



DUPAGE COUNTY

2016 STATE LEGISLATIVE UPDATE



ILLINOIS

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End of Session Report 2016

During the 2016 legislative session, the General Assembly approved 436 bills (House 225, Senate 211). The Governor has now acted on all adopted measures and below is a summary of legislation from the spring session of interest to county government. For those bills that the Governor either vetoed or issued an amendatory veto of, a copy of the veto message is attached to this document. Further information on the bills listed below may be found at the General Assembly's website at: www.ilga.gov.

Bills Adopted by both Chambers:

HB 229 – Expansion of DuPage ACT Model (Franks, D-Woodstock/Bush, D-Grayslake): Amends the Counties Code to extend the Local Government Reduction & Efficiency provision adopted in 2013 for DuPage County (Public Act 98-0126) to Lake and McHenry Counties. This provision provides for the potential dissolution of specified county appointed agencies that deliver public services. The bill also provides an exemption for conservation districts under the Act.

Public Act 99-0709

HB 750 – RTA Borrowing (Davis, D-East Hazel Crest/Hastings, D-Matteson): Amends the Regional Transportation Authority Act. Removes the limits on borrowing for: construction of a new garage in the northwestern Cook County suburbs; to convert the South Cook garage in Markham to a Compressed Natural Gas facility; construction of a new para-transit garage in DuPage County; and expansion of the North Shore garage in Evanston to accommodate additional indoor bus parking. Provides that the Suburban Bus Board may also borrow money to purchase new transit buses.

Public Act 99-0665

HB 1380 – Arbitration Awards (Phelps, D-Harrisburg/Manar, D-Bunker Hill): Provides that unless mutually agreed otherwise, any party to a collective bargaining agreement who fails to timely comply with an arbitration award or who after timely demand, fails to submit a grievance dispute concerning the administration or interpretation of an agreement to arbitration, shall pay to the prevailing party all reasonable costs of the proceedings in the trial and reviewing courts, among other provisions.

Amendatory Veto



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HB 1437 – Criminal Sentencing Impact Note (Franks, D-Woodstock/Jones, D-Chicago): Creates the Criminal Diversion Racial Impact Data Collection Act. Requires that, in accordance with reporting guidelines for law enforcement agencies under the Criminal Identification Act, the Illinois Criminal Justice Information Authority shall report the number of persons arrested and released without charging, and the racial and ethnic composition of those persons. Requires that, in accordance with reporting guidelines for State's Attorney's under the Criminal Identification Act, the Authority shall report the number of persons for which formal charges were dismissed, and the racial and ethnic composition of those persons. Requires that, in accordance with reporting guidelines for circuit court clerks under the Criminal Identification Act, the Authority shall determine and report the number of persons admitted to a diversion from a prosecution program, and the racial and ethnic composition of those persons, separated by each type of diversion program. Provides that the Authority, Department of State Police, Administrative Office of the Illinois Courts, and Illinois State's Attorneys Association, may collaborate on any necessary training concerning the provisions of the Act.

Public Act 99-0666

HB 3982 – Child Support Guidelines (Burke, D-Chicago/Hastings, D-Matteson): Amends the Illinois Marriage and Dissolution of Marriage Act to delete provisions concerning child support award guidelines, income calculation for child support purposes, and allocation of other child-related expenses. Provides that the Department of Healthcare and Family Services shall promulgate guidelines and worksheets for the purpose of calculating child support guidelines, and that the court shall apply the guidelines unless the court determines, after weighing specified factors, that application of the guidelines would be inappropriate. Adds provisions concerning child support purposes and applicability, duty of support, income calculation for support purposes, minimum orders, deviation factors, shared parenting, split care, allocation of other child-related expenses, and modification of support orders.

Public Act 99-0764

HB 4259 – Public Pension Ban for Employees of Associations (Moylan, D-Park Ridge/Bertino-Tarrant, D-Plainfield): Provides that the definition of an employee under the Illinois Municipal Retirement Fund Article does not include a person who on or after the effective date becomes an employee of the following participating instrumentalities: the Illinois Municipal League; the Illinois Association of Park Districts; the Illinois Supervisors, County Commissioners and Superintendents of Highways Association; the United Counties Council of Illinois and the Will County Governmental League.

Public Act 99-0830

HB 4344 – Heroes Way Designation Act (Batinick, R-Plainfield/Bertino-Tarrant, D-Plainfield): Creates the Heroes Way Designation Program Act. Allows a person who is related to a member of the United States Armed Forces who was killed in action while performing active military duty to apply for a designation allowing the placement of an honorary sign upon an interstate or state-numbered highway



interchange, bridge or segments of highway, under the jurisdiction of the Illinois Department of Transportation.

