

2011-2012 Senate Synopsis Book

Committee I - Education and Family Services

SB 0114 - Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois. Provides that the tuition and fee rates for students for the 2011-2012 and 2012-2013 academic years must not be more than the tuition and fees rates in effect for the 2010-2011 academic year. Effective immediately.

SB 0120 - Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois. Requires the governing board of each public university and community college district to establish an Office of Advising for First Generation College Students to serve those students who are the first in their family to attend an institution of higher education.

SB 0122 - Amends the Board of Higher Education Act. In a Section concerning the underrepresentation of certain groups in higher education, requires the Board of Higher Education to require all public institutions of higher education to track the status of those students who are the first in their family to attend an institution of higher education. With respect to the Board's annual report to the General Assembly and the Governor, requires the report to include, with respect to each public institution of higher education, the status of those students who are the first in their family to attend an institution of higher education.

SB0131 - Amends the State Officials and Employees Ethics Act. Authorizes the Governor to appoint an Executive Inspector General for Higher Education to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of the Act by public institutions of higher education, their officers, and their employees. Provides that the term of the initial Executive Inspector General for Higher Education shall commence upon qualification and shall run through June 30, 2013. Requires the initial appointment of the Executive Inspector General for Higher Education to be made within 60 days after the effective date of the amendatory Act.

SB0135 - Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois. Removes the power of the governing board of each public university and community college district to establish tuition rates and fees. Provides that for the 2011-2012 academic year and each academic year thereafter, the tuition and fee rates for students must be equal to the tuition and fee rates in effect for the 2010-2011 academic year or such lesser or greater amount as may be established by law by the General Assembly. Effective immediately.

SB0136 - Amends the School Code. Requires the parents or legal guardians of children attending non-public schools, a defined term, or private or parochial schools to annually register their children with the State Board of Education, in conformance with procedures prescribed by the State Board of Education.

SB0150 - Creates the Protecting Our Student Athletes Act. Provides that the Act applies to all schools and park districts within this State that operate or sponsor athletic programs or extracurricular activities.

Requires the State Board of Education and park districts to develop and disseminate guidelines on policies to inform and educate coaches and athletes and their parents or guardians of the nature and risk of concussions, criteria for removal from and return to play, and the risks of not reporting the injury and continuing to play. Requires each school and park district to develop and implement policies and procedures to ensure compliance with the guidelines, as well as the identification and handling of suspected concussions in athletes. Sets forth what the policies must require. Contains provisions concerning liability and records of compliance. Effective July 1, 2011.

SB1228 - Amends the Criminal Code of 1961. Provides that the penalty for attempted child abduction is a Class 3 felony (rather than a Class A misdemeanor). Provides that the penalty for child abduction is a Class X (rather than a Class 4) felony. Eliminates provision that a second or subsequent violation for child abduction by intentionally luring or attempting to lure a child under the age of 16 into a motor vehicle, building, housetrailer, or dwelling place without the consent of the child's parent or lawful custodian for other than a lawful purpose is a Class 3 felony.

SB1292 - Amends the Juvenile Court Act of 1987 giving the court the ability to require the Department of Juvenile Justice to report about efforts to secure post-release placement.

SB1317 - Amends the School Code. Provides that after June 1, 2011 persons may not be nominated for General Assembly scholarships and that General Assembly scholarships may not be awarded after that date unless the nomination is made prior to that date. Prevents both second nominations for any lapsed General Assembly scholarship and nominating persons to the unused or unexpired parts of any vacated General Assembly scholarship after June 1, 2011. Effective immediately.

SB1619 - Creates the Personal Responsibility Education Program Act. Provides that if an elementary or secondary public school offers sex education or sexual health education, the education must be medically accurate and developmentally and age appropriate and must include instruction regarding the benefits of delaying or abstaining from sexual activity. Requires school districts to make curriculum and course materials available for viewing upon request. Provides that a pupil must be excused for any part of the instruction at the written request of his or her parent or guardian. Provides that a pupil must not be subject to disciplinary action, an academic penalty, or any other sanction if the pupil's parent or guardian requests in writing that the pupil not receive the instruction. Requires the Department of Human Services to adopt rules; specifies requirements for the rules. With respect to teen pregnancy prevention and sexual health education, requires this State, through the appropriate State agency or department, to seek available funds from the federal government allocated to evidenced-based teen pregnancy prevention programs. Amends the School Code to make changes concerning sex education course material and instruction requirements. Amends the Critical Health Problems and Comprehensive Health Education Act to replace references from "abstinence until marriage" to "abstinence" in a Section setting forth what areas the comprehensive health education program must include.

SB1630 - Amends the Children with Disabilities Article of the School Code. Provides that the due process hearing data provided by the State Board of Education for the Annual State Report on Special Education Performance must be submitted to the School Bullying Prevention Task Force. Effective immediately.

