



NEW LAWS OF INTEREST TO COUNTIES ENACTED IN 2018

January 7, 2019

Included within this report are new laws that either affect county operations or that may be of interest to county officials. These new laws are applicable in 2019 and beyond. This document is a service provided by the Illinois State Association of Counties (ISACo) for our members. County officials are encouraged to share this report with their staffs to assist with adherence to new legal requirements. The summaries are not intended to substitute for a review of the actual text of new laws affecting county operations.

HOUSE BILLS

HB 109 (P.A. 100-0586) (Rep. G. Harris; President Cullerton) – SFY2019 BUDGET APPROPRIATION BILL

This bill authorizes the state to spend \$38.5 billion during State Fiscal Year (SFY) 2019.

HB 1439 (P.A. 100-0613) (Rep. Gordon-Booth; Sen. Koehler) – ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT

The bill amends the Electronic Products Recycling and Reuse Act to provide that accreditation is not required for facilities that place cathode ray tube (CRT) glass in storage cells for future retrieval in accordance with specified provisions of the Act. Provides that any organization that accredits facilities pursuant to this Section is prohibited from penalizing or taking other negative actions against any recycler, refurbisher, or collector of CEDs and EEDs based on the recycler's, refurbisher's, or collector's use of a facility that places CRT glass in storage cells for future retrieval in accordance with specified provisions of the Act. Effective immediately.

HB 1464 (P.A. 100-0630) (Rep. Cassidy; Sen. Hutchinson) – COURT ALTERNATIVES TO CUSTODY – PREGNANCY

Replaces everything after the enacting clause. Amends the Code of Criminal Procedure of 1963. Provides that if the court reasonably believes that a pre-trial detainee will give birth while in custody, the court shall order an alternative to custody unless, after a hearing, the court determines: (1) that

the release of the pregnant pre-trial detainee would pose a real and present threat to the physical safety of the alleged victim of the offense and continuing custody is necessary to prevent the fulfillment of the threat upon which the charge is based; or (2) that the release of the pregnant pre-trial detainee would pose a real and present threat to the physical safety of any person or persons or the general public. Provides that the court may order a pregnant or post-partum detainee to be subject to electronic monitoring as a condition of pre-trial release or order other condition or combination of conditions the court reasonably determines are in the best interest of the detainee and the public. Provides that these provisions shall be applicable to a pregnant pre-trial detainee in custody on or after the effective date of the bill.

HB 1595 (P.A. 100-1003) (Rep. Stuart; Sen. Haine) – NURSING MOTHERS IN THE WORKPLACE ACT

The bill amends the Nursing Mothers in the Workplace Act to provide for reasonable break time (instead of "unpaid break time each day") during the first year after the child's birth each time the employee needs to express milk. Provides that the break time may (instead of "must, if possible") run concurrently with any break time already provided to the employee. Provides that an employer may not reduce an employee's compensation for time used for the purpose of expressing milk or nursing a baby. Replaces language providing that an employer is not required to provide break time if to do so would unduly disrupt the

employer's operations with language providing that an employer shall provide reasonable break time as needed by the employee unless to do so would create an undue hardship as defined by the Illinois Human Rights Act. Effective July 1, 2018.

HB 1804 (P.A. 100-0745) (Rep. Andrade; President Cullerton) – ARREST OF MINORS FOR VEHICULAR HIJACKING

The bill amends the Illinois Vehicle Code to provide that knowledge that a vehicle or essential part is stolen or converted may be inferred: (A) from the surrounding facts and circumstances, which would lead a reasonable person to believe that the vehicle or essential part is stolen or converted; or (B) if the person exercises exclusive unexplained possession over the stolen or converted vehicle or essential part, regardless of whether the date on which the vehicle or essential part was stolen is recent or remote. Amends the Juvenile Court Act of 1987. Provides that for a minor arrested or taken into custody for vehicular hijacking or aggravated vehicular hijacking, a previous finding of delinquency for vehicular hijacking or aggravated vehicular hijacking shall be given greater weight in determining whether secured custody of a minor is a matter of immediate and urgent necessity for the protection of the minor or of the person or property of another. Effective immediately.

HB 2354 (P.A. 100-0607) (Rep. Willis; Sen. Morrison) – FIREARM RESTRAINING ORDER ACT

The bill creates the Firearms Restraining Order Act provide that a petitioner may request an emergency firearm restraining order by filing an affidavit or verified pleading alleging that the respondent poses an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control, purchasing, possessing, or receiving

a firearm. Provides that the petition shall also describe the type and location of any firearms presently believed by the petitioner to be possessed or controlled by the respondent. Provides that the petitioner may be a family member of the respondent or a law enforcement officer, who files a petition alleging that the respondent poses a danger of causing personal injury to himself, herself, or another by having in his or her custody or control, purchasing, possessing, or receiving a firearm. Establishes factors that the court must consider before issuing a firearm restraining order. Provides for the issuance of ex parte orders and 6-month orders. Provides that if the court issues the order, the respondent must: (1) refrain from having in his or her custody or control, purchasing, possessing, or receiving additional firearms for the duration of the order; and (2) turn over to the local law enforcement agency any firearm, Firearm Owner's Identification Card, or concealed carry license in his or her possession. Provides that a respondent whose Firearm Owner's Identification Card has been revoked may petition the court to transfer the respondent's firearm to a person who is lawfully able to possess the firearm if the person does not reside at the same address as the respondent. Provides that notice of the petition shall be served upon the person protected by the firearms restraining order. Provides that if a person other than the respondent claims title to any firearms surrendered under this provision, he or she may petition the court, if the petitioner is present in court or has notice of the petition, to have the firearm returned to him or her. Provides that if the court determines that person to be the lawful owner of the firearm, the firearm shall be returned to him or her, provided that: (1) the firearm is removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm in a manner such that the respondent does not have access to or control of the firearm; and (2) the firearm is

not otherwise unlawfully possessed by the owner. Provides that the person petitioning for the return of his or her firearm must swear or affirm by affidavit that he or she: (1) is the lawful owner of the firearm; (2) shall not transfer the firearm to the respondent; and (3) will store the firearm in a manner that the respondent does not have access to or control of the firearm. Establishes factors for renewing and terminating firearms restraining orders. Provides that if the court denies issuance of a firearms restraining order against the respondent, all records of the proceeding shall be immediately expunged from the court records. Provides that if the firearms restraining order is granted, all records of the proceeding shall, 3 years after the expiration of the order, be sealed. Provides that any act of omission or commission by any law enforcement officer acting in good faith in rendering emergency assistance or otherwise enforcing this Act shall not impose civil liability upon the law enforcement officer or his or her supervisor or employer, unless the act is a result of willful or wanton misconduct. Amends the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act to make conforming changes.

HB 3248 (P.A. 100-0592) (Rep. Fortner; Sen. Althoff) – CONSUMER ELECTRONICS RECYCLING ACT

The bill amends the Consumer Electronics Recycling Act to provide that a manufacturer or manufacturer clearinghouse acting in accordance with the Act when engaged in activities related to a manufacturer e-waste program shall not be subject to damages, liability, or scrutiny under federal antitrust law or the Illinois Antitrust Act. Makes corresponding changes in the Illinois Antitrust Act. Adds provisions concerning the allocation of financial responsibility for manufacturers participating in a manufacturer clearinghouse. Contains provisions requiring

the Environmental Protection Agency to calculate the responsibility of participating manufacturers using a specified formula. Repeals provisions concerning the allocation of financial responsibilities among manufacturers and abolishes the Advisory Financial Responsibility Allocation Task Force. Adds provisions concerning manufacturer clearinghouses. Makes changes to provisions concerning the information that must be included on a manufacturer registration form. Effective immediately.