Public Act 99-0802

HB 4351 – Implementation of DON Score/Assessments (Harris, D-Chicago/Biss, D-Skokie): Removes a provision requiring the Illinois Department on Aging to establish eligibility standards for services provided under the Community Care Program and instead sets forth the criteria individuals must meet to have equal access to services under the Community Care Program. Makes changes to provisions added to the Act concerning the eligibility of individuals with a determination of need (DoN) score of 29 or higher for institutional and home and community-based long term care services until the State receives federal approval and implements an updated assessment tool; and adds a provision requiring service cost maximums to be set at levels no lower than the service cost maximums that were in effect as of January 1, 2016 and to be increased accordingly to reflect any rate increases. Further amends the Illinois Public Aid Code by providing that no individual receiving care in an institutional setting shall be involuntarily discharged as the result of the updated assessment tool until a transition plan has been developed by the Department on Aging or its designee and all care identified in the transition plan is available to the resident immediately upon discharge.

Vetoed

HB 4371 – Dissolution of Water Authorities (Andersson, R-Geneva/Clayborne, D-E-St. Louis): Provides that a water authority may be dissolved upon referendum of the electors of the water authority.

Public Act 99-0668

HB 4379 – Approval of Local Government Travel Expenses (McSweeney, R-Cary/Cullerton, T., D-Villa Park): Creates the Local Government Travel Expense Act to require all local public agencies by resolution or ordinance to regulate the reimbursement of all travel, meal, and lodging expenses of elected officials and employees including but not limited to the types of official business for which travel, meal and lodging expenses are allowed and maximum allowable reimbursement levels. Before an expense for travel, meals, or lodging may be approved, requires that a list of specific information be submitted in writing to the governing body (county board). Requires a roll call vote to approve travel that exceeds maximum allowable reimbursement levels and for all travel by governing board members. Effective 1/1/17.

Public Act 99-0604

HB 4391 – Township Officials-Criminal Convictions (Hoffman, D-Belleville/Bertino-Tarrant, D-Plainfield): Amends the Township Code. Provides that a person is not eligible to hold any township office if that person, at the time required for taking the oath of office, has been convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony.

Public Act 99-0546



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HB 4462 – Epinephrine Auto-Injectors/Training (Mussman, D-Schaumburg/Nybo, R-Elmhurst): Creates the Epinephrine Auto-Injector Act to establish a training program for school related personnel and law enforcement officers to recognize and respond to anaphylaxis, including the administration of an epinephrine auto-injector. The legislation is named in memory of Annie LeGere, a 13 year-old resident of Elmhurst who died suddenly last year due to a severe allergic reaction. Her family has since established a foundation to bring awareness to schools, to promote legislation, and to equip first responder emergency vehicles with EpiPens in order to quickly treat severe allergic reactions and save lives.

Public Act 99-0711

HB 4522 – Volunteer Fire Department Reimbursement (Hoffman, D-Belleville/Clayborne, D-East St. Louis): Amends the Illinois Municipal Code to provide for the reimbursement of volunteer fire agencies that provide assistance to persons, businesses and other entities that are not residents of the municipality. Provides that a fee may not exceed \$250 per hour for services provided.

Public Act 99-0770

HB 4529 – Repeal of the Illinois Building Commission (Sandack, R-Downers Grove/Syverson, R-Rockford): Abolishes the Illinois Building Commission and transfers its function of identifying local building codes to the Capital Development Board.

Public Act 99-0639

HB 4552 – Elder Abuse Records/Disclosure (Andersson, R-Geneva/Connelly, R-Lisle): Amends the Adult Protective Services Act. Adds State's Attorney's offices to the list of persons and agencies granted access, upon request, to records concerning reports of abuse, neglect, financial exploitation, or self-neglect of seniors.

Public Act 99-0547

HB 4603 – Public Defender Reports (Bennett, R-Pontiac/Barickman, R-Bloomington): Provides that in counties with a population under one million, the county board may determine if the Public Defender shall prepare and file a quarterly or monthly report (currently shall prepare and file a monthly report).

Public Act 99-0774

HB 4630 – Access to Closed Session Records/New Officials (Ives, R-Wheaton/Connelly, R-Lisle): Permits access to the verbatim recordings and minutes of closed meetings to duly elected officials or appointed officials filling a vacancy of an elected office in a public body. Also provides that no verbatim recordings or minutes of closed meetings shall be recorded or removed from the public body's main office or official storage location except by vote of the public body or by court order.