SB1949 - Amends the Juvenile Court Act of 1987 relating to abused, neglected, and dependent minors. Provides that the initial permanency hearing shall be held within 12 months from the date temporary custody of the minor was taken, regardless of whether an adjudication or dispositional hearing has been completed within that timeframe. Effective immediately.

SB2097 - Creates the Early Graduation Tuition Waiver Act. Provides that if a student graduates from grades 9 through 12 at a secondary school in this State that is recognized by the State Board of Education in less than 4 school years, then he or she is entitled to receive a tuition waiver to a public

university in this State, with the length of the tuition waiver being equal to the difference between 8 semesters and the actual number of semesters the student was enrolled in grades 9 through 12. Provides that each year, the State Board shall receive and consider applications for these tuition waivers and award these tuition waivers to eligible applicants. Effective July 1, 2011.

SB2144 - Amends the School Construction Law. Provides that "school district" includes a public university laboratory school. Provides that the grant index for a university lab school shall be 100%. Provides that a university lab school that makes application for school construction funds shall be placed on the respective application cycle list, university lab schools must be placed following any Type 40 area vocational centers on the priority listing of eligible entities for the applicable fiscal year, and the grant amount for a university lab school shall be 100% of the recognized project cost, as determined by the Capital Development Board.

SB2149 - Creates the Financial Oversight Panel Law of the School Code. Allows a school district (other than the Chicago school district) to petition the State Board of Education for the establishment of a Financial Oversight Panel for the district. Allows the State Board to establish a Financial Oversight Panel without a petition from a district. Contains provisions concerning duties of the district; members and meetings of a Panel; powers of a Panel; officers of a Panel; collective bargaining agreements; deposits and investments; cash and bank accounts; the financial, management, and budgetary structure; the School District Emergency Financial Assistance Fund; grants and loans; the issuance of bonds; a tax levy; a debt service fund; a debt service reserve fund; bond anticipation notes; tax anticipation warrants; reports; a Panel audit; Panel property being exempt from taxation; sanctions; and abolition of a Panel. Makes related changes in the School Code and the Property Tax Code. Effective July 1, 2011.

SB2151 - Amends the Criminal Code of 1961. Prohibits adjudicated juvenile delinquent child sex offenders from being present in certain places or loitering near such places when persons under 18 are present. Provides exemptions. Provides that the penalty for violation is a Class 4 felony.

SB2197 - Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that it is presumed that each parent is fit and that a fit parent acts in the best interest of his or her child, unless either presumption is rebutted. It is presumed that, absent a written parental agreement on residential time-sharing arrangements for a child, it is in the best interest of the child to reside with each parent for an equal period of time. Provides that in a proceeding for a temporary child custody order or a parenting time order, there shall be a rebuttable presumption that it is in the best interest of the child to order joint custody and to allocate parenting time to each parent for an equal period of time, absent a written parental agreement to the contrary. Effective immediately.

Committee II - Environment and Human Services

SB0104 - Amends the Child Care Act of 1969. Provides that the Illinois Department of Children and Family Services shall charge a fee not to exceed \$500 for issuing or renewing a license on every child care facility, other than a foster home. Provides that the Department may fine a day care facility for a violation of the Act. Provides that all fees and fines collected by the Department under the Act shall be deposited into the DCFS Children's Services Fund and must be used to enhance services by the Department pursuant to the Act. Provides that the Department shall publish information on substantiated violations found in all day care facilities licensed under this Act. Requires that the Department prescribe and publish a schedule for the fees and fines for violations of day care centers under the Act. Adds as one of the grounds for discipline the failure to pay a renewal fee or fine owed to the Department under the Act. Makes other changes.

SB0128 - Creates the Healthy Workplace Act. Requires an employer to provide an employee up to 7 sick days with pay during each 12-month period. Provides that an employee may use the sick days care for physical or mental illness, injury, medical condition, professional medical diagnosis or care, or a medical appointment of the employee or a family member. Contains provisions regarding: accrual; certification; notice; responsibilities of employers; unlawful practices; powers and duties of the Department of Labor; violations; penalties; civil liability; severability; and other matters.

SB0140 - Creates the Interventional Pain Medicine Act. Defines "interventional pain medicine", "interventional techniques", and other related terms. Provides that a person shall not practice or offer to practice interventional techniques for pain medicine in this State unless such person is a physician licensed to practice medicine in all its branches. Provides that a violation is a Class A misdemeanor. Provides that interventional techniques may not be delegated. Permits the performance of noninvasive or nonsurgical procedures by a licensed chiropractic physician or licensed physical therapist in accordance with the law or the performance of nonsurgical pain care and treatment authorized by the statutory scope of practice for other licensed health care workers or delegated by a physician licensed to practice medicine in all its branches. Effective July 1, 2011.

SB0167 - Amends the Illinois Municipal Code. Provides that a municipality may regulate wind farms and electric-generating wind devices without creating a zoning commission or adopting a zoning ordinance for the entire municipality. Provides that the authorization applies to ordinances adopted before, on, or after the effective date of the amendatory Act by a municipality to regulate wind farms and electric-generating wind devices within 1.5 miles of the corporate boundaries of the municipality. Effective immediately.