HB 3342 (P.A. 100-0587) (Rep. Harris; Sen. Steans) – FY2019 BUDGET IMPLEMENTATION BILL

Replaces everything after the enacting clause. Creates the FY2019 Budget Implementation Act. Provides that the purpose of the Act is to make the changes in State programs that are necessary to implement FY2019 budget recommendations. Effective immediately.

HB 3648 (P.A. 100-0669) (Rep. Mitchell; Sen. Mulroe) – SPECIAL ASSISTANT STATE'S ATTORNEYS

The bill amends the Counties Code to provide that the State's Attorney may appoint qualified attorneys to assist as Special Assistant State's Attorneys when the public interest so requires.

HB 3920 (P.A. 100-1004) (Rep. Ford; Sen. Lightford) – PENALTIES FOR DRIVING UNDER SUSPENDED LICENSE

The bill amends the Illinois Vehicle Code to provide that a person who drives or is in actual physical control of a motor vehicle while his or her driver's license or privilege to drive is suspended due to certain violations of the Code shall receive a Uniform Traffic Citation from the law enforcement officer. Provides that a person who receives 3 or more Uniform Traffic Citations without paying any fees associated

with the citations shall be guilty of a Class A misdemeanor.

HB 4242 (P.A. 100-1040) (Rep. McSweeney; Sen. T. Cullerton) – SEXUAL HARASSMENT SETTLEMENTS AND FOIA

The bill amends the Local Records Act to provide that when a unit of local government, school district, community college district, or other local taxing body enters a severance agreement with an employee or contractor because the employee or contractor was found to have engaged in sexual harassment or sexual discrimination, the public body shall publish specified information on its Internet website, if one is maintained, and make available such information to the news media for inspection and copying within 72 hours of the taxing body's approval of the severance agreement. Provides exceptions to disclosure of specified information. Provides that no unit of local government, school district, community college district, or other local taxing body shall incur liability as a result of its compliance with required disclosures, except for willful or wanton misconduct. Provides that disclosure requirements do not supersede the confidentiality provisions of a severance agreement. Provides that nothing in the applicable provisions shall limit disclosure of public records required to be disclosed under the Act or the Freedom of Information Act. Defines terms. Effective immediately.

HB 4253 (P.A. 100-0737) (Rep. Halbrook; Sen. Manar) – REMOVAL OF PUBLIC WATER DISTRICT TRUSTEES

The bill amends the Public Water District Act to provide that an appointing authority may remove a public water district trustee it appointed for misconduct, official misconduct, or neglect of office. Effective immediately.

HB 4288 (P.A. 100-0826) (Rep. Hammond; Sen. Tracy) – VETERANS PREFERENCE – HIRING

The bill amends the Veterans Preference Act to provide that persons who have been members of the Illinois National Guard shall be given preference over a person who has been a member of the National Guard of any other state.

HB 4319 (P.A. 100-0633) (Rep. Unes; Sen. Koehler) – CONVEYANCE OF PROPERTY – PEORIA COUNTY

The bill provides that the conveyance of certain real property shall be made subject to the condition that title to the buildings and the land shall revert to the State of Illinois, Department of Corrections, if Peoria County ceases to use the buildings and the land for a public or private purpose. If Peoria County sells the property, then 10% of the sale proceeds shall be paid to the State of Illinois. Effective immediately.

HB 4348 (P.A. 100-0901) (Rep. Connor; Sen. Munoz) – MISSING PERSONS IDENTIFICATION ACT

The bill amends the Missing Persons Identification Act to provide that the assisting law enforcement agency, medical examiner, or coroner shall seek support from appropriate State and federal agencies, including National Missing and Unidentified Persons System resources to facilitate prompt identification of human remains. Provides that this support may include, but is not limited to, fingerprint comparison; forensic odontology; nuclear or mitochondrial DNA analysis, or both; and forensic anthropology. Provides that the assisting law enforcement agency, medical examiner, or coroner shall obtain a National Crime Information Center number from the Department of State Police to verify entry and maintain this number within the unidentified human remains case file. Provides that a National Crime Information

Center Unidentified Person record shall remain on file indefinitely or until action is taken by the originating agency to clear or cancel the record. Provides that the assisting law enforcement agency, medical examiner, or coroner shall create an unidentified person record in the National Missing and Unidentified Persons System prior to the submission of samples or within 30 days of the discovery of the remains, if no identification has been made. Provides that the DNA sample shall be forwarded to a National Missing and Unidentified Persons System partner laboratory or other resource for analysis and inclusion in the National DNA Index System. Defines "assisting law enforcement agency". Makes other changes.

HB 4415 (P.A. 100-0594) (Rep. Costello; Sen. Harmon) – SALES TAX EXEMPTION – COAL AND AGGREGATE EXPLORATION EQUIPMENT

The bill amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act to provide that the exemption for coal and aggregate exploration, mining, off-highway hauling, processing, maintenance, and reclamation equipment sunsets on June 30, 2023 (currently, the exemption is subject to the Acts' automatic sunset provisions). Effective immediately.

HB 4440 (P.A. 100-1042) (Rep. Gabel; Sen. Mulroe) – PROVISION OF VACCINE INFORMATION – NURSING HOMES

The bill amends the Nursing Home Care Act to provide that the Department of Public Health shall provide facilities with educational information on all vaccines recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices, including, but not limited to, the risks associated with shingles and how to protect oneself against the varicella-zoster virus.

Requires a facility to distribute the information to each resident who requests the information and each newly admitted resident. Allows the facility to distribute the information to residents electronically. Effective January 1, 2019.

HB 4476 (P.A. 100-0674) (Rep. Stewart; Sen. McConnaughay) – TRAFFIC CITATIONS FOR NON-RESIDENTS

The bill amends the Illinois Vehicle Code to provide that any person cited for violating the Code or a similar provision of a local ordinance for which the violation is a petty offense shall not be required to sign the citation. Provides that Illinois Supreme Court Rules shall govern bail and appearance procedures when a person who is a resident of another state that is not a member of the Nonresident Violator Compact of 1977 is cited for violating this Code or a similar provision of a local ordinance. Repeals a provision governing the procedures for citations issued by a police officer in this State to a resident of another state that is a member of the Nonresident Violator Compact of 1977.

HB 4508 (P.A. 100-0751) (Rep. Sauer; Sen. Clayborne) – SALE OF WATER AND SEWER UTILITIES

The bill amends the Public Utilities Act to modify the definition of "water or sewer utility" to remove language specifying water or sewer service provided to 7,500 or fewer customer connections as provided by certain entities. Provides that appraisals of the fair market value of the water or sewer utility that is being acquired shall be performed by 3 appraisers approved (rather than selected) by the Illinois Commerce Commission's Executive Director or designee (rather than the water department manager) and engaged by either the water or sewer utility being acquired or by the large public utility. Allows appraisers to engage one disinterested engineer who is licensed in this

State who may be the same engineer that is engaged by other appraisers. Provides that in the Commission's order that approves the large public utility's acquisition of the water or sewer utility, the Commission shall issue its decision establishing, among other requirements, the rates to be charged to customers in the water or sewer utility. Provides that a large public utility may (rather than shall) recommend the district or tariff group of which the water or sewer utility shall become a part of after the acquisition or may recommend a lesser rate for the water or sewer utility. Provides that from the date of acquisition until the date that new rates are effective in an acquiring large public utility's next rate case, the customers of the acquired water or sewer utility shall pay the approved then-existing rates of the district or tariff group as ordered by the Commission, or some lesser rates as recommended by the large public utility and approved by the Commission. Provides that in an acquiring large public utility's 2 rate cases following an acquisition, the public utility may file a rate tariff for an acquired water or sewer utility that establishes lesser rates than the district or tariff group into which the water or sewer utility is combined. Extends the repeal date of the valuation of water and sewer utilities Section from June 1, 2018 to June 1, 2028. Effective immediately.

