice of physical therapy for a period not exceeding 6 months by a person who is in this State on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project, and who meets the qualifications for a physical therapist as set forth in Sections 7 and 8 of this Act and is licensed in another state as a physical therapist.
 - (4) Practice of physical therapy by qualified persons who have filed for endorsement for no longer than one year or until such time that notification of licensure has been granted or denied, whichever period of time is lesser.
 - (5) One or more licensed physical therapists from forming a professional service corporation under the provisions of the "Professional Service Corporation Act", approved September 15, 1969, as now or hereafter amended, and licensing such corporation for the practice of physical therapy.
 - (6) Physical therapy aides from performing patient care activities under the on-site supervision of a licensed physical therapist or licensed physical therapist assistant. These patient care activities shall not include interpretation of referrals, evaluation procedures, the planning of or major modifications of, patient programs.
 - (7) Physical Therapist Assistants from performing patient care activities under the general supervision of a licensed physical therapist. The physical therapist must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction to insure the safety and welfare of the patient.
 - (8) The practice of physical therapy by a physical therapy student or a physical therapist assistant student under the on-site supervision of a licensed physical therapist. The physical therapist shall be readily available for direct supervision and instruction to insure the safety and welfare of the patient.
 - (9) The practice of physical therapy as part of an educational program by a physical therapist licensed in another state or country for a period not to exceed 6 months.
 - (10) The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.
- (Source: P.A. 93-1010, eff. 8-24-04.)

Section 20-45. The Physician Assistant Practice Act of 1987 is amended by changing Section 5 as follows:

(225 ILCS 95/5) (from Ch. 111, par. 4605)

(Section scheduled to be repealed on January 1, 2018)

Sec. 5. This Act does not prohibit:

1. Any person licensed in this State under any other Act from engaging in the practice for which he is licensed;
2. The practice as a physician assistant by a person who is employed by the United States government or any bureau, division or agency thereof while in the discharge of the employee's official duties;
3. The practice as a physician assistant which is included in their program of study by students enrolled in schools or in refresher courses approved by the Department.

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4. The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.
(Source: P.A. 85-1209.)

Section 20-50. The Veterinary Medicine and Surgery Practice Act of 2004 is amended by changing Section 4 as follows:

(225 ILCS 115/4) (from Ch. 111, par. 7004)

(Section scheduled to be repealed on January 1, 2014)

Sec. 4. Exemptions. Nothing in this Act shall apply to any of the following:

- (1) Veterinarians employed by the federal or State government while engaged in their official duties.
- (2) Licensed veterinarians from other states who are invited to Illinois for consultation or lecturing.
- (3) Veterinarians employed by colleges or universities while engaged in the performance of their official duties, or faculty engaged in animal husbandry or animal management programs of colleges or universities.
- (4) A veterinarian employed by an accredited college of veterinary medicine providing assistance requested by a veterinarian licensed in Illinois, acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.
- (5) Veterinary students in an accredited college, university, department of a university, or other institution of veterinary medicine and surgery engaged in duties assigned by their instructors.
- (6) Any person engaged in bona fide scientific research which requires the use of animals.
- (7) An owner of livestock and any of the owner's employees or the owner and employees of a service and care provider of livestock caring for and treating livestock belonging to the owner or under a provider's care, including but not limited to, the performance of husbandry and livestock management practices such as dehorning, castration, emasculation, or docking of cattle, horses, sheep, goats, and swine, artificial insemination, and drawing of semen. Nor shall this Act be construed to prohibit any person from administering in a humane manner medicinal or surgical treatment to any livestock in the care of such person. However, any such services shall comply with the Humane Care for Animals Act.
- (8) An owner of an animal, or an agent of the owner acting with the owner's approval, in caring for, training, or treating an animal belonging to the owner, so long as that individual or agent does not represent himself or herself as a veterinarian or use any title associated with the practice of veterinary medicine or surgery or diagnose, prescribe drugs, or perform surgery. The agent shall provide the owner with a written statement summarizing the nature of the services provided and obtain a signed acknowledgment from the owner that they accept the services provided. The services shall comply with the Humane Care for Animals Act. The provisions of this item (8) do not apply to a person who is exempt under item (7).
- (9) A member in good standing of another licensed or regulated profession within any state or a member of an organization or group approved by the Department by rule providing assistance requested by a veterinarian licensed in this State acting with informed consent from the client and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient, as defined by rule. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.
- (10) A graduate of a non-accredited college of veterinary medicine who is in the process of obtaining a certificate of educational equivalence and is performing duties or actions assigned by instructors in an approved college of veterinary medicine.
- (11) A certified euthanasia technician who is authorized to perform euthanasia in the course and scope of his or her employment.
- (12) A person who, without expectation of compensation, provides emergency veterinary care in an emergency or disaster situation so long as he or she does not represent himself or herself as