SB1258 - Amends the State Finance Act. Changes the name of the State Rail Freight Loan Repayment Fund to the State Rail Freight Fund. Creates the Building Our Economy Transportation Fund. Provides that money in the Road Fund shall be used for public transportation and for the payment of debts incurred in construction of public transportation facilities. Amends the Motor Fuel Tax Law. Provides that an amount of the motor fuel tax shall be deposited into the Building Our Economy Transportation Fund. Amends the Illinois Highway Code. Provides that a county board or municipality may use motor fuel tax money for construction of public transportation facilities. Effective immediately.

SB1316 - Creates the Renewable Energy Production District Act. Provides that any area within the boundaries of a single county may be incorporated as a renewable energy production district. Sets forth the procedure for establishing a renewable energy production district. Provides that a board of trustees shall govern a renewable energy production district. Sets forth the appointment, terms, and powers of the board members. Authorizes the board to sell the renewable energy produced by a renewable energy facility. Contains other provisions. Effective immediately.

SB1329 - Amends the Tanning Facility Permit Act. Provides that a tanning facility may not permit any person less than 18 years of age to use the facility, regardless of whether such a person has the permission of a parent or guardian to use the facility.

SB1337 - Amends the Wildlife Code. Provides for the hunting and trapping of river otters. Provides that the season limit for river otter shall not exceed 5 river otters per person per season. Provides that possession limits shall be 10 per person per season limit except that this restriction shall not apply to fur buyers, tanners, manufacturers, and taxidermists. Requires that the pelts of river otters shall be tagged in accordance with federal regulations. Provides that the Department may require harvest registration and set forth procedures, fees for registration, and the process of tagging pelts in administrative rules. Sets fees for registration and tagging shall not exceed \$5 per pelt. Effective immediately.

SB1363 - Amends the Covering ALL KIDS Health Insurance Act. Provides that to be eligible for benefits under the Act, an individual who is otherwise eligible must be either a United States citizen or included in one of certain specified categories of non-citizens. Provides that the Department of Healthcare and Family Services may, by rule, cover prenatal care or emergency medical care for non-citizens who are not otherwise eligible under these provisions. Provides that nothing in these provisions affects the eligibility status of a child enrolled in the program on the effective date of the amendatory Act. Effective immediately.

SB1381 - Amends the State Finance Act. Creates the Grade Crossing Separation Fund as a special fund in the State treasury. Provides that \$5,000,000 shall be transferred to the Fund from the Motor Fuel Tax Fund each month. Provides that moneys in the Fund shall be used by the Department of Transportation to separate railroad crossings used by passenger rail operators. Provides that the Department may adopt rules to administer the Fund. Effective immediately.

SB1567 - Amends the Environmental Protection Act. Requires the Environmental Protection Agency, within 2 years after the effective date of the amendatory Act, to make all permit applications on-line, editable, and savable files. Effective immediately.

SB1618 - Amends the Illinois Insurance Code. Provides that a health insurance issuer offering group or individual health insurance coverage shall, with respect to each plan year, provide an annual rebate to each enrollee under such coverage, on a pro rata basis, if the medical loss ratio for the plan year meets specified criteria. Sets forth guidelines for calculating the medical loss ratio. Effective immediately.

SB1657 - Amends the Illinois Finance Authority Act. Provides that the Illinois Finance Authority has the power to purchase special service area bonds and to accept assignments or pledges, or both, of special service area bonds or agreements relating to public and private green special service area projects. Amends the Special Service Area Tax Law in the Property Tax Code. Provides that the corporate authorities of a county or a municipality may establish a green special service area. Provides that those green special service areas shall include only property for which each owner of record has executed a contract or agreement with the county or municipality consenting to the inclusion of the property within the

green special service area. Provides that the owner of record of each parcel of property within a green special service area may arrange for specific energy efficiency improvements, renewable energy improvements, or water use improvements and may obtain financing for those improvements through the process set forth in the ordinance establishing the green special service area. Provides that counties and municipalities may levy property taxes in connection with green special service areas. Provides that counties and municipalities may issue bonds in connection with green special service areas and may sell, assign, or pledge those bonds to the Illinois Finance Authority. Amends the Counties Code and the Illinois Municipal Code to provide that each county or municipality shall have the power and authority to engage in specified activities that relate to green special service areas. Effective immediately.

SB1759 - Amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services shall require all generic drug manufacturers whose products are to be provided to Medicaid recipients to compete in a competitive bidding process created by the Department to ensure that the Department is providing Medicaid recipients with quality generic products at a competitively bid cost.