Public Act 99-0515



HB 4688 – Regulation of Public Water Supplies (Tyron, R-Crystal Lake/Syverson, R-Rockford): Amends the Public Water Supply Regulation Act to require the owners or official custodians of public water supplies to be in compliance with recommendations on optimal fluoridation for community water levels proposed and adopted by the U. S. Department of Health and Human Services, the Centers for Disease Control and Prevention, and the rules and regulations adopted by the Illinois Environmental Protection Agency and the Pollution Control Board.

Public Act 99-0529

HB 4715 – FOIA Penalties (Bryant, R-Mt. Vernon/Radogno, R-Lemont): Allows a FOIA requester to file an action to enforce a binding opinion issued under the Act and permits a court to impose an additional penalty of up to \$1,000 each day after 30 days of noncompliance if the court's order is not on appeal or stayed or if the court does not grant the public body additional time to comply with the court's order to disclose the public records.

Public Act 99-0586

HB 5003 – Establishment of a Veterans Court (Winger, R-Wood Dale/Link, D-Waukegan): Provides that the Chief Judge of each judicial circuit shall (versus may) establish a Veterans and Service members court program. The court may, at the discretion of the Chief Judge, be a separate court or a program of a problem-solving court, including but not limited to a drug court or mental health court.

Public Act 99-0807

HB 5530 – Procurement/Food Donations (Williams, D-Chicago/Van Pelt, D-Chicago): Provides that after the effective date of this amendatory Act, a public entity shall not enter into a contract to purchase food with a bidder or offeror if the bidder's or offeror's contract terms prohibit the public entity from donating food to food banks, including, but not limited to, homeless shelters, food pantries, and soup kitchens. Amends the School Code to make a similar change.

Public Act 99-0552

HB 5584 – Dissolution of Sanitary Districts (Wheeler, R- Crystal Lake/Althoff, R-McHenry): Provides for the dissolution of the Round Lake Sanitary District and the Fox Lake Hills Sanitary District and that upon dissolution and adoption of an agreement, Lake County shall assume all assets, responsibilities and statutory powers of each district.

Public Act 99-0783

HB 5593 – Opioid Addiction Education (Lang, D-Skokie/Bush, D-Grayslake): Provides that all programs serving persons with substance abuse issues licensed by the Illinois Department of Human Services under the Act must provide educational information concerning treatment options for opioid addiction, including the use of a medication for the use of opioid addiction, recognition of and response to opioid overdose, and the use and administration of naloxone, to clients identified as



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having or seeking treatment for opioid addiction. Also provides that the Department shall develop educational materials supported by research and updated periodically.

Public Act 99-0553

HB 5594 – Drug Court Opioid Abuse (Lang, D-Skokie/Bush, D-Grayslake): Requires Drug Courts to allow patients who are receiving medication for opioid addiction to continue taking the medication as prescribed by a licensed physician. Prevents a court from halting the use of medication prior to a doctor's approval. Provides that drug court participants may not be required to refrain from using medication assisted treatment as a term or condition of successful completion of the drug court program.

Public Act 99-0554

HB 5603 – Electronic Monitoring (Harris, D-Chicago/Link, D-Waukegan): A trailer bill to last year's Public Act that established Electronic Monitoring in long-term care facilities, the legislation adds a number of provisions including: requires a facility to turn off an authorized electronic monitoring device if a new roommate fails to provide the required consent; requires that the installation of all electronic monitoring devices shall comply with the requirements of the National Fire Protection Association 101 Life Safety Code; prohibits retaliation or discrimination against any resident for consenting to an authorized electronic monitoring device; and that a facility shall not prevent the installation or use of an electronic monitoring device by a resident who has provided the facility with notice and consent as required.

Public Act 99-0784

HB 5683 – Open Meeting Act Violations (Breen, R-Lombard/Nybo, R-Elmhurst): Provides that where the provisions of this Act are not complied with, or where there is probable cause to believe that the provisions of this Act will not be complied with, any person may bring a civil action in the circuit court within 60 days of the decision by the Attorney General to resolve a request for review by a means other than the issuance of a binding opinion, if the person timely files a request for review with the Public Access Counselor.