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a veterinarian or use a title or degree pertaining to the practice of veterinary medicine and surgery.

(13) An employee of a licensed veterinarian performing duties other than diagnosis, prognosis, prescription, or surgery under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee.

(14) An approved humane investigator regulated under the Humane Care for Animals Act or employee of a shelter licensed under the Animal Welfare Act, working under the indirect supervision of a licensed veterinarian.

(15) An individual providing equine dentistry services requested by a veterinarian licensed to practice in this State, an owner, or an owner's agent. For the purposes of this item (15), "equine dentistry services" means floating teeth without the use of drugs or extraction.

(16) Private treaty sale of animals unless otherwise provided by law.

(17) Persons or entities practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 92-449, eff. 1-1-02; 93-281, eff. 12-31-03.)

ARTICLE 25.

Section 25-1. Article title. This Article may be cited as the Illinois 2016 Olympic and Paralympic Games Shooting Competition Exemption Law.

Section 25-5. Purpose. It is the intent of the Legislature in enacting this Article to ensure that competitive shooting athletes may bring into the State, possess, transport, and use competition firearms that are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation (the international governing body for shooting competitions), or USA Shooting (the national governing body for Olympic shooting sports in the United States) in connection with the athletes' participation in official shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games should the City of Chicago be selected to host the 2016 Olympic and Paralympic Games. These provisions only have the effect of allowing possession of, transport of, and use of, firearms for Olympic-style shooting by athletes in such competitions, without affecting other firearms regulated under existing law.

Section 25-10. The Firearm Owners Identification Card Act is amended by changing Section 2 as follows:

(430 ILCS 65/2) (from Ch. 38, par. 83-2)

Sec. 2. Firearm Owner's Identification Card required; exceptions.

(a) (1) No person may acquire or possess any firearm, stun gun, or taser within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.

(2) No person may acquire or possess firearm ammunition within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms, firearm ammunition, stun guns, and tasers do not apply to:

(1) United States Marshals, while engaged in the operation of their official duties;

(2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;

(3) Federal officials required to carry firearms, while engaged in the operation of their official duties;

(4) Members of bona fide veterans organizations which receive firearms directly from the armed forces of the United States, while using the firearms for ceremonial purposes with blank ammunition;

(5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Natural Resources owned

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or managed sites;

(7) Nonresidents while on a firing or shooting range recognized by the Department of State Police; however, these persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;

(8) Nonresidents while at a firearm showing or display recognized by the Department of State Police; however, at all other times and in all other places these persons must have their firearms unloaded and enclosed in a case;

(9) Nonresidents whose firearms are unloaded and enclosed in a case;

(10) Nonresidents who are currently licensed or registered to possess a firearm in their resident state;

(11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to the minor if the parent or legal guardian or other person in loco parentis to the minor has a currently valid Firearm Owner's Identification Card;

(12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition;

(13) Nonresident hunters whose state of residence does not require them to be licensed or registered to possess a firearm and only during hunting season, with valid hunting licenses, while accompanied by, and using a firearm owned by, a person who possesses a valid Firearm Owner's Identification Card and while in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled, but in no instance upon sites owned or managed by the Department of Natural Resources;

(14) Resident hunters who are properly authorized to hunt and, while accompanied by a person who possesses a valid Firearm Owner's Identification Card, hunt in an area within a commercial club licensed under the Wildlife Code where hunting is permitted and controlled; ~~and~~

(15) A person who is otherwise eligible to obtain a Firearm Owner's Identification Card under this Act and is under the direct supervision of a holder of a Firearm Owner's Identification Card who is 21 years of age or older while the person is on a firing or shooting range or is a participant in a firearms safety and training course recognized by a law enforcement agency or a national, statewide shooting sports organization; ~~and~~ -

(16) Competitive shooting athletes whose competition firearms are sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athletes' training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(c) The provisions of this Section regarding the acquisition and possession of firearms, firearm ammunition, stun guns, and tasers do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties.