HB 4560 (P.A. 100-1167) (Rep. Sosnowski; Sen. Syverson) – SPECIAL COUNTY RETAILERS' OCCUPATION TAX

The bill amends the Counties Code to provide that the special county retailers' occupation tax for public safety, public facilities, or transportation may additionally be imposed for mental health or substance abuse (rather than only public safety, public facility, or transportation) purposes in the county. Makes conforming changes. Amends the Transportation Development Partnership Act and the Simplified Sales and

Use Tax Administration Act to make conforming changes.

HB 4573 (P.A. 100-0752) (Rep. Zalewski; Sen. Jones, III) – PUBLIC BODY INVESTMENTS

The bill amends the Public Funds Investment Act to provide that any public agency may invest any public funds in obligations (currently, short term obligations) of corporations organized in the United States with assets exceeding \$500,000,000 if such obligations mature not later than 3 years (currently, 270 days) from the date of purchase, in addition to other criteria. Effective immediately.

HB 4594 (P.A. 100-0987) (Rep. Andersson; Sen. Mulroe) – CRIMINAL AND TRAFFIC ASSESSMENT ACT

The bill creates the Criminal and Traffic Assessment Act to change fees, schedules of assessment and distribution amounts. Effective July 1, 2019, except for certain provisions that are effective July 1, 2018.

HB 4688 (P.A. 100-0675) (Rep. K. Burke; Sen. Martinez) – NURSING HOME ADMINISTRATORS LICENSING REQUIREMENTS

The bill amends the Nursing Home Administrators Licensing and Disciplinary Act to provide that all applicants and licensees shall provide a valid address and email address, which shall serve as the address and email address of record and shall inform the Department of Financial and Professional Regulation of any change of address or email address through specified means. Adds provisions concerning confidentiality of information collected by the Department. Makes changes in provisions concerning definitions, the Nursing Home Administrators Licensing and Disciplinary Board, powers and duties of the Department, application procedures,

rosters, grounds for disciplinary action, reports of violations of the Act, summary suspensions, hearings and motions for rehearing, administrative review, and certification of record. Repeals provisions concerning Board hearings and recommendations, surrender of licenses, re-hearings, and fraud and deception by applicants. Effective immediately.

HB 4711 (P.A. 100-0595) (Rep. Breen; Sen. Curran) – SUITS AGAINST COUNTIES

The bill amends the Counties Code. In provisions regarding building or structure zoning violations, provides that, except in relation to county-owned property, the provisions do not authorize any suit against a county or its officials for any act relating to zoning administration, enforcement, or implementation or any ordinance, resolution, or other zoning regulation. Includes other provisions concerning townships, municipalities and park districts. Makes other changes. Effective immediately.

HB 4748 (P.A. 100-0758) (Rep. Fortner; Sen. Rezin) – STORMWATER MANAGEMENT – COUNTIES CODE

The bill amends the Counties Code to change the application of specified provisions concerning stormwater management in the area served by the Northeastern Illinois Planning Commission to those located in the area served by the Chicago Metropolitan Agency for Planning. Authorizes counties containing all or a part of an urbanized area (rather than only 9 specified counties) to adopt stormwater management plans by referendum. Requires a county to adopt and enforce a floodplain management ordinance or a stormwater management ordinance that has been approved by the Office of Water Resources of the Department of Natural Resources and designate a Certified Floodplain Manager before the county may submit a referendum question to the electors for an annual tax.

Prohibits a county from levying the tax if they are not in full compliance with specified provisions. Provides for specified special districts to be represented on the stormwater management planning committee in specified counties. Provides that a county's minimum standards for floodplain and stormwater management should have an emphasis on the use of cost-effective solutions to flooding problems. Provides that the stormwater management plans shall evaluate flooding problems caused by urban flooding. Defines "urban flooding". Provides that a stormwater management planning committee may make grants to units of local government, not-for-profit organization, and landowners under specified conditions. Provides that a municipality receiving grant moneys must have adopted an ordinance requiring actions consistent with the stormwater management plan. Makes other changes. Makes similar changes to provisions regarding DuPage and Peoria counties.

HB 4757 (P.A. 100-0678) (Rep. Williams; Sen. Bennett) – DCEO TOURISM GRANT ADMINISTRATIVE FEES

The bill amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. With regard to a grant program for local tourism and convention bureaus, provides that the Department of Commerce and Economic Opportunity may reserve up to 3% (rather than 10%) of total local tourism funds available for costs of administering the program to conduct audits of grants, to provide incentive funds to those bureaus that will conduct promotional activities designed to further the Department's statewide advertising campaign, to fund special statewide promotional activities, and to fund promotional activities that support an increased use of the State's parks or historic sites. Effective immediately.

HB 4765 (P.A. 100-1034) (Rep. Turner; Sen. Aquino) – DOCUMENT FEE SCHEDULES – COUNTIES

The bill amends the Counties Code to provide that on and after January 1, 2020, counties of the third class (counties with a population of greater than 1,000,000) shall adopt and implement a predictable fee schedule for standard documents that eliminates surcharges or fees based upon the individual attributes of documents to be recorded with the county recorder. Provides for notice and a public hearing prior to approval of the predictable fee schedule. Provides that each standard document shall fall within one of 5 document class flat fee classifications and the fees are inclusive of county and State fees required for each recorded document. Provides that the county board may increase the document flat fees by ordinance or resolution if the established fees are not sufficient to cover the costs of providing the services related to the document class. Makes conforming changes.

HB 4822 (P.A. 100-0856) (Rep. Halbrook; Sen. Rose) – LOCAL GOVERNMENT ELECTRONIC NOTIFICATION ACT

The bill creates the Local Government Electronic Notification Act allows a unit of local government to establish a process to allow people to select electronic notifications through an electronic notification delivery system for governmental mailings that are being sent by United States mail. Sets forth requirements for the process. Allows a unit of local government to utilize the electronic notification delivery system to notify people of information that is not statutorily required upon request of an electronic notification recipient. Provides that a unit of local government may enter into an intergovernmental agreement with another unit of local government to provide the

electronic notifications and to share data for that purpose.

HB 4846 (P.A. 100-0858) (Rep. D'Amico; Sen. Castro) – ELECTRONIC DEVICE USE – MOVING VIOLATION

The bill amends the Illinois Vehicle Code to provide that a violation (rather than a second or subsequent violation) of a provision in the Code governing the use of an electronic communication device while operating a motor vehicle is an offense against traffic regulations governing the movement of vehicles. Effective July 1, 2019.