SB1809 - Amends the AIDS Confidentiality Act. Provides that the identity of any person upon whom an HIV test is performed, and the results of such a test in a manner which permits identification of the subject of the test may be disclosed to a court in accordance with the provisions of the statute concerning the offense of criminal transmission of HIV. Amends the Criminal Code of 1961 concerning criminal transmission of HIV. Changes the definition of "intimate contact with another" to the direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may reasonably transmit HIV. Provides that a prosecuting entity may issue a subpoena duces tecum for the records of a person charged with the offense of criminal transmission of HIV or a subpoena for the attendance of a person with relevant knowledge thereof so long as the return of the records or attendance of the person pursuant to the subpoena is submitted initially to the court for an in camera inspection. Provides that only upon a finding by the court that the records or proffered testimony are relevant to the pending offense, the information sought by the subpoena shall be disclosed to the prosecuting entity and admissible if otherwise permitted by law. Effective immediately.

SB1912 - Amends the Unified Code of Corrections. Provides that a period of probation, a term of periodic imprisonment, or conditional discharge shall not be imposed for conviction for aggravated assault if a firearm is used in the commission of the assault of a peace officer, a community policing volunteer, a private security officer, fireman, an emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, or other medical assistance or first aid personnel while such person is engaged in the execution of any of his or her official duties, or to prevent such person from performing his or her official duties, or in retaliation for the person performing his or her official duties. Effective immediately.

SB2001 - Amends the Professional Boxing Act. Changes the short title to the Boxing and Full-contact Martial Arts Act. Provides that all professional and amateur contests, or combination of both, are prohibited unless authorized by the Department, unless one of the exemption applies. Provides that compensation for professional contests shall be determined by the Department and it shall be the promoters that pay the compensation. Requires a person to register as an amateur with the Department before competing in an amateur contest and provides requirements for an applicant to register as an amateur in a full-contact martial arts contest. Increases the civil penalty to \$10,000 from \$5,000 for anyone who violates the licensing provisions of the Act. Provides requirements for the logistics, including required medical personnel to be present, location and length of contests, and required officials to be

present for professional or amateur, or combination of both, contests to be held in accordance with the Act. Requires promoters to pay to the Department of Revenue 3% of the first \$500,000 and 4% of additional total gross receipts from the sale, lease, or other exploitation of broadcasting, including, but not limited to, Internet, cable, television, and motion picture rights for that professional or amateur contest in addition to payment of any other taxes or money due. Permits the Department to disclose information and documents related to an examination or investigation of a licensee, registrant, or applicant only to law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Makes other changes. Amends the Regulatory Sunset Act to extend the Act from January 1, 2012 to January 1, 2022. Effective immediately.

SB2153 - Creates the Employment Advertisement Fairness Act. Provides that no employer, employment agency, labor organization, or an agent or representative of any such entity shall publish in print or on the Internet an advertisement for a job that contains a statement indicating that current employment is a job qualification or that an applicant who is not employed will not be considered. Provides that a violation is a civil penalty not to exceed \$5,000 for the first violation and \$10,000 for each subsequent violation, collectible by the Department of Labor in a proceeding under rules adopted by the Department. Amends the Illinois Human Rights Act. Provides that the public policy of this State in the area of employment is modified to include: to prevent discrimination based on unemployment status or on a gap in employment history. Provides that unless otherwise authorized by law, it is a civil rights violation for any employer, employment agency, or labor organization to inquire into or to use a prospective employee's unemployment status or gap in employment history as a basis to refuse to hire or to act with respect to recruitment, hiring, or other employment decisions. Effective immediately

SB2484 - Amends the Downstate Forest Preserve District Act. Provides that no land owned or acquired by a forest preserve may be used for any sand, gravel, or other mining operation. Prohibits a forest preserve district from transferring any land or interest in land to an entity that the district has reason to know intends to construct any mining operation, and provides that when transferring land to an entity the district must impose a covenant in the transfer that prohibits the development of any mining operation. Exempts any previous or current mining operations in a district from this prohibition.

Committee III - Firearms, Liquor, and Tobacco

SB0027 - Amends the Firearm Owners Identification Card Act. Provides that notwithstanding any other provision of law, the names and information of applicants or holders of a Firearm Owner's Identification ("FOID") Card are considered private and shall not be disclosed. Provides that no State or local law enforcement agency shall provide lists of information pertaining to FOID Card holders or applicants. Provides that a law enforcement agency may disclose whether an individual has or has not been issued, applied for, or denied a FOID Card in connection with a criminal investigation. Effective immediately.

SB0033 - Amends the Firearm Owners Identification Card Act. Strikes a clause preventing provisions of ordinances from being invalid when they impose greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act. Provides that regulation of the ownership and possession of firearms and related items are the exclusive powers of the State. Provides that a local government may not require registration, reporting of the sale or transfer of a firearm, or may not keep a firearms registry. Provides that any existing or future local ordinances or resolutions imposing any registration requirement on firearms and related items are invalid or void. Effective immediately.