(Source: P.A. 94-6, eff. 1-1-06.)

Section 25-15. The Criminal Code of 1961 is amended by changing Section 24-2 as follows:

(720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private

Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subdivision (a)(5) shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Professional Regulation as prescribed by Section 28 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, prior to becoming eligible for this exemption. The Department of Professional Regulation shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage,

weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, those devices shall be detached from any weapon or not immediately accessible.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card. (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07; 95-885, eff. 1-1-09.)

Section 25-20. Inoperability. This Article shall be inoperable as follows:

(a) if the City of Chicago terminates its candidacy to become the host city for the 2016 Olympic and Paralympic Games, then this Article is inoperable upon that termination;

(b) if the International Olympic Committee does not select the City of Chicago as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after that date; or

(c) if the City of Chicago is chosen as the host city for the 2016 Olympic and Paralympic Games on or before December 1, 2009, then this Article is inoperable on and after June 30, 2017.

ARTICLE 99.

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

AMENDMENT NO. 3 TO SENATE BILL 2016

AMENDMENT NO. 3. Amend Senate Bill 2016, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 15, line 12, after "2011." by inserting the following:

"The State encourages all parties with the power to appoint members to the Commission to take into account a broad range of experience, including but not limited to experience in government, small business ownership or management, civic or community involvement, and advocacy of equal opportunity for minorities, women, and the disabled in employment and contracting."; and

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on page 15, line 18, by replacing "reports" with "report".

Under the rules, the foregoing **Senate Bill No. 2016**, with House Amendments numbered 1, 2 and 3, was referred to the Secretary's Desk.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 312, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 313, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 314, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Assignments.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 19, 2009 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Appropriations II: **HOUSE BILLS 312, 313 and 314.**

Senator Clayborne, Chairperson of the Committee on Assignments, reported that the Committee recommends that **Senate Bill No. 189** be re-referred from the Committee on Executive Appointments to the Committee on Executive.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Noland, **Senate Bill No. 262** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 262

AMENDMENT NO. 1. Amend Senate Bill 262 on page 1, by replacing lines 4 through 19 with the following:

"Section 5. The Department of Human Services Act is amended by adding Section 10-65 as follows:
(20 ILCS 1305/10-65 new)

Sec. 10-65. Hunger Relief Fund; grants.

(a) The Hunger Relief Fund is created as a special fund in the State treasury. From appropriations to the Department from the Fund, the Department shall make grants to members of the Illinois Food Bank Association for the purpose of making capital improvements, purchasing food, or acquiring other assets.

(b) Moneys received for the purposes of this Section, including, without limitation, appropriations, gifts, donations, grants, and awards from any public or private entity must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund."

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Schoenberg, **Senate Bill No. 265**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Collins, **Senate Bill No. 268** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 268

AMENDMENT NO. 1. Amend Senate Bill 268 on page 1, line 7, by replacing "The" with "Subject to appropriation, the"; and

by deleting line 1 on page 3 through line 20 on page 5.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Cronin, **Senate Bill No. 271**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **Senate Bill No. 279**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **Senate Bill No. 283** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 283

AMENDMENT NO. 1. Amend Senate Bill 283 on page 1, by replacing line 5 with the following:

"7-43 and by adding Section 1A-45 as follows:

(10 ILCS 5/1A-45 new)

Sec. 1A-45. Candidate information sheet. The State Board of Elections shall prepare an easy to read, one page information sheet that local election authorities may give to any person interested in running for public office. The one page sheet must include:

(1) Directions to information about petition requirements, including administrative directions such as what the petition should look like.

(2) Directions for obtaining a Candidates Guide.

(3) Directions to a list of key election dates.