Public Act 99-0714

HB 5684 – Local Government Wage Increase Transparency Act (Breen, R-Lombard/Nybo, R-Elmhurst): Requires the disclosure of specific information on a public agenda and the public discussion of any payments made to retiring IMRF (Tier 1) employees (hired prior to 1/1/11) that are made between 12 months and 90 days prior to the employee's expected termination of service date that increases the employee's reportable monthly earnings by more than 6% when compared to the previous month. Information to be posted includes the name of the employee, the purpose and amount of the increase, the proposed retirement/separation date, the effect of the payments upon the expected retirement



annuity of the employee, and the effect of the payments upon the liability of the employer.

Public Act 99-0646

HB 5764 – Homemaker Wage Increase (Andrade, D-Chicago/Raoul, D-Chicago): Amends the Illinois Act on the Aging in a provision concerning the Community Care Program to establish the following rate increases for the purpose of increasing the wages paid by vendors to their employees who provide homemaker services: on July 1, 2016, rates shall be increased to \$19.23 per hour; on July 1, 2017, rates shall be increased to \$21.32 per hour; on July 1, 2018, rates shall be increased to \$23.41 per hour; and on July 1, 2019, rates shall be increased to \$25.08 per hour. Requires the Department to pay an enhanced rate under the Community Care Program to those in-home service provider agencies that offer health insurance coverage as a benefit to their direct service worker employees consistent with the mandates of Public Act 95-713.

Vetoed

HB 5781 – Disposal of Unused Medications (Bellock, R-Hinsdale/Connelly, R-Lisle): Establishes procedures to provide that police officers, coroners, and medical examiners may dispose of unused medications found at the scene of a death after consulting with the law enforcement agency investigating the death. Removing opioid prescription medications in particular, helps to ensure that highly addictive medications are not redistributed or disposed of improperly.

Public Act 99-0648

HB 5785 – Urban Weatherization Initiative-UWI (Turner, D-Chicago/Lightford, D-Westchester): Establishes the federal prevailing wage as the standard for weatherization work performed in Illinois; increases the cap on work performed for each home from \$6,500 to \$10,000; and requires two voting members of the UWI board to have experience in weatherization or energy efficiency.

Amendatory Veto

HB 5884 – Investment in Not-for-Profit's (Cloonen, D-Kankakee/Hutchinson, D-Chicago Heights): Amends the Public Funds Investment Act to permit municipalities and counties to invest up to \$250,000 per year in public funds in not-for-profit community development financial institutions. Sets forth requirements for these institutions.

Public Act 99-0676

HB 6027 – Healthy Local Foods Incentives Act (Tyron, R-Crystal Lake/Harmon, D-Oak Park): Requires the Illinois Department of Human Services to establish a Healthy Local Foods Incentives Program to double the purchasing power of Illinois residents with limited access to fresh fruits and vegetables. Creates the Healthy Local Foods Incentives Fund as a special fund in the State treasury for the purpose of implementing the program. Subject to appropriation, the Department shall make an annual grant of



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\$1 million from the Fund to a qualified Illinois non-profit organization or agency, which shall be distributed to participating Illinois farmers markets for the purpose of providing matching dollar incentives (up to a specified amount) for the dollar value of SNAP benefits spent on FINI eligible fruits and vegetables at participating Illinois farmers markets and producer-to-consumer venues.

Amendatory Veto

HB 6162 – Employee Sick Leave Act (Skoog, D-Peru/Collins, D-Chicago): Creates the Employee Sick Leave Act to provide that employees may also use personal sick leave benefits provided by the employer for absences due to an illness, injury or medical appointment of a specified family member.

Public Act 99-0841

HB 6261 – Health Department Shared Services (Sandack, R-Downers Grove/Connelly, R-Lisle): An initiative of the DuPage County Health Department, the legislation permits a county's board of health to enter into agreements with municipal health departments, other county health departments, public or private hospitals, and not-for-profit entities to provide public health services outside of the board of health's own jurisdiction in order to deliver public services more efficiently.

Public Act 99-0730

HB 6328 – Expungement of Records (Turner, D-Chicago/Collins, D-Chicago): Provides for the expungement of certain arrest records and waives the associated expungement fees but only in Cook County as part of a one-year pilot program that sunsets as of January 1, 2018.

Public Act 99-0881

SB 10 – Expansion of Medical Marijuana Pilot Program (Haine, D-Alton/Lang, D-Skokie): Extends the current medical marijuana pilot program in the State until July 1, 2020 and expands the number of qualifying medical conditions for patients to include Post Traumatic Stress Syndrome or a terminal illness.