HB 4848 (P.A. 100-0814) (Rep. Swanson; Sen. Althoff) – PROVISION OF PATIENT RECORDS – HEALTH CARE FACILITIES

The bill amends the Code of Civil Procedure to provide that notwithstanding any other provision of the law in recognition of service provided, a health care facility or health care practitioner shall provide without charge one complete copy of a patient's records if: (1) the patient is an indigent homeless veteran; and (2) the records are being requested by the patient or a person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, for the purpose of supporting a claim for federal veterans' disability benefits.

HB 4867 (P.A. 100-0659) (Rep. Olsen; Sen. Syverson) – ADULTS WITH DISABILITIES – PROBATE ACT

The bill amends the Guardians for Adults with Disabilities Article of the Probate Act of 1975 to provide that the court may not appoint an individual the guardian of the person or estate of an adult with disabilities before the individual has disclosed to the court the number of adults with disabilities over which the individual is currently

appointed as guardian. Provides that if the court determines that an individual is appointed guardian over more than 5 adults with disabilities, then the court shall issue an order directing the circuit court clerk to notify the Guardianship and Advocacy Commission, in a form and manner prescribed by the Commission. Provides that the clerk shall notify the Commission no later than 7 days after the entry of the order. Exempts the Office of the State Guardian and public guardians from the new provisions. Provides that the Guardianship and Advocacy Commission shall maintain a list of all notifications it receives under the new provisions for reference by other agencies or units of government or the public.

HB 4990 (P.A. 100-0643) (Rep. Crespo; Sen. Murphy) – TOURISM PROMOTION FUND GRANTS

The bill amends the Illinois Promotion Act to provide that grants from the Tourism Promotion Fund may be awarded to local governments until July 1, 2022 (currently, July 1, 2020). Provides that a report by the Department of Commerce and Economic Opportunity concerning convention center and sports facility grants must be provided electronically. Effective immediately.

HB 5077 (P.A. 100-0765) (Rep. Bellock; Sen. Richter) – INFORMATION REQUIRED FROM CLERK OF COURT – MINORS

The bill amends the Juvenile Court Act of 1987 to provide that if a minor is committed to the Department of Juvenile Justice the clerk of the court shall forward to the Department a report detailing the minor's criminal history in a manner and form prescribed by the Department of Juvenile Justice Effective immediately.

HB 5123 (P.A. 100-0628) (Rep. Conroy; Sen. T. Cullerton) – DISSOLUTION OF SELECT COUNTY BOARDS OF ELECTION COMMISSIONERS

The bill amends the Election Code to provide that a county board in a county in which there is no city, village, or incorporated town with a board of election commissioners that has established a county board of election commissioners may, by ordinance or resolution, dissolve the county board of election commissioners and transfer its functions to the county clerk.

HB 5176 (P.A. 100-0685) (Rep. Sosnowski; Sen. Mulroe) – JUDICIAL SALE OF PROPERTY

The bill amends the Code of Civil Procedure. In provisions concerning notices of judicial sale, provides that, in counties with a population of more than 3,000,000, the notice that appears in the section of the newspaper in which real estate other than real estate that is being sold as part of a legal proceeding is commonly advertised must be published in a newspaper that is (i) different from the newspaper that publishes other notices required by those provisions and (ii) published in the township in which the real estate is located. Effective immediately.

HB 5203 (P.A. 100-0910) (Rep. Davis; Sen. Hutchinson) – LAW ENFORCEMENT SEXUAL ASSAULT POLICIES

The bill amends the Illinois Police Training Act and the Sexual Assault Incident Procedure Act to provide that on or before January 1, 2020, the Office of the Attorney General, in consultation with the Illinois Law Enforcement Training Standards Board and the Department of State Police, shall revise the comprehensive training guidelines to include responding to victims who are under 13 years of age at the time the sexual assault or sexual abuse occurred. Provides that on or before January 1, 2021, every law

enforcement agency shall revise and implement its written policies regarding procedures for incidents of sexual assault or sexual abuse consistent with these guideline revisions. Provides that the bill may be referred to as Kayla's Law.

HB 5231 (P.A. 100-0911) (Rep. Stewart; Sen. T. Cullerton) – LAW ENFORCEMENT CONTINUED EMPLOYMENT – SUSPENSION OF FOID CARD

The bill provides that an employer of an officer shall not make possession of a Firearm Owner's Identification Card a condition of continued employment if the officer's Firearm Owner's Identification Card is revoked or seized because the officer has been a patient of a mental health facility and the officer has not been determined to pose a clear and present danger to himself, herself, or others as determined by a physician, clinical psychologist, or qualified examiner. Effective immediately.

HB 5245 (P.A. 100-0775) (Rep. Unes; Sen. Morrison) – SEXUAL ASSAULT SURVIVORS EMERGENCY TREATMENT ACT – HEALTH CARE FACILITIES

The bill amends the Sexual Assault Survivors Emergency Treatment Act to add various provisions concerning requirements for hospitals and pediatric health care facilities in relation to pediatric sexual assault care.

HB 5303 (P.A. 100-0912) (Rep. Slaughter; Sen. Cunningham) – MEMBERSHIP ON COOK COUNTY SHERIFF'S MERIT BOARD DIVISION

The bill amends the Cook County Sheriff's Merit Board Division of the Counties Code to provide that the Merit Board shall consist of not less than 3 and not more than 7 members (rather than consisting of 7 members), except in specified circumstances. Provides that successors or

reappointments to specified Merit Board appointments shall be appointed to hold office for a term ending on the third Monday in March 6 years following the preceding term expiration (rather than successors shall be appointed to hold office from the third Monday in March of the year of their respective appointments for a term of 6 years). Provides that no more than one-half plus one of the members of the Merit Board (rather than 3 members) shall be affiliated with the same political party. Specifies how political affiliation is determined. Provides that the Merit Board is authorized to employ qualified hearing officers who are attorneys licensed to practice law in this State to conduct hearings. Provides that certification for deputy sheriffs may be made at any point prior to appointment and may be made in conjunction with the Sheriff's application process. Removes a requirement for a deputy sheriff in the County Police Department to execute a bond. Provides that discipline prescribed by the Merit Board that may be taken by the Sheriff may include suspension and any other discipline that does not constitute termination or demotion (rather than may include suspension for a reasonable period, not exceeding 30 days) without complying with specified provisions. Provides that the Merit Board shall render its decision no later than 120 days following the conclusion of any hearing concerning removal, demotion, or suspension. Provides that on and after June 1, 2018, for an appointed officer rank subject to hearing under provisions concerning removal, demotion, or suspension that is covered by a collective bargaining agreement, disciplinary measures and the method of review of those measures are subject to mandatory bargaining, including, but not limited to, the use of impartial arbitration as an alternative or supplemental form of due process and any of specified procedures. Provides requirements for the conclusion of a hearing overseen by a hearing officer, duties of

hearing officers, and allows the Sheriff or respondent to file exceptions to a hearing officer's recommended order concerning discipline. Repeals language requiring the Merit Board to propose to the County Board the range of compensation for each of the designated ranks or propose a single rate of compensation for each deputy sheriff in a particular rank. Effective immediately.