(4) Directions for finding out more information about campaign finance disclosure."; and

on page 2, by replacing lines 12 and 13 with the following:

"established political party from being nominated subsequently as the candidate of a different".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 289** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 289

AMENDMENT NO. 1. Amend Senate Bill 289 on page 1, line 5, by deleting "6,"; and

on page 1, by deleting lines 7 through 23; and

on page 2, by deleting lines 1 through 26; and

on page 3, by deleting lines 1 through 14; and

on page 3, line 17, by deleting "annually".

Senate Floor Amendment No. 2 was held in the Committee on Licensed Activities.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Noland, **Senate Bill No. 298** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 298

AMENDMENT NO. 1. Amend Senate Bill 298 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Sections 12-7.7, 12-7.8, and 12-30.5 as follows:

(720 ILCS 5/12-7.7 new)

Sec. 12-7.7. Action for issuance or violation of stalking protective order.

(a) A complainant may bring a civil action in a circuit court for a court's stalking protective order against an individual person as respondent if:

(1) the respondent intentionally, knowingly, or recklessly engages in repeated and unwanted contact with the complainant or a member of the complainant's immediate family or household thereby alarming or coercing the complainant;

(2) it is objectively reasonable for a person in the complainant's situation to have been alarmed or coerced by the respondent's contact; and

(3) the repeated and unwanted contact by the respondent causes the complainant reasonable apprehension regarding the personal safety of the complainant or a member of the complainant's immediate family or household.

(b) At the time the petition is filed, the court, upon a finding of probable cause based on the allegations in the petition, shall enter a temporary court's stalking protective order that may include, but is not limited to: (1) prohibiting acts of stalking or aggravated stalking in violation of Section 12-7.3 or 12-7.4. (2) prohibiting such contacts by the respondent with the complainant or the complainant's family or household members as the court deems necessary to protect the safety of those persons; and (3) any other conditions that the court deems necessary to prevent further acts of stalking or aggravated stalking, communication, or other contact of any kind by the respondent. The petition and the temporary order shall be served upon the respondent with an order requiring the respondent to personally appear before the court to show cause why the temporary order should not be continued for an indefinite period.

(c) At the hearing, whether or not the respondent appears, the court may continue the hearing for up to 30 days or may proceed to enter a court's stalking protective order. If the respondent fails to appear after being served as required by subsection (b) of this Section, the court may issue a warrant of arrest in order to ensure the appearance of the respondent in court.

(d) The court may award reasonable attorney's fees as follows:

(i) to the complainant, if the complainant is the prevailing party; or

(ii) to the respondent, if the respondent is the prevailing party and if the court determines that the petition is frivolous in nature.

(e) The court may enter an order under this Section against a minor respondent without appointment of a guardian ad litem.

(f) An action under this Section must be commenced within 2 years of the conduct giving rise to the claim.

(g) Proof of the claim shall be by a preponderance of the evidence.

(h) The remedy provided by this Section is in addition to any other remedy, civil or criminal, provided by law for the conduct giving rise to the claim.

(i) No filing fee, service fee, or hearing fee shall be charged for a proceeding under this Section if a court's stalking order is the only relief sought.

(j) If the respondent was provided notice and an opportunity to be heard, the court shall also include in the order, when appropriate, terms and findings sufficient under 18 U.S.C. 922 (d)(8) and (g)(8) to affect

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the respondent's ability to possess firearms and ammunition or engage in activities involving firearms.

(k) Section 12-7.8 applies to protective orders issued under this Section.

(720 ILCS 5/12-7.8 new)

Sec. 12-7.8. Service of order; entry of order into LEADS.

(a) Whenever a stalking protective order, as authorized by Section 12-7.7, is issued and the respondent has actual notice of the order, the person serving the order shall deliver forthwith to the county sheriff a true copy of the order and an affidavit of proof of service on which it is stated that personal service of the order was made on the respondent. If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service of the order is waived and accompanying proof of service is not necessary. Upon receipt of proof of service, when required, and a true copy of the order, the county sheriff shall forthwith enter the order into the Law Enforcement Agencies Data System (LEADS) maintained by the Department of State Police and into the databases of the National Crime Information Center of the United States Department of Justice. The sheriff shall also provide the complainant with a true copy of the proof of service. Entry into the Law Enforcement Agencies Data System (LEADS) constitutes notice to all law enforcement agencies of the existence of such order. Law enforcement agencies shall establish procedures adequate to ensure that an officer at the scene of an alleged violation of such order may be informed of the existence and terms of the order. The order shall be fully enforceable in any county in this State. The complainant may elect to deliver documents personally to a county sheriff or to have them delivered by a private person for entry into the Law Enforcement Agencies Data System (LEADS) and the databases of the National Crime Information Center of the United States Department of Justice.