Public Act 99-0519

SB 210 – Bath Salt Prohibition (Manar/D-Bunker Hill/Bourne, R-Litchfield): Creates the Bath Salts Prohibition Act to provide that a person may not sell or offer for sale any bath salts in a retail mercantile establishment located within this State. Provides that a violation is a Class 3 felony for which a fine not exceeding \$150,000 may be imposed. Provides that in addition to any other penalty that may be imposed for a violation of the Act, the unit of local government that issued a retailer's license for the retail mercantile establishment whose merchant violated the Act, may revoke the retailer's license upon conviction for a violation of the Act.

Public Act 99-0585



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SB 212 – Expanded use of Narcotic Forfeiture Act (Bertino-Tarrant, D-Plainfield/Fine-D, Glenview): Amends the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Narcotics Profit Forfeiture Act. Provides that all monies and the sale proceeds of all other property forfeited and seized under these Acts may be used for public education in the community or schools in the prevention or detection of the abuse of drugs or alcohol.

Public Act 99-0686

SB 250 – Automatic Voter Registration (Manar, D-Bunker Hill/Gabel, D-Evanston): Requires the State Board of Elections to establish and maintain a portal (by January 1, 2018) that allows an eligible resident to automatically/electronically register to vote or update an existing voter file when conducting business (either in person or online) with a designated government agency that includes the Secretary of State's Driver Services & Vehicle Services Departments, Department of Human Services, Department of Healthcare and Family Services, the Department of Employment Security and the Department on Aging as well as any federal source that agrees to submit personal identification information to the state for voter registration purposes and any other reliable state government source the State Board of Elections may designate.

Vetoed

SB 320 – Youth Diversion Task Force (Trotter, D-Chicago/Feigenholtz, D-Chicago): Creates the Mental Health Opportunities for Youth Diversion Task Force to: develop an action plan for state and local law enforcement and other agencies to divert youth that require mental health treatment into an appropriate health care setting; to review existing evidence based models and best practices around diversion opportunities for youth with mental health needs from the point of police contact and initial contact with the juvenile justice system; identify existing diversion programs across the state and all available funding sources; and recommend an action plan to the Governor and the General Assembly within one year of the first meeting of the Task Force.

Public Act 99-0894

SB 384 – Open Meetings Act Exemptions (Munoz, D-Chicago/Sims, D-Chicago): Amends the Open Meetings Act to provide that a public body may hold closed meetings to consider, among other subjects, the discussion of matters protected under the federal Patient Safety and Quality Improvement Act of 2005, and the regulations promulgated thereunder, or for the discussion of matters protected under the federal Health Insurance Portability and Accountability Act of 1996, and the regulations promulgated thereunder, by a hospital or other institution providing medical care that is operated by the public body.

Public Act 99-0687



SB 1529 – Omnibus Election Code Bill (Link, D-Waukegan/Currie, D-Chicago): Makes numerous changes to the Election Code including: permits the use of digitized signatures except for nominating or candidate petitions; allows election authorities to utilize an intelligent mail barcode tracking system; makes changes to the calculation of the number of primary electors; allows election authorities to keep master files in a computer based voter registration file (eliminating costly paper copies) provided a secondary digital back-up is kept; and provides electors for President and Vice-President to be chosen by state convention or by a political party's state central committee, among other provisions.

Public Act 99-0522

SB 2159 – Severance Packages for State University & Community College Presidents (Cunningham, D-Chicago/Burke, D-Chicago): Relating to the governance of public universities and community colleges in Illinois, sets forth a number of provisions governing employment contracts entered into on behalf of the president or chancellors of a college.

Public Act 99-0694

SB 2186 – School Zoning Compliance (Althoff, R-McHenry/Tryon, R-Crystal Lake): In processing zoning applications from public school districts, requires a county, township, or municipality to make reasonable efforts to streamline the zoning application and review process for the school board and minimize the administrative burdens involved in the zoning review process which include reducing application fees and other costs associated with the project, limiting the number of times the school district must amend its site plans, and expediting the zoning review process for the purpose of rendering a decision on any application from a school district within 90 days after a completed application is submitted.

Public Act 99-0890

SB 2227 – Unfunded Mandates (Holmes, D-Aurora/Kifowit, D-Aurora): Provides that the Illinois Department of Commerce & Economic Opportunity shall compile a report on all effective state mandates. Specifies information that may be included in the report.