HB 5597 (P.A. 100-0693) (Rep. Stratton; Sen. Hutchinson) – CUSTODIAL SEXUAL MISCONDUCT – LAW ENFORCEMENT

The bill amends the Criminal Code of 2012 to provide that a person commits custodial sexual misconduct when he or she is an employee of a law enforcement agency and engages in sexual conduct or sexual penetration with a person who is in the custody of a law enforcement agency or employee. Provides that any person convicted of violating the offense immediately shall forfeit his or her employment with a law enforcement agency. Defines "law enforcement agency" as an agency of the State or of a unit of local government charged with enforcement of State, county, or municipal laws or with managing custody of detained persons in the State, but not including a State's Attorney. Provides that a person commits custodial sexual misconduct when he or she is an employee of a law enforcement agency and engages in sexual conduct or sexual penetration with a person who is in the custody of a law enforcement agency or employee. Effective immediately.

HB 5745 (P.A. 100-0696) (Rep. Mussman; Sen. Sims) – JURY SERVICE EXEMPTION FOR NURSING MOTHERS

The bill amends the Jury Commission Act to provide that any nursing mother shall be excused from jury service upon request.

HB 5749 (P.A. 100-1090) (Rep. Phelps-Finnie; Sen. Fowler) – EMERGENCY HARVEST SPECIAL PERMIT – TRUCK WEIGHT

The bill amends the Illinois Vehicle Code to provide that a special permit issued by the Department of Transportation (rather than upon declaration by the Governor that an emergency harvest situation exists) shall be required from September 1 through December 31 for a vehicle that exceeds the maximum axle weight and gross weight limits or exceeds the vehicle's registered gross weight, provided that the vehicle's axle weight and gross weight do not exceed 10% above the maximum limits under the Code and does not exceed the vehicle's registered gross weight by 10%. Makes conforming changes. Provides that an applicant for a State Police escort shall pay \$75 (rather than \$60) per hour, per State Police vehicle.

SENATE BILLS

SB 544 (P.A. 100-0994) (Sen. Mulroe; Rep. Andersson) – CRIMINAL AND TRAFFIC ASSESSMENT ACT CHANGE

The bill amends the Criminal and Traffic Assessment Act to add a definition for "offense" and makes the following changes in the Clerks of Court Act. Provides in a county with a population of over 3,000,000, units of local government and school districts shall not be required to pay circuit court civil case fees in advance and the clerk shall instead send an itemized bill to the unit of local government or school district, within 30 days of the fee being incurred, and the unit of local government or school district shall be allowed at least 30 days from the date of the itemized bill to pay and these payments shall be disbursed by each clerk on a monthly basis. Provides for the collection of specified circuit court clerk civil case debt collection fees from a judgment debtor based upon the amount in controversy in the debt collection brought by

a unit of local government or school district exempt from circuit court clerk civil case fees. Makes a technical change in an exemption from circuit court clerk civil case fees for a police department or other law enforcement agency of a unit of local government. Changes the provision on reduced circuit court clerk civil case fees for units of local government and school districts in counties with a population of 500,000 or more to allow the county board by resolution to set fees for units of local government or school districts no greater than the minimum fees applicable in counties with a population less than 3,000,000; provided however, no fee may be charged to any unit of local government or school district in connection with any action which, in whole or in part, is: (i) to enforce an ordinance; (ii) to collect a debt; or (iii) under the Administrative Review Law. Effective July 1, 2019.

SB 558 (P.A. 100-0597)(Sen. Sims; Rep. Connor) – ORDERS OF PROTECTION/STATES ATTORNEYS

The bill amends the Protective Orders Article of the Code of Criminal Procedure of 1963. Provides that the respondent may rebut prima facie evidence of the offense by presenting evidence of a meritorious defense. Provides that the respondent shall file a written notice alleging a meritorious defense, which shall be verified and supported by affidavit. Provides that if the court finds that the evidence presented at the hearing establishes a meritorious defense by a preponderance of the evidence, the court may decide not to issue a protective order. Provides that any proceeding to obtain, modify, re-open, or appeal a protective order and service of pleadings and notices shall be governed by the rules of civil procedure. Provides for methods of service and default orders for protective orders. Provides that instead of personal service of a protective order, a sheriff, other law enforcement official, special process server, or personnel

assigned by the Department of Corrections or Department of Juvenile Justice to investigate the alleged misconduct of committed persons or alleged violations of the person's conditions of parole, aftercare release, or mandatory supervised release, may serve a respondent with a short form notification. Provides procedures for the issuance of ex parte protective orders.

A petition for a domestic violence order of protection may be filed by a State's Attorney on behalf of any minor child or dependent adult in the care of the named victim, if the named victim does not file a petition or request the State's Attorney file the petition. Provides that a civil no contact order or a stalking no contact order may be filed by a State's Attorney by a State's Attorney on behalf of any minor child who is a family or household member of the named victim, if the named victim does not file a petition or request the State's Attorney file the petition. Provides that the State's Attorney shall file a petition on behalf of any person if the person requests the State's Attorney to file a petition on the person's behalf, unless the State's Attorney has a good faith basis to delay filing the petition. Provides that the State's Attorney shall inform the person that the State's Attorney will not be filing the petition at that time and that the person may file a petition or may retain an attorney to file the petition. Provides that the State's Attorney may file the petition at a later date.

**SB 585 (P.A. 100-1070)
(Sen. Barickman; Rep. Walsh, Jr.) – TAX PURCHASE PAYMENTS**

The bill amends the Property Tax Code. Provides that each tax purchaser shall pay to the county collector an automation fee set by the county collector of not more than \$10 for each item purchased (currently, each county collector may assess such a fee). Provides that the indemnity fee in counties with less than 3,000,000 inhabitants shall be not more than \$20 (currently, the fee is \$20). Makes

changes concerning the fee imposed by the county board on each person purchasing property at a sale under the Code for payment of interest and costs. County collectors may, when applicable, eject tax bidders who disrupt the tax sale or use illegal bid practices.

SB 1451 (P.A. 100-0585) (Sen. Link; Rep. K. Burke) – Small Wireless Facilities Deployment Act

SB 1451 creates the Small Wireless Facilities Deployment Act. The Act provides regulations and process for permitting and deploying small cell wireless facilities throughout Illinois. It includes definitions clarifying the terms right-of-way, small wireless facility and utility poles, among others. The Act provides for regulations regarding zoning, spacing, height and application requirements. That Act became effective on June 1, 2018.

SB 1707 (P.A. 100-1024)(Sen. Raoul; Rep. Lang) – HEALTH INSURANCE COVERAGE REQUIREMENTS

The bill amends the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, and the School Code. Requires the Department of Insurance to enforce provisions concerning required health benefits. Amends the Illinois Insurance Code in relation to coverage for mental and emotional disorders. Expands certain coverage requirements to individual policies. Provides that "mental, emotional, nervous, or substance use disorder or condition" means any of the conditions or disorders that fall under the diagnostic categories listed in the mental and behavioral disorders chapter of the most current version of the International Classification of Disease or that are listed in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders and makes conforming changes. Extends the coverage requirements to policies offered

through the health insurance marketplace. Provides for State enforcement of the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Provides for enforcement by the Department of Insurance and the Department of Healthcare and Family Services. Provides requirements for certain insurers concerning prescription drugs. Requires certain insurers to provide the Department of Insurance, the Department of Healthcare and Family Services, and all plan participants and beneficiaries analyses concerning treatment limitations. Makes other changes. Effective January 1, 2019.

SB 1979 (P.A. 100-1104)(Sen. Sims; Rep. Connor) – COOK COUNTY PROPERTY TAX ASSESSMENT REFUNDS

The bill amends the Property Tax Code. In provisions concerning refunds for erroneous assessments or overpayments in Cook County, provides that the total amount of taxes and interest refunded for claims for which the right to a refund arose prior to January 1, 2009 shall not exceed \$5,000,000 (instead of \$2,500,000) per year. Effective immediately.