(b) When a stalking protective order has been entered into the Law Enforcement Agencies Data System (LEADS) and the databases of the National Crime Information Center of the United States Department of Justice under subsection (a) of this Section, a county sheriff shall cooperate with a request from a law enforcement agency from any other jurisdiction to verify the existence of the stalking protective order or to transmit a copy of the order to the requesting jurisdiction.

(c) When a stalking protective order described in subsection (a) of this Section is terminated by order of the court, the clerk of the court shall deliver forthwith a true copy of the termination order to the county sheriff with whom the original order was filed. Upon receipt of the termination order, the county sheriff shall promptly remove the original order from the Law Enforcement Agencies Data System (LEADS) and the databases of the National Crime Information Center of the United States Department of Justice.

(720 ILCS 5/12-30.5 new)

Sec. 12-30.5. Violating a court's stalking protective order.

(a) A person commits the offense of violating a court's stalking protective order when:

(1) the person has been served with a court's stalking protective order for which he or she is the respondent as provided in Section 12-7.7 or if further service was waived under Section 12-7.8 because the person appeared before the court; and

(2) the person, subsequent to the service of the order, has engaged intentionally, knowingly, or recklessly in conduct prohibited by the order.

(b) Sentence.

(1) Violating a court's stalking protective order is a Class A misdemeanor.

(2) Violating a court's stalking protective order is a Class 4 felony if the person has a prior conviction for:

(A) stalking or aggravated stalking; or

(B) violating a court's stalking protective order.

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Kotowski, **Senate Bill No. 321**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 328** having been printed, was taken up, read by title a second time.

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

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AMENDMENT NO. 1 TO SENATE BILL 328

AMENDMENT NO. 1. Amend Senate Bill 328 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Residential Building Code Act is amended by changing Sections 10 and 15 as follows:

(815 ILCS 670/10)

Sec. 10. Definitions. In this Act:

"International Residential Code" means the International Residential Code for One and Two Family Dwellings published by the International Code Council, as now or hereafter amended by the Council.

"New residential construction" means any original construction of a single-family home or a dwelling containing 2 or fewer apartments, condominiums, or town houses.

"Residential building code" means an ordinance, resolution, law, housing or building code developed and adopted by a recognized model code organization, or zoning ordinance that establishes, for residential building contractors, construction-related activities applicable to single-family or 2-family residential structures.

"Residential building contractor" means any individual, corporation, or partnership that constructs a fixed building or structure for sale or use by another as a residence or that, for a price, commission, fee, wage, or other compensation, undertakes or offers to undertake the construction of any building or structure to be used by another as a residence, if the individual, corporation, or partnership reasonably expects to earn a financial profit from that activity.

(Source: P.A. 93-778, eff. 1-1-05.)

(815 ILCS 670/15)

Sec. 15. Adoption of building code. A contract to build a home (1) in any municipality in this State that does not have a residential building code in effect or (2) in any portion of a county that is not located within a municipality and does not have a residential building code in effect must adopt as part of the construction contract the applicability of a residential building code that is agreed to by the home builder and the home purchaser as provided in this Section. The home builder and the home purchaser may agree to adopt any extant municipal residential building code or county residential building code that is in effect on the first day of construction in any county or municipality within the State of Illinois that is within 100 miles of the location of the new home. If the home builder and the home purchaser fail to agree to a residential building code or if no residential building code is stated in the contract, the plumbing code promulgated by the Illinois Department of Public Health under Section 35 of the Illinois Plumbing License Law, the National Electric Code as adopted by the American National Standards Institute, and the International Residential Code shall, by law, be adopted as part of the construction contract.

(Source: P.A. 93-778, eff. 1-1-05.)

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Kotowski, **Senate Bill No. 329**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 330**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 337** having been printed, was taken up, read by title a second time.