Public Act 99-0789

SB 2228 – Reduction of Cannabis Penalties & Fines (Steans, D-Chicago/Cassidy, D-Chicago): Provides that the possession of 10 grams or less of cannabis is a civil law violation punishable by a minimum fine of \$100 and a maximum fine of \$200. Creates the offense of unlawful use of cannabis-based product manufacturing equipment and provides that a violation is a Class 2 felony. Provides that the provisions of any ordinance enacted by any municipality or unit of local government which imposes a fine upon cannabis other than as defined in the Cannabis Control Act are not invalidated or affected by this Act. Amends the Drug Paraphernalia Control Act to provide that if a person is convicted of 10 grams or less of cannabis, the penalty for possession of any drug paraphernalia seized during the arrest for that



offense shall be a civil law violation punishable by a minimum fine of \$100 and a maximum fine of \$200 (may reduce revenues for the Circuit Clerk's Office).

Public Act 99-0697

SB 2252 – Cash Bail (Stadelman, D-Rockford/Wallace, D-Rockford): Provides that a sheriff or other peace officer taking cash bail or bail deposits shall accept payments made in the form of currency, and may accept other forms of payment as authorized by the sheriff. Defines "currency."

Public Act 99-0618

SB 2261 – Impoundment of Vehicles (Haine, D-Alton/Zalewski, D-Riverside): If an administrative hearing officer finds that a county or municipality impounds a vehicle and exceeded its authority under the Vehicle Code, the county or municipality shall be liable to the registered owners or lessee of the vehicle for the cost of storage fees and reasonable attorney's fees.

Public Act 99-0848

SB 2370 – Juvenile Counsel Representation (Van Pelt, D-Chicago/Currie, D-Chicago): Provides that in a proceeding under the Juvenile Court Act, a minor who was under 15 years of age at the time of the commission of a specific crime (homicide and sex crimes), a public defender without fee or appointment, may represent and have access to a minor during a custodial interrogation. Makes numerous other changes regarding the admission of statements made by the minor. (may increase costs for the Public Defender's Office).

Public Act 99-0882

SB 2531 – Membership of Economic Development Councils (Lightford, D-Westchester/Welch, D-Westchester): Requires any economic development corporation (such as Choose DuPage) that receives any public money to include on its board no less than 2 members of a labor council and no less than 2 members from 2 separate minority groups. Also provides that no membership fees, dues, or assessments shall be required by these members.

Vetoed

(Note: a trailer bill to this legislation, that only takes effect should SB 2531 become law, SB 2604, was also adopted which further defines an economic development corporation as a local not-for-profit, public-private partnership that receives public monies to promote the development, establishment or expansion of industries that receives more than \$1,500 annually in public funds).

SB 2532 – County Veterans Assistance Commissions (Hastings, D-Matteson/Chapa LaVia, D-Aurora): Provides that Veterans Assistance Commissions shall be composed of delegates (rather than one delegate) and alternates (rather than one alternate) from a majority (rather than each) of the posts, camps, units, and chapters or ships of military veterans organizations in a county. Provides that beginning on January 1, 2017, and every January 1 thereafter, all Veterans Assistance Commissions



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shall publish a specified notice. Adds provisions concerning the selection of delegates and alternates for Veterans Assistance Commissions.

Public Act 99-0853

SB 2600 – TIF Membership (Delgado, D-Chicago/Welch, D-Chicago): Provides that when a commission is created under the Economic Development Project Area Tax Increment Allocation Act of 1995 and receives any public funds or public monies, the board shall include not less than 2 members of a labor council or councils and not less than 2 members from 2 separate minority groups (or one member who is a woman and one member from a minority group).

Vetoed

SB 2701 – IMRF Pensions for County Board Members: (Althoff, R-McHenry/Franks, D-Woodstock): Limits participation by County Board Members in a pension plan under the Illinois Municipal Retirement Fund (IMRF) to only those members who were first elected as a member of a county board prior to the effective date of this Act, requires County Boards no more than 90 days after each general election to adopt a resolution certifying that persons in the position of an elected county board member are expected to work at least 600 or 1,000 hours annually (whichever standard that county board had previously adopted), and requires County Board Members already participating in the pension program to submit monthly time sheets documenting time spent on official government business.

Public Act 99-0900

SB 2767 – Enforcement of County Judgments (Jones, D-Chicago/Mitchell, C., D-Chicago): Amends the Counties Code concerning the enforcement of judgments to include any tax or fee. Allows certain (larger) counties to collect delinquent taxes and fees through private debt collectors.