SB0034 - Amends provisions of the Illinois Municipal Code stating that certain municipal officials are conservators of the peace after completion of a training course administered by the Illinois Law Enforcement Training Standards Board. Provides that those provisions do not apply to any alderman,

councilman, or trustee of a municipality that restricts or prohibits the private ownership or possession of any firearms by residents of that municipality by ordinance or resolution. Amends the Criminal Code of 1961. Provides that a violation of the offense of aggravated unlawful use of a weapon by any alderman, councilman, or trustee of a municipality not entitled to carry or possess a firearm in accordance with those provisions of the Illinois Municipal Code is a Class 3 felony. Effective immediately.

SB0050 - Amends the Liquor Control Act of 1934. Provides that no product that combines beer or any other alcoholic liquor with caffeine, guarana, taurine, or other similar substances that are commonly referred to as "alcohol energy drinks" may be imported into the State or produced, manufactured, distributed, sold, or offered for sale in this State by a licensee under the Act.

SB0066 - Amends the Probate Act of 1975. Provides that before the distribution of a firearm to the distributee of an estate, other than a small estate or an estate independently administered, the representative must transmit to the court a written statement that the distributee is lawfully eligible to own and possess a firearm under the federal Gun Control Act of 1968, the Criminal Code of 1961, and the Firearm Owners Identification Card Act and that the distributee possesses a valid Firearm Owner's Identification Card issued in his or her name by the Department of State Police. Provides that if the court is satisfied with the validity of the written statement, the court shall order the distribution of the firearm to the distributee. Provides that if the court is not satisfied with the validity of the written statement, the court shall order that the firearm be placed in the custody of the court until the distributee meets the requirements of this provision within a time period set by the court. Provides that if the distributee fails to meet the requirements within the time period set by the court, the court shall order the firearm to be disposed of in a manner prescribed by the court.

SB0075 - Amends the Firearm Owners Identification Card Act. Exempts from the requirement that a person who acquires or possesses a firearm, firearm ammunition, stun gun, or taser within the State must have in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police, a nonresident who is not prohibited under federal law or the laws of his or her state from owning a firearm. Effective immediately.

SB0076 - Amends the Firearm Owners Identification Card Act. Permits an Illinois resident to purchase ammunition from a person within or outside Illinois if shipment is by United States mail or by a private express carrier authorized by federal law to ship ammunition. Provides that a resident purchasing ammunition within or outside Illinois must provide the seller with a copy of his or her valid Firearm Owner's Identification Card and either his or her Illinois driver's license or Illinois State Identification Card prior to the shipment of the ammunition. Effective immediately.

SB0080 - Amends the Firearm Owners Identification Card Act. Changes, from 21 years of age or over to 18 years of age or over, the age at which a person may apply for and be issued a Firearm Owner's Identification Card without the consent of a parent or legal guardian. Effective immediately.

SB0082 - Creates the Family and Personal Protection Act. Permits the county sheriff to issue permits to carry concealed firearms to persons at least 21 years of age who meet certain requirements. Requires an applicant for a permit to have completed specified training requirements developed by the Illinois Law Enforcement Training Standards Board consisting of classroom instruction and live firing exercises. Preempts home rule. Amends the Illinois Police Training Act and the Criminal Code of 1961 to make conforming changes. Effective immediately.

SB1588 - Amends the Criminal Code of 1961. Provides that 90 days after the effective date of this amendatory Act, it is unlawful for any person within this State to knowingly manufacture, deliver, sell, purchase, or possess or cause to be manufactured, delivered, sold, purchased, or possessed a semi-automatic assault weapon, an assault weapon attachment, any .50 caliber rifle, or .50 caliber cartridge. Provides that beginning 90 days after the effective date of this amendatory Act, it is unlawful for any

person within this State to knowingly manufacture, deliver, sell, purchase, or possess or cause to be manufactured, delivered, sold, purchased, or possessed a large capacity ammunition feeding device. Provides that these provisions do not apply to a person who possessed a prohibited weapon, device, or attachment before the effective date of this amendatory Act if the person has provided proof of ownership to the Department of State Police within 90 days after the effective date of this amendatory Act. Provides that on or after the effective date of this amendatory Act, such person may transfer such device only to an heir, an individual residing in another state maintaining that device in another state, or a dealer licensed as a federal firearms dealer. Specifies penalties for violations. Provides exemptions. Provides that the provisions of the Act are severable. Effective immediately.

SB1589 - Amends the Criminal Code of 1961. Provides that unlawful use or possession of a weapons by a felon who is not confined to a penal institution or who is on parole or mandatory supervised release is an offense for which the person shall receive a mandatory sentence of imprisonment.

SB1611 - Creates the Handgun Dealer Licensing Act. Provides for the regulation of handgun dealers through licensure by the Department of State Police. Provides that no person may sell or otherwise transfer, expose for sale or transfer, or have in his or her possession with the intent to sell or transfer any concealable firearm without being licensed under the Act. Provides, however, that the prohibition does not apply to a person who makes occasional sales, exchanges, or purchases of concealable firearms for the enhancement of a personal collection or as a hobby, or who sells all or part of his or her personal collection of firearms. Sets forth provisions concerning application, fees, duration of licensure, license retention requirements, submissions to the Department, penalties, revocation, and suspension. Grants rulemaking authority to the Department and provides that for the purpose of determining compliance with the Act, the Act may be enforced by any municipality in which a licensee is located or, if a licensee is not located in a municipality, by the county in which a licensee is located. Effective immediately.