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 337

AMENDMENT NO. 1. Amend Senate Bill 337 by replacing everything after the enacting clause with the following:

"Section 5. The Metro-East Sanitary District Act of 1974 is amended by changing Sections 5-1 and [March 19, 2009]

5-2 and by adding Section 2-11 as follows:

(70 ILCS 2905/2-11 new)

Sec. 2-11. Annexation. Notwithstanding any other provision of law, the board of commissioners of a sanitary district may, by ordinance, annex property within any unit of local government, including a home rule unit, if the property is contiguous to the corporate limits of the sanitary district and served by the sanitary district. The ordinance must describe the property to be annexed. A copy of the ordinance with an accurate map of the annexed property, certified as correct by either the clerk or the executive director of the district, shall be filed with the county clerk of the county in which the annexed property is located or the county clerk of the county in which the predecessor district was organized. For the purposes of this Act, property is served by a sanitary district if (i) the property is served by any work or improvements of the sanitary district either then existing or then authorized by the sanitary district; or (ii) the property is within the boundaries of any work or improvements of such sanitary district including but not limited to levees, flood walls, and embankments that protect or reduce the risk to the property from overflow from any river, tributary stream, or water-course. Upon annexation into the corporate limits of the sanitary district under this Section, the property shall be subject to the all powers and rights of the district and its board of commissioners for all purposes, including but not limited to taxation, and subject to all ordinances of the district as though the property had been within the corporate limits when the district was organized under this Act.

(70 ILCS 2905/5-1) (from Ch. 42, par. 505-1)

Sec. 5-1. Taxes; levy.

(a) The board may levy and collect taxes for corporate purposes on taxable property within the corporate boundaries of the district including property annexed pursuant to Section 2-11. Such taxes shall be levied by ordinance specifying the purposes for which the same are required, and a certified copy of such ordinance shall be filed with the county clerk of the county in which the predecessor district was organized, on or before the second Tuesday in August, as provided in Section 122 of the Revenue Act of 1939 (superseded by Section 14-10 of the Property Tax Code). Any excess funds accumulated prior to January 1, 2008 by the sanitary district that are collected by levying taxes pursuant to 745 ILCS 10/9-107 may be expended by the sanitary district to maintain, repair, improve, or construct levees or any part of the levee system and to provide capital moneys for levee or river-related scientific studies, including the construction of facilities for such purposes. For the purposes of this subsection (a), the excess funds withdrawn from the Local Governmental and Governmental Employees Tort Immunity Fund may not be more than 90% of the balance of that fund on December 31, 2007. After the assessment for the current year has been equalized by the Department of Revenue, the board shall, as soon as may be, ascertain and certify to such county clerk the total value of all taxable property lying within the corporate limits of such districts in each of the counties in which the district is situated, as the same is assessed and equalized for tax purposes for the current year. The county clerk shall ascertain the rate per cent which, upon the total valuation of all such property, ascertained as above stated, would produce a net amount not less than the amount so directed to be levied; and the clerk shall, without delay, certify under his signature and seal of office to the county clerk of such other county, in which a portion of the district is situated such rate per cent; and it shall be the duty of each of the county clerks to extend such tax in a separate column upon the books of the collector or collectors of the county taxes for the counties, against all property in their respective counties, within the limits of the district. All taxes so levied and certified shall be collected and enforced in the same manner, and by the same officers as county taxes, and shall be paid over by the officers collecting the same, to the treasurer of the sanitary district, in the manner and at the time provided by the Property Tax Code. The aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of bonded indebtedness and interest thereon, shall not exceed the rate of .20%, or the rate limitation of the predecessor district in effect on July 1, 1967, or the rate limitation set by subsection (b) whichever is greater, of value, as equalized or assessed by the Department of Revenue. The foregoing limitations upon tax rates may be increased or decreased under the referendum provisions of the Property Tax Code.

(b) The tax rate limit of the district may be changed to .478% of the value of property as equalized or assessed by the Department of Revenue for a period of 5 years and to .312% of such value thereafter upon the approval of the electors of the district of such a proposition submitted at any regular election pursuant to a resolution of the board of commissioners or submitted at an election for officers of the counties of St. Clair and Madison in accordance with the general election law upon a petition signed by not fewer than 10% of the legal voters in the district, which percentage shall be determined on the basis of the number of votes cast at the last general election preceding the filing of such petition specifying the tax rate to be submitted. Such petition shall be filed with the executive director of the district not more than 10 months nor less than 5 months prior to the election at which the question is to be submitted to

[March 19, 2009]

the voters of the district, and its validity shall be determined as provided by the general election law. The executive director shall certify the question to the proper election officials, who shall submit the question to the voters.