Vetoed

SB 2783 – Unclaimed Property (Link, D-Waukegan/Jackson, D-East St. Louis): Amends the Uniform Disposition of Unclaimed Property Act. Decreases the duration from 7 years to 5 years for unclaimed property held by any federal, state, local government or governmental entity to be presumed abandoned.

Public Act 99-0577

SB 2833 – County Code Enforcement (Jones, D-Chicago/Martwick, D-Chicago): Amends the Counties Code to provide that a judgment relating to a county code violation is a debt due and owing to a county and the findings and order of the hearing officer may be enforced in the same manner as a judgment entered into by a court.

Public Act 99-0739



SB 2870 – Electronic Monitoring Program - Substance Abuse (Mulroe, D-Chicago/Sims, D-Chicago):

Permits the Chief Judge of the circuit court of the county by administrative order, to establish a program for electronic monitoring of offenders with regard to drug-related and alcohol-related offenses, in which a vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge who may also suspend any additional charges or fees for late payment, interest, or damage to any device.

Public Act 99-0797

SB 2885 – Court Reversal/Refund (Silverstein, D-Chicago/Sims, D-Chicago): Amends the Code of Criminal Procedure of 1963 in a provision regarding the refund of costs, fines, or fees upon reversal of conviction on a finding of actual innocence and requires that the refund shall be determined by the judge and paid by the clerk of the court based upon the availability of funds in the subject fund account. (may reduce revenues of the Circuit Clerk's Office).

Public Act 99-0883

SB 2889 – E-file Appeal Notices (McGuire, D-Crest Hill/Fortner, R-West Chicago): Amends the Property Tax Code. In a Section requiring the board of review to serve a copy of the petition on all taxing districts when a change in assessed valuation of \$100,000 or more is sought, provides that the service may be sent by electronic means if the taxing district consents to electronic service and provides the board of review with a valid e-mail address for the purpose of receiving service.

Public Act 99-0579

SB 2896 – IMRF Return to Work (Althoff, R-McHenry/Andrade, D-Chicago): Amends the Illinois Municipal Retirement Fund Article of the Pension Code to provide that if any annuitant under the Article returns to work for any participating employer and the employer that employs or re-employs the annuitant knowingly fails to notify the Board to suspend the annuity, the employer may be required to reimburse the Fund for an amount up to one-half of the total of any annuity payments made to the annuitant after the date the annuity should have been suspended.

Public Act 99-0745

SB 2929 – Medicaid/Long-Term Care Services (Mulroe, D-Chicago/Rita, D-Blue Island): In provisions concerning the pending discharge of an aged patient or a patient with a disability from a hospital to a skilled nursing facility, requires the case coordination unit to provide a copy of the required assessment documentation directly to the nursing home to which the patient is being discharged to prior to discharge. Requires the Illinois Department on Aging to provide notice of this requirement to case coordination units among other items.

Public Act 99-0857



SB 2964 – Application of Prevailing Wage Act (Harmon, D-Oak Park/Hoffman, D-Belleville): Provides that the prevailing wage shall not be less than the rate that prevails for similar work performed under collective bargaining agreements in the locality provided that the agreements cover at least 30% of the workers. Provides that, if bargaining agreements do not exist in the locality, the Illinois Department of Labor shall ascertain the prevailing wage to be paid under the Act. Applies to public works performed without a written contract and requires that the Department publish prevailing wages schedules on its website.

Amendatory Veto

SB 2994 – Appointed Bodies Report (Cullerton, T., D-Villa Park/McSweeney, R-Cary): Requires all counties to submit to the General Assembly on or before January 1, 2017, a report identifying any local public entity that the county board or county board chairman appoints members to, including when the body was created and whether or not the entity levies a property tax among other items.

Public Act 99-0634

SB 3034 – Donation of Juror Fees-Pilot Program (Morrison, D-Deerfield/Mayfield, D-Waukegan): Creates the Lake County Children's Advocacy Center Pilot Program and provides under the pilot program, which begins January 1, 2017 and ends December 31, 2018, that any grand or petit juror in Lake County may elect to have his or her juror fees donated to the Lake County Children's Advocacy Center. Provides that the Lake County Board shall create rules and policies concerning the pilot program and report yearly to the General Assembly and Governor on the pilot program.