SB 2306 (P.A. 100-0869)(Sen. Murphy; Rep. Moylan) – DISABLED VETERAN HOMESTEAD EXEMPTION

The bill amends the Property Tax Code to provide that the homestead exemption for veterans with disabilities shall be prorated if the person qualifying for the exemption does not occupy the qualified residence as of January 1 of the taxable year. Effective immediately.

SB2328 (P.A. 100-0968)(Sen. Holmes; Rep. McDermed) – QUALIFICATIONS-BASED SELECTION EXEMPTION INCREASE

The bill amends the Local Government Professional Services Selection Act to provide that a political subdivision may develop an alternative process of public

hearing, evaluation procedure, and selection procedure for the selection of architectural, engineering, or land surveying services for services costing less than \$40,000. Provides that this amount shall be increased annually by a percentage equal to the annual unadjusted percentage increase, if any, as determined by the consumer price index-u.

SB 2378 (P.A. 100-0970)(Sen. Raoul; Rep. Cabello) – POLICE AND COMMUNITY RELATIONS IMPROVEMENT ACT

The bill amends the Police and Community Relations Improvement Act to provide that each law enforcement agency shall adopt a written policy for the internal review of officer-involved shootings. Provides that the written policy must include that: each law enforcement officer shall immediately report any officer-involved shooting to the appropriate supervising officer; and each law enforcement agency shall conduct a thorough review of the circumstances of the officer-involved shooting. Provides that each written policy shall be available for copying and inspection under the Freedom of Information Act. Defines "officer-involved shooting."

SB 2514 (P.A. 100-0877)(Sen. Mulroe; Rep. Stewart) – SMOKE FREE ILLINOIS ACT

The bill amends the Smoke Free Illinois Act. Changes references from "fine" to "civil penalty" throughout the Act and makes corresponding changes. Provides that law enforcement agencies (rather than local law enforcement agencies) shall enforce the provisions of the Act through the issuance of citations and may assess specified civil penalties (rather than fines). Makes related changes in provisions concerning complaints and injunctions. Provides that funds designated for the Department of State Police or Department of Natural Resources by provisions concerning the distribution of civil penalty moneys shall be deposited by

the respective Department into a specified fund. Provides that local, Department of Natural Resources, and Department of State Police law enforcement agencies (rather than law enforcement agencies) shall enforce the provisions of the Smoke Free Illinois Act through the issuance of citations and may assess specified civil penalties.

SB 2539 (P.A. 100-0975)(Sen. Bennett; Rep. Currie) – CERTIFICATE HOLDER FEE RECEIPTS

The bill amends the Property Tax Code. In a Section requiring a receipt for payment of certain fees and costs incurred by a certificate holder, provides that the county clerk shall write or stamp the date of receiving upon the receipt. In a Section concerning notice of an extended period of redemption, provides that the county clerk shall write or stamp the date of receipt upon the notice, and provides that the county clerk is not required to extend the period of redemption unless the purchaser or his or her assignee obtains that acknowledgement of delivery. Effective immediately.

SB 2578 (P.A. 100-0794)(Sen. Mulroe; Rep. Martwick) – PAYMENT OF PENSION TO NURSING HOME – COOK COUNTY PENSION ARTICLE

The bill amends the Cook County Article of the Illinois Pension Code to provide that if a person certified by a medical doctor to be under legal disability (i) has no spouse, blood relative, or other person providing or caring for him or her, (ii) has no guardian of his or her estate, and (iii) is confined to a Medicare-certified, State-licensed nursing home or to a publicly owned and operated nursing home, hospital, or mental institution, the Board under the Cook County Article may pay any benefit due that person to the nursing home, hospital, or mental institution, to be used for the sole benefit of the person under legal disability. Effective immediately.

**SB 2579 (P.A. 100-0929)(Sen. Sims;
Rep. Slaughter) – BAIL AMOUNTS**

The bill amends the Code of Criminal Procedure of 1963. In the definition for "Category A offense" for purposes of bail, adds unlawful use or possession of weapons by felons or persons in the custody of the Department of Corrections facilities, a first aggravated unlawful use of a weapon violation by a person 18 years of age or older where certain factors are present, and a Class 3 felony violation of a non-eligible or revoked Firearm Owner's Identification Card. Provides that a person subject to bail on a Category B offense shall have \$30 deducted from his or her 10% cash bond amount (rather than monetary bail) every day the person is incarcerated. Provides that the sheriff shall calculate and apply this \$30 per day reduction and send notice to the circuit clerk if a defendant's 10% cash bond amount is reduced to \$0, at which point the defendant shall be released upon his or her own recognizance. Provides that the court may deny a rehearing within 7 calendar days for a Category B offense on which a person is incarcerated due to an inability to post monetary bail, if the person has failed to appear as required before the court and is incarcerated based on a warrant for failure to appear on the same original criminal offense.

**SB 2591 (P.A. 100-0598)(Sen. Bennett;
Rep. Meier) – RENEWABLE ENERGY
FACILITIES AGRICULTURAL IMPACT
MITIGATION ACT**

The bill amends the Wind Energy Facilities Agricultural Impact Mitigation Act to provide that the Act may be cited as the Renewable Energy Facilities Agricultural Impact Mitigation Act. Provides that "commercial renewable energy facility" means a commercial wind energy facility or commercial solar energy facility. Defines "commercial solar energy facility". Provides that a commercial solar energy facility

owner shall, not less than 45 days prior to the commencement of actual construction, submit to the Department of Agriculture a standard agricultural impact mitigation agreement signed by the commercial solar energy facility owner and including all information required by the Department. Provides that the construction and deconstruction of any commercial solar energy facility shall be in conformance with the Department's standard agricultural impact mitigation agreement. Provides that except as otherwise provided, the terms and conditions of the Department's standard agricultural impact mitigation agreement are subject to and may be modified by an underlying agreement between the landowner and the commercial solar energy facility owner. Provides that the Department shall make available on its website a standard agricultural impact mitigation agreement applicable to all commercial solar energy facilities within 60 days following the effective date of the bill. Defines "abandonment of a commercial solar energy facility". Makes other changes. Effective immediately. Makes conforming changes in the Counties Code and the Illinois Municipal Code. Effective immediately.

**SB 2638 (P.A. 100-0837)(Sen.
Clayborne; Rep. DeLuca) – ANNUAL
AUDIT REPORTS**

The bill amends the Counties Code to provide that for fiscal year 2019 and each fiscal year thereafter, county audit reports shall contain statements that set forth the financial position and the results of financial operations for each fund, account, and office of the county government. Provides that the audit report shall also include the professional opinion of an auditor (rather than an accountant) with respect to the financial status and operations or, if an opinion cannot be expressed, a declaration that the auditor (rather than an accountant) is unable to express an opinion and an explanation of the reasons he or she cannot

do so. Provides that each audit report shall include the certification of the auditor (rather than an accountant) making the audit that the audit has been performed in compliance with generally accepted auditing standards. Provides that each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the county since the filing of the last audit report. Provides that audit reports shall contain financial statements prepared in conformity with generally accepted accounting principles and audited in conformity with generally accepted auditing standards if the last audit report filed preceding fiscal year 2019 expressed an unmodified or modified opinion by the independent auditor that the financial statements were presented in conformity with generally accepted accounting principles. Provides that audit reports containing financial statements prepared in conformity with any other comprehensive basis of accounting may follow specified best practices and guidelines and shall be audited in conformity with generally accepted auditing standards. Provides that if an audit report is submitted containing financial statements prepared in conformity with generally accepted accounting principles, thereafter all future audit reports shall also contain financial statements presented in conformity with generally accepted accounting principles. Makes other changes. Amends the Governmental Account Audit Act and the Illinois Municipal Code making similar changes. Effective immediately.