SB1639 - Amends the Criminal Code of 1961, the Unified Code of Corrections, and the County Jail Act. Permits currently employed and retired State correctional officers and county correctional officers to carry their own firearms off duty without being in violation of the unlawful use of weapons and aggravated unlawful use of a weapon statutes if they meet certain training requirements.

SB1736 - Amends the Firearm Owners Identification Card Act. Eliminates the requirement that a person must have a Firearm Owner's Identification Card to possess a firearm. Effective immediately.

SB1829 - Amends the Illinois Municipal Code. Provides that home rule municipalities may impose a tax on tobacco products, however measured.

SB1940 - Amends the Criminal Code of 1961. Provides that it is a Class 2 felony (rather than a Class 3 felony) to knowingly sell or give a firearm to a person who has been convicted of a felony or to a person under 18 years of age who does not possess a valid Firearm Owner's Identification Card. Effective immediately.

SB1963 - Creates the Concealed Carry Permit Pilot Program Act. Establishes a 2 year pilot program based in the City of Peoria that allows the City to issue a permit to a resident of Peoria, who meets the qualifications provided in this Act, authorizing the resident to carry a concealed handgun within the boundaries of the City of Peoria. Amends the Criminal Code of 1961 to make conforming changes. Effective immediately.

SB2026 - Amends the Firearm Owners Identification Card Act. Provides that a person who is not a federally licensed importer, manufacturer, or dealer and who desires to sell or transfer a firearm of a size that may be concealed upon the person to another person, who is not a federally licensed importer, manufacturer, or dealer, shall do so only at the place of business of a federally licensed firearm dealer. Provides that the federally licensed firearm dealer shall conduct a background check on the prospective

recipient of the firearm and follow all other applicable federal, State, and local laws as if he or she were the seller of the firearm. Provides that the purchaser or transferee may be required by the federally licensed firearm dealer to pay a fee not to exceed \$10 per firearm, plus other authorized fees. Makes exceptions for (i) the transfer of a firearm between spouses, a parent and child, or other family members, (ii) transfers by persons acting pursuant to operation of law or a court order, or (iii) transfers on the grounds of a gun show. Provides that the Department of State Police shall develop an Internet based system for individuals to request the Department of State Police to conduct an instant criminal background check prior to the sale or transfer of a handgun. Provides that the Department of State Police shall have the system completed and available for use by July 1, 2012.

SB2150 - Creates the Illinois License to Carry Firearms for Self-Defense Act. Authorizes the county sheriff to issue licenses to carry concealed firearms to persons at least 21 years of age who meet certain requirements. Requires an applicant for a license to have completed specified training requirements developed by the Illinois Law Enforcement Training Standards Board consisting of classroom instruction and live firing exercises. Preempts home rule. Amends the Illinois Police Training Act and the Criminal Code of 1961 to make conforming changes. Effective January 1, 2012.

Committee IV - Government, Labor, Judiciary, and Commerce

SB0002 - Amends the State Finance Act. Creates the Property Tax Rebate Trust Fund. Provides that moneys in the Fund shall be used to pay rebates to taxpayers who file an individual income tax return for a taxable year beginning in the previous calendar year and are responsible for paying real property taxes on a principal residence located in the State. Provides that \$64,583,333 shall be transferred from the General Revenue Fund into the Property Tax Rebate Trust Fund each month. Amends the Illinois Income Tax Act. Provides that the credit for residential real property taxes sunsets on December 31, 2010. Effective immediately.

SB0036 - Creates the Pension Funding and Fairness Act. Provides that the maximum annual percentage change in State fiscal year spending may not exceed the inflation adjustment factor plus the population adjustment factor. Provides that, in order to adopt an increase in State spending beyond that limit or an increase in State revenue, the measure must be approved by a three-fifths supermajority vote of each chamber of the General Assembly and must be approved by a majority of voters. Provides for the imposition of an emergency tax. Establishes the Past Due Paydown Fund, into which the Comptroller shall transfer any amount necessary up to the total past due operating debt owed by the State, and provides that the General Assembly may authorize transfers, appropriations, and allocations from the fund to fund only the costs of paying down the remaining past due debt. Requires any remaining funds to be transferred into the State Budget Stabilization Fund. Establishes the State Budget Stabilization Fund to fund the costs of State government up to the expenditure limit in years when State revenues are less than the amount necessary to finance expenditures. Limits the fund from exceeding 8% of the total General Fund revenues received in the immediately preceding fiscal year, and requires the transfer of any excess into the Taxpayer Relief Fund. Establishes the Taxpayer Relief Fund, and provides that, if the amount in that fund exceeds 1% of General Fund expenditures, then the General Assembly shall enact legislation to provide for the refund to taxpayers of amounts in the fund. Contains provisions concerning annual pension payments. Amends the State Finance Act to make conforming changes. Effective immediately.