Public Act 99-0583

SB 3096 – Expanded training for law enforcement/911 operators (Bennett, D-Pontiac/McAsey, D-Romeoville): Creates the Sexual Assault Incident Procedure Act. Provides that on or before January 1, 2018, every law enforcement agency shall develop, adopt, and implement written policies regarding procedures for incidents of sexual assault or sexual abuse. Provides that the Office of the Attorney General in consultation with the Illinois Law Enforcement Training Standards Board and the Department of State Police, shall develop this model policy. Also provides guidelines on reporting of sexual assault and sexual abuse to law enforcement agencies, and the release and storage of sexual assault evidence.

Public Act 99-0801

SB 3112 – FOIA exemptions for County Jail Inmates (Haine, D-Alton/Walsh, D-Joliet): An initiative of the Illinois Sheriff's Association, the legislation extends the same FOIA exemptions/guidelines currently applicable to persons who are committed to Illinois Correctional Facilities (making FOIA requests) to persons who are committed to county jails.

Note: Although the bill initially passed both chambers, it was not sent to the Governor as the Senate sponsor subsequently filed a "Motion to Reconsider" which effectively kills the bill. Senator Haine



has indicated he plans to convene a group shortly to rework the legislation during the fall veto session.

SB 3129 - Police Dog Retirement (Cullerton, T., D-Villa Park/Anthony, R-Morris): Provides that a police dog, which is deemed no longer fit for public service, may be offered by the county, municipality, or state law enforcement agency to the officer or employee who had custody and control of the animal during its service. If the officer or employee does not wish to keep the dog, it may be offered to another officer or employee in the agency, or to a non-profit organization or a no-kill animal shelter that may facilitate an appropriate adoption of the dog.

Public Act 99-0817

SB 3162 – E-Business/Court Fees (Harmon, D-Oak Park/Cassidy, D-Chicago): Requires Circuit Court Clerks to impose an additional \$9 e-business filing fee that shall be remitted to the State Treasurer within one month after receipt for deposit into the Supreme Court Special Purposes Fund. Provides that monies in the Supreme Court Special Purposes Fund shall, among other things, be used by the Supreme Court for costs associated with electronic filing and other e-business programs and case management systems in the circuit courts. Also caps several court fees: provides that the county law library fee may not exceed \$20 as of January 1, 2022; lowers the maximum filing fee for certain civil cases by \$6 as of January 1, 2022; and lowers the maximum children’s waiting room fee to \$8 as of January 1, 2022.

Public Act 99-0859

SB 3164 – Presentencing Report (Connelly, R-Lisle/Stewart, R-Freeport): Provides that in imposing a sentence of imprisonment or periodic imprisonment for an offense for which a sentence of probation or conditional discharge is an available sentence, if the defendant has no prior sentence of probation or conditional discharge and no prior conviction for a violent crime, the defendant shall not be sentenced to imprisonment before review and consideration of a presentence report and determination of why the particular evidence, information, factor in aggravation, factual finding, or other reasons support a sentencing determination that one or more of specified statutory aggravating factors apply and that probation or conditional discharge is not an appropriate sentence.

Public Act 99-0861

SB 3284 – Administrative Adjudication (Hutchinson, D-Chicago Heights/Mitchell, D-Chicago): Permits any county to provide administrative adjudication for units of local government (within the county’s boundaries) where the county and a unit of government have entered into an intergovernmental agreement.

Public Act 99-0754



DUPAGE COUNTY

2016 STATE LEGISLATIVE UPDATE



ILLINOIS

SB 3401 – Veterans-Service Members Court (Bush, D-Grayslake/McAuliffe, R-Chicago): Amends the Veterans Servicemembers Court Treatment Act to provide that assessments, mentoring, and treatment programs may be provided by a veterans assistance commission.

Public Act 99-0819

House Joint Resolution 153 – EPA Study of Lead in Drinking Water (McSweeney, R-Cary/Cullerton, T., D-Villa Park): Provides that the Illinois Environmental Protection Agency, in coordination with the Illinois Department of Public Health, shall conduct a study of lead in Illinois drinking water describing the chemical and human health impacts of lead in Illinois piped water supplies. Provides that the Agency shall make weekly reports and publish them online. Provides that the Agency shall make a preliminary formal report by September 1, 2016, and a final report by January 1, 2017.

House Joint Resolution Constitutional Amendment 36 (HJRCA) – No Diversion of Road Fund Monies (Phelps, D-Harrisburg/Haine, D-Alton): Seeks to amend the Revenue Article of the Illinois Constitution by placing on the November General Election ballot a question for voters to approve or reject that would prohibit the expenditure of specific transportation funds derived from taxes, fees, excises or license taxes relating to the registration, title or operation or use of vehicles