Notice shall be given in the manner provided by the general election law.

Referenda initiated under this subsection shall be subject to the provisions and limitations of the general election law.

The question shall be in substantially the following form:

 Shall the maximum tax rate
 for the Metro-East Sanitary
 District be established at YES
 .478% of the equalized assessed
 value for 5 years and then at .312% -----
 of the equalized assessed value
 thereafter, instead of .2168%, the NO
 maximum rate otherwise applicable
 to the next taxes to be extended?

The ballot shall have printed thereon, but not as a part of the proposition submitted, an estimate of the approximate amount extendable under the proposed rate and of the approximate amount extendable under the rate otherwise applicable to the next taxes to be extended, such amounts being computed upon the last known equalized assessed value; provided, that any error, miscalculation or inaccuracy in computing such amounts shall not invalidate or affect the validity of any tax rate limit so adopted.

If a majority of all ballots cast on such proposition shall be in favor of the proposition, the tax rate limit so established shall become effective with the levy next following the referendum; provided that nothing in this subsection shall be construed as precluding the extension of taxes at rates less than that authorized by such referendum.

Except as herein otherwise provided, the referenda authorized by the terms of this subsection shall be conducted in all respects in the manner provided by the general election law.

(Source: P.A. 95-723, eff. 6-23-08.)

(70 ILCS 2905/5-2) (from Ch. 42, par. 505-2)

Sec. 5-2. Bonds. Subject to the referendum provided for in Section 5-3, the board may borrow money for corporate purposes on the credit of the corporation, and issue bonds therefor, in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner, or for any purpose, to an amount, including existing indebtedness, in the aggregate to exceed 5.75% of the value of the taxable property, including property annexed pursuant to Section 2-11, in said district, to be ascertained by the last assessment for taxes previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979 ; and before or at the time of incurring any indebtedness, shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt, as it falls due, and also to pay and discharge the principal thereof, within 20 years after contracting the same.

The bonds shall be sold to the highest and best responsible bidder therefor. Notice of the time and place bids will be publicly opened shall be given by publication in a newspaper having general circulation in the district, once each week for 3 successive weeks, the last publication to be at least one week prior to the time specified in the notice for the opening of bids.

(Source: P.A. 81-165.)"

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 153

Offered by Senator Haine and all Senators:

Mourns the death of Pastor Fred Winters of Maryville.

SENATE RESOLUTION NO. 156

[March 19, 2009]

Offered by Senator Lightford and all Senators:
Mourns the death of I. J. Gardner.

SENATE RESOLUTION NO. 157

Offered by Senator Frerichs and all Senators:
Mourns the death of Louis Frederick Welch of Urbana.

SENATE RESOLUTION NO. 158

Offered by Senator Forby and all Senators:
Mourns the death of Donald Piazza of Benton.

SENATE RESOLUTION NO. 159

Offered by Senator Forby and all Senators:
Mourns the death of Regina “Jeannie” Kay Hansford of Johnston City.

SENATE RESOLUTION NO. 160

Offered by Senator Forby and all Senators:
Mourns the death of Lavada Ruth Caraker Henderson of Anna.

SENATE RESOLUTION NO. 161

Offered by Senator Forby and all Senators:
Mourns the death of Brother Paul McGinnis of Metropolis.

SENATE RESOLUTION NO. 162

Offered by Senators Raoul – Althoff – Millner – Munoz and all Senators:
Mourns the death of Rachel M. “Grammy” Sweitzer, nee Fairbanks, of Wilmette.

HOUSE JOINT RESOLUTION NO. 36

Offered by Senator Haine and all Senators:
Mourns the death of Pastor Fred Winters of Maryville.

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

At the hour of 1:39 o'clock p.m., pursuant to **Senate Joint Resolution No. 53**, the Chair announced the Senate stand adjourned until Tuesday, March 24, 2009, at 12:00 o'clock noon.