SB0055 - Amends the Illinois Vehicle Code. Makes it unlawful: for a person under the age of 16 to operate or be a passenger on a bicycle unless he or she wears a protective bicycle helmet; for a person who weighs less than 40 pounds or is less than 40 inches in height to be a passenger on a bicycle unless the person can be and is properly seated in and adequately secured to a bicycle safety seat; and for a parent or legal guardian of a person below the age of 12 to permit the person to operate or be a passenger on a bicycle in violation of the foregoing provisions. Provides for a civil penalty, and that moneys collected under this Act shall be deposited into the Share the Road Fund. Provides that, in the case of a first offense in a 12 month period, the court shall waive the civil penalty upon receipt of satisfactory proof that the violator has, since the date of the violation, purchased or otherwise obtained an appropriate protective bicycle helmet or bicycle safety seat. Provides that failure to wear a protective bicycle helmet or to secure a passenger to a restraining seat is not admissible as evidence in a trial of any civil action. Provides that except in cases involving a parent or legal guardian of a person below the age of 12, a law enforcement officer observing a violation of the new provisions shall issue a warning to the person and shall not arrest or take into custody any person solely for a violation. Contains definitions and a statement of purpose. Effective immediately.

SB0058 - Amends the Unified Code of Corrections. Provides that a person arrested for the commission or attempted commission of a violent crime shall submit specimens of blood, saliva, or tissue to the Illinois Department of State Police for DNA analysis and categorization into genetic marker groupings. Sets forth procedures to be followed if the charge for which the specimens were taken is dismissed or the defendant is acquitted at trial and procedures to be followed if the person is convicted of, granted court supervision for, or found guilty under the Juvenile Court Act of 1987 of the offense for which the person was arrested. Amends the State Mandates Act to require implementation without reimbursement.

SB0078 - Amends the Illinois Income Tax Act if and only if Senate Bill 2505 of the 96th General Assembly becomes law. Reduces the rate of tax imposed by Senate Bill 2505 of the 96th General Assembly to 3% for individuals, trusts, and estates and 4.8% for corporations (the rates in effect immediately prior to the passage of Senate Bill 2505). Provides that the amendatory Act supersedes Senate Bill 2505 of the 96th General Assembly and that the rates shall be deemed to be 3% for individuals, trusts, and estates and 4.8% for corporations for the entire period beginning on the effective date of Senate Bill 2505 of the 96th General Assembly through the effective date of the amendatory Act and thereafter. Makes corresponding changes concerning the distribution of tax proceeds. Amends the Illinois Estate and Generation-Skipping Transfer Tax Act to reverse certain changes made by Senate Bill 2505 of the 96th General Assembly. Effective immediately.

SB1249 - Amends the Election Code. Authorizes 17-year-olds to register to vote and requires election authorities to accept the registration of otherwise qualified 17-year-olds. Provides that if the election authority sends those records to the polling places, it must clearly indicate that those persons are ineligible to vote. Requires the Secretary of State and public assistance agencies that offer voter registration to offer registration to 17-year-olds. Requires the State Board of Elections to adopt implementing rules.

SB1307 - Amends the Juvenile Court Act of 1987. Provides that the court may require the biological parents of a delinquent minor to undergo counseling.

SB1320 - Amends the Illinois Income Tax Act. Reduces the rates established under Public Act 96-1496 to (i) 3% for individuals, trusts, and estates and (ii) 4.8% for corporations. Makes corresponding changes in Sections concerning estimated taxes and distribution of proceeds into special funds. Effective immediately.

SB1338 - Amends the Unified Code of Corrections. Provides that the Department of Corrections shall establish uniform procedures for providing timely advance notice of early release of inmates to law enforcement in local jurisdictions and shall submit a report to the General Assembly, by January 1, 2012,

of those notice procedures. Provides that the 14-day advance notice of early release of an inmate because of the award of good conduct credit for meritorious service shall be provided to the Governor and sheriff of the county where the prosecution took place. Effective immediately.

SB1548 - Creates the Compassionate Use of Medical Cannabis Pilot Program Act. Provides that the Department of Public Health shall issue a registry identification card to a qualified patient with a debilitating medical condition that allows the patient to possess no more than 2 ounces of dried usable cannabis and 6 cannabis plants, no more than 3 of which can be mature cannabis plants. Provides for the registration by the Department of Public Health of medical cannabis organizations to dispense cannabis to qualified patients and caregivers. Contains provisions regarding: prohibitions and penalties; discrimination; addition of debilitating conditions or treatments; determinations; notifications; registration of compassion centers and safety compliance facilities; confidentiality; verification; reports; rules; educational materials; enforcement; and other matters. Provides that the Act is repealed 3 years after its effective date. Amends the Cannabis Control Act to repeal provisions relating to research with cannabis. Contains a severability provision.

SB1569 - Amends the State Property Control Act. Provides that all but one airplane and one helicopter owned by the State and not designated for emergency use are surplus property and must be sold by a competitive sealed bid method (now, a transferable airplane may be disposed of only if (i) it is no longer needed, (ii) it will not be used as a trade-in, and (iii) a public university or college offering aviation-related instruction or training has not listed its need for an airplane). Requires that the sale proceeds be deposited into the General Revenue Fund. Effective immediately.

SB1594 - Amends the Election Code. Provides that a vacancy in the office of U.S. Senator shall be filled at a special election. Provides for a temporary gubernatorial appointment until the special election is held. Effective immediately.

SB1701 - Amends the Illinois Controlled Substances Act and the Methamphetamine Control and Community Protection Act. Provides that a person who, in good faith, seeks or obtains emergency medical assistance for someone experiencing an overdose shall not be charged or prosecuted for Class 4 felony possession of a controlled, counterfeit, or look-alike substance, a controlled substance analog, or Class 3 felony methamphetamine if evidence for the possession charge was acquired as a result of the person seeking or obtaining emergency medical assistance. Provides that a person who is experiencing an overdose shall not be charged or prosecuted for Class 4 felony possession of a controlled, counterfeit, or look-alike substance, or a controlled substance analog, or in the case of methamphetamine Class 3 felony possession if evidence for the possession charge was acquired as a result of the person seeking or obtaining emergency medical assistance. Provides that the action of seeking or obtaining emergency medical assistance for an overdose may be used as a mitigating factor in a criminal prosecution for Class 3 felony or higher possession, manufacture or delivery of a controlled, counterfeit, or look-alike substance or a controlled substance analog, or in the case of methamphetamine Class 2 felony or higher possession, manufacture or delivery of methamphetamine. Effective immediately.

SB1753 - Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that the professional personnel consulted by the court are subject to subpoena for the purposes of discovery, trial, or both. Provides that the court shall allocate the costs and fees of those professional personnel between the parties based upon the financial ability of each party and other appropriate criteria. Provides that upon the request of any party or upon the court's own motion, the court may conduct a hearing as to the reasonableness of those fees and costs.

SB1810 - Amends the Code of Criminal Procedure of 1963. Provides that a person accused of an offense that is an ordinance violation, petty offense, Class B misdemeanor, or Class C misdemeanor is not entitled to a trial by jury (rather than an ordinance violation punishable by fine only and the defendant either fails to file a demand for a trial by jury at the time of entering his or her plea of not guilty or fails to pay to the clerk of the circuit court at the time of entering his or her plea of not guilty any jury fee required to be paid to the clerk). Provides that a defendant is not entitled to trial by jury if the defendant either fails to file a demand for a trial by jury at the time of entering his or her plea of not guilty or fails to pay to the clerk of the circuit court at the time of entering his or her plea of not guilty any jury fee required to be paid to the clerk. Effective immediately.

SB1848 - Amends the Illinois Municipal Code. In provisions concerning elections, sets forth the procedure for placing specified candidates on the ballot for the general municipal election. Provides that if one officer is to be elected, then the 2 candidates who receive the highest number of votes shall be placed on the ballot for the next succeeding general municipal election. If 2 aldermen are to be elected at large, then the 4 candidates who receive the highest number of votes shall be placed on the ballot. If 3 aldermen are to be elected at large, then the 6 candidates who receive the highest number of votes shall be placed on the ballot. Provides that the name of a write-in candidate may not be placed on the ballot for the general municipal election unless he or she (i) receives a number of votes in the primary election that equals or exceeds the number of signatures required on a petition for nomination for that office or (ii) receives a number of votes in the primary election that exceeds the number of votes received by at least one of the candidates whose names were printed on the primary ballot for nomination for or election to the same office. Effective immediately.

SB2035 - Amends the Election Code. Requires that a person seeking to vote on election day present a government-issued photo identification card to the election judge (now, required only when voting early). Effective immediately.

SB2099 - Amends the Illinois Income Tax Act. Increases the education expense credit to 50% (instead of 25%) of qualified education expenses and increases the family limit to \$1,000 (instead of \$500). Effective immediately.

SB2104 - Amends the Illinois Vehicle Code. Provides that no instruction permit may be issued to a child who is less than 16 (instead of 15) years of age and makes corresponding changes throughout the Code. Provides that instruction permits and licenses issued to drivers under 18 years of age shall be invalid from 10:00 p.m. to 5:00 a.m. (instead of between 11:00 p.m. Friday and 6:00 a.m. Saturday; between 11:00 p.m. Saturday and 6:00 a.m. on Sunday; and between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day).

SB2151 - Amends the Criminal Code of 1961. Prohibits adjudicated juvenile delinquent child sex offenders from being present in certain places or loitering near such places when persons under 18 are present. Provides exemptions. Provides that the penalty for violation is a Class 4 felony.