SB 2651 (P.A. 100-0623)(Sen. Link; Rep. Tabares) – REQUIRED SUBMISSIONS BY ELECTION AUTHORITIES

The bill amends the Election Code to provide that every 2 years, each election authority shall submit specified information on the voting equipment used within the

jurisdiction of the election authority to the State Board of Elections. Requires each election authority and the State Board of Elections to post the information online. Provides that the Board shall adopt rules, after at least 2 public hearings of the Board and in consultation with election authorities, establishing a cyber navigator program to support election authorities' efforts to defend against cyber breaches and detect and recover from cyber attacks. Contains additional provisions concerning the rules and program. Provides that applications for votes by mail shall include a valid and current phone number for the individual or organization controlling the post office box and be turned over to the appropriate election authority within 7 days of receipt or, if received within 2 weeks of the election in which an applicant intends to vote, within 2 days of receipt. Provides that failure to turn over the applications shall be punishable as a petty offense with a fine of \$100 per application. Provides that removing, tampering with, or otherwise knowingly making the postmark on the application unreadable by the election authority shall establish a rebuttable presumption of a violation. Effective immediately.

SB2667 (P.A. 100-0838)(Sen. Sims; Rep. Turner) – ENTERPRISE ZONE PLANS

The bill amends the Illinois Enterprise Zone Act. In a Section concerning qualifications for enterprise zones, provides that the applicant's plan for participation by minorities, women, and persons with disabilities is included in the list of qualifying factors. Effective immediately.

SB 2773 (P.A. 100-0980)(Sen. Althoff; Rep. Lang) – PROPERTY ASSESSED CLEAN ENERGY ACT

The bill amends the Property Assessed Clean Energy Act to provide that a local unit of government may sell or assign assessment

contracts. Provides that the term "energy efficiency improvement" includes energy efficiency projects as defined in the Illinois Finance Authority Act. Provides that the term "energy project" includes new construction. Provides that a property assessed clean energy program may be administered by one or more program administrators (currently, one program administrator). Provides that the Illinois Finance Authority may issue bonds in connection with property assessed clean energy programs. Provides that the imposition of an assessment under the Act is exempt from other statutory procedures and requirements concerning assessments and taxes against property.

SB 2884 (P.A. 100-0935)(Sen. Martinez; Rep. Martwick) – IMRF TRUSTEE ELECTIONS

The bill amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code to provide that nothing in provisions concerning the election of employee and annuitant trustees shall preclude the Board of Trustees of the Illinois Municipal Retirement Fund from adopting rules that provide for Internet balloting or phone balloting in addition to election by mail. Provides that an Internet or phone ballot cast in accordance with these rules shall be a valid ballot. Effective January 1, 2019.

SB 2915 (P.A. 100-0720)(Sen. Mulroe; Rep. Slaughter) – INSPECTION AND COPYING OF LAW ENFORCEMENT RECORDS OF MINORS

The bill amends the Juvenile Court Act of 1987 to provide that the minor who is the subject of record, his or her parents, guardian, and counsel shall have the right to inspect and copy law enforcement records maintained by a law enforcement agency or record of municipal ordinance violations maintained by any State, local, or municipal

agency that relate to a minor who has been investigated, arrested, or taken into custody before his or her 18th birthday. Provides that public defenders shall have access to these law enforcement and juvenile court records under specified circumstances. Makes changes to the juvenile court and law enforcement juvenile records expungement procedures. Effective immediately.

SB 2925 (P.A. 100-0984)(Sen. Lightford; Rep. Harper) – SCHOOL RESOURCE OFFICER TRAINING

The bill amends the Illinois Police Training Act to provide that the Illinois Law Enforcement Training Standards Board shall develop or approve a course for school resource officers. Provides that the school resource officer course shall be developed within one year of the amendatory Act and shall be created in consultation with organizations demonstrating expertise and or experience in the areas of youth and adolescent developmental issues, educational administrative issues, prevention of child abuse and exploitation, youth mental health treatment, and juvenile advocacy. Provides that the Board shall develop a process allowing law enforcement agencies to request a waiver of this training requirement for any specific individual assigned as a school resource officer. Amends the School Code. Provides that beginning January 1, 2021, any law enforcement agency that provides a school resource officer shall provide to the school district a certificate of completion, or approved waiver, issued by the Illinois Law Enforcement Training Standards Board under the Illinois Police Training Act indicating that the subject officer has completed the requisite course of instruction in the applicable subject areas within one year of assignment, or has prior experience and training which satisfies this requirement. Provides that in an effort to defray the related costs, any law enforcement agency that provides a school resource officer

should apply for grant funding through the federal Community Oriented Policing Services grant program. Defines "school resource officer."

SB 2958 (P.A. 100-0722)(Sen. Althoff; Rep. Martwick) – NOTICE OF TAX LIEN INFORMATION REQUIREMENT

The bill amends the State Tax Lien Registration Act to provide that the notice of tax lien shall also include the county or counties where the real property of the debtor to which the lien will attach is located. Provides that a tax lien that is filed in the registry shall be attached to all of the existing and after-acquired real and personal property of the debtor. Effective immediately.

SB 2999 (P.A. 100-1094)(Sen. Van Pelt; Rep. Conyears-Ervin) – WAGE PAYMENT AND COLLECTION ACT

The bill amends the Illinois Wage Payment and Collection Act. Provides that an employer shall reimburse an employee for all necessary expenditures or losses incurred by the employee directly related to services performed for the employer. Requires the Department of Labor to adopt rules implementing the requirement. Further provides that the expenditure must be within the scope of employment. Deletes examples of necessary expenses. Provides for an employee statement if documentation is missing. Requires rules and interpretation of law to be consistent with federal law. Removes a requirement that the Department of Labor to adopt rules implementing the requirement.

Provides that an employer is not responsible for losses due to an employee's own negligence, losses due to normal wear, or losses due to theft unless the theft was a result of the employer's negligence. Provides that if the written expense reimbursement policy of an employer establishes

specifications or guidelines for necessary expenditures, the employer is not liable for the portion of the expenditure amount that exceeds the specifications or guidelines of the policy.

SB 3024 (P.A. 100-0727)(Sen. Rose; Rep. Spain) – FIRST RESPONDER USE OF ELECTRONIC COMMUNICATION DEVICES

The bill amends the Illinois Vehicle Code to provide that a first responder, while operating his or her own personal motor vehicle, can use an electronic communication device for the sole purpose of receiving information about an emergency situation while en route to performing his or her official duties. Effective immediately.

SB 3086 (P.A. 100-1076)(Sen. Holmes; Rep. Halpin) – MUNICIPAL JOINT WATER ACTION AGENCY APPOINTMENTS

The bill amends the Intergovernmental Cooperation Act. Modifies the qualifications for Directors of the governing body of a Municipal Joint Action Water Agency to include an appointed official of a member municipality, public water district, township, State university, or county. Provides that for any Municipal Joint Sewage Treatment Agency established after the effective date of this amendatory Act, a Director sitting on the Board of Directors shall not be required to be an elected official of a member municipality or county but may be an appointed official of a member municipality or county. Effective immediately.

SB3105 (P.A. 100-0625)(Sen. Bivins; Rep. Stewart) – LAW ENFORCEMENT ASSISTANCE FOR CHILD PROTECTIVE SERVICES

The bill permits a child protective investigator of a Child Protective Service Unit to request assistance from local law enforcement officers, to be provided at a

mutually available time, if the child protective investigator is (i) unable to obtain assistance from other unit members when responding to a high-risk report of child abuse or neglect and (ii) has a reasonable belief or suspicion that a subject named in the report has the potential for violence. Provides that law enforcement officers shall, upon request, make all reasonable efforts to assist the child protective investigator in receiving law enforcement assistance from any other police jurisdiction that is outside the accompanying officers' primary jurisdiction. Effective immediately.

SB 3134 (P.A. 100-0730)(Sen. McConnaughay; Rep. Olsen) – FLOOD CONTROL COMMISSION

The bill amends the Flood Control Act of 1945 to create the Flood Control Commission to provide that the Commission shall study and develop an integrated floodplain management coalition of communities in the Fox River Watershed to serve as an example and catalyst to other watershed communities in the DuPage, Kane, Lake, McHenry, and Will County region; (2) provides that the Commission shall be chaired by the Director of Natural Resources; (3) provides who shall appoint members of the Commission for members from specific counties and municipalities; (4) specifies where the Commission shall catalog current shortfalls in existing flood control practices; (5) provides that the Commission shall make suggestions for the improvement of the development of an example integrated floodplain management coalition of communities in the Fox River Watershed (rather than the expenditure of State funds to improve current infrastructure); (6) makes changes concerning the required contents of the report to the General Assembly; and (7) provides that a report to the General Assembly shall be submitted electronically by December 31, 2019.

SB 3212 (P.A. 100-0731)(Sen. Bush; Rep. Williams) – NATURAL DISASTER TAX CREDIT – DISCLOSURES BY COUNTIES OR MUNICIPALITIES

The bill amends the Illinois Income Tax Act to provide that nothing in the Act prohibits the disclosure of information by officials of a county or municipality involving reports of damaged property or the owners of damaged property if that disclosure is made to a township or county assessment official in connection with the natural disaster credit. Amends the Freedom of Information Act. Repeals a Section providing that nothing in the Act prohibits the disclosure of information by officials of a county or municipality involving reports of damaged property or the owners of damaged property if that disclosure is made to a township or county assessment official in connection with the natural disaster income tax credit.

SB 3215 (P.A. 100-0890)(Sen. Barickman; Rep. Walsh, Jr.) – PROPERTY TAX – SALES IN ERROR

The bill amends the Property Tax Code. In provisions concerning sales in error, provides that, in cases where improvements upon the property sold have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy, the court may order the holder of the certificate of purchase to assign the certificate to the county collector, upon request of the county collector. Provides that the county collector may further assign the certificate to the county, acting as trustee for taxing districts, or to a taxing district having an interest in the taxes sold. Provides that, if a certificate has been assigned to the county collector by court order, then the period of redemption shall be extended for a period of time designated by the holder of the certificate, which may not exceed 36 months from the date of the assignment to the collector.

SB 3217 (P.A. 100-0732)(Sen. Curran; Rep. Demmer) – FOIA EXEMPTIONS – DETENTION FACILITIES

The bill amends the Freedom of Information Act. To the list of exemptions under the Act, adds certain records that relate to or affect the security of detention facilities requested by persons who are committed to the Department of Human Services Division of Mental Health. Effective immediately.

SB 3291 (P.A. 100-0735)(Sen. Clayborne; Rep. Evans) – DRONE REGULATION

The bill defines "unmanned aircraft" and replaces the definition of "unmanned aircraft system." The bill provides that State-level oversight may not conflict with federal laws, rules, or regulations and exempts from the new provisions any local ordinance enacted by a municipality of more than 1,000,000 inhabitants. The bill provides that nothing in the Section shall infringe or impede on any current right or remedy available under existing State law and provides that the Division of Aeronautics of the Department of Transportation shall adopt any rules to address the safe and legal operation of unmanned aircraft systems.

SB 3464 (P.A. 100-0945)(Sen. Mulroe; Rep. Manley) – CATV FEE AUDITS

The bill amends the Counties Code and Illinois Municipal Code to provide that a county's or municipality's initial report of its audit findings to CATV operators shall include the complete list of all addresses within the corporate limits of the county or municipality. A county or municipality may thereafter not commence or conduct another audit for the same audit period or for any part of that same audit period if the county or municipality failed to provide the initial report of the audit findings to the CATV operator within specified timeframes. In addition, the county or municipality shall provide a CATV operator the updated

address list within 90 days after the date of a written request by the CATV operator and before a CATV operator's franchise fees or service provider fees are derived. Holds harmless the CATV operator for any franchise fee underpayment if the county or municipality does not provide the updated address list. Makes other changes. Effective August 17, 2018.

SB 3503 (P.A. 100-0947)(Sen. Sims; Rep. Cassidy) – CIRCUIT COURT LACTATION ROOMS

The bill amends the Counties Code to provide that on or before June 1, 2019, every facility that houses a circuit court room shall include at least one lactation room or area for members of the public to express breast milk in private that is located outside the confines of a restroom and includes, at minimum, a chair, a table, and an electrical outlet, as well as a sink with running water where possible. Provides that the lactation rooms and areas shall also meet with reasonable minimum standards prescribed by the Supreme Court of Illinois, which the Supreme Court is requested to create, including requirements for posting of notice to the public regarding location and access to lactation rooms and areas, as well as requirements for the addition of a sink with running water in the event of renovation to the facilities. Requests the Supreme Court to create minimum standards for training of courthouse staff and personnel regarding location and access to lactation rooms and areas for all people present in the courthouse who need to use lactation rooms and areas.

SB 3547(P.A. 100-1101)(Sen. T. Cullerton; Rep. Chapa Lavia) – SERVICE-MEMBER EMPLOYMENT AND EMPLOYMENT RIGHTS ACT

The bill creates the Service-Member Employment and Reemployment Rights Act. The bill contains provisions concerning matters relevant to the employment rights of

service-members, including employment protections, additional benefits for public employee members of a reserve component, prohibitions on discrimination, a notice of rights and duties, violations, enforcement, remedies, and rulemaking. The bill limits the concurrent exercise of power by home rule units.

SB 3561(P.A. 100-0736)(Sen. Munoz; Rep. Currie) – DESIGN-BUILD DELIVERY METHOD USE

The bill amends the Public Building Commission Act to change various repeal dates from June 1, 2018 to June 1, 2023, in provisions concerning allowing public building commissions to use the design-build delivery method for public projects.

SB 3604 (P.A. 100-0895)(Sen. T. Cullerton; Rep. Kifowit) – GOVERNMENT SEVERANCE PAY LIMITATIONS

The bill creates the Government Severance Pay Act to provide that a unit of government that enters into a contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, that contains a provision for severance pay with an officer, agent, employee, or contractor must include specified provisions in the contract. Provides that nothing in the Act creates an entitlement to severance pay in the absence of its contractual authorization or as otherwise authorized by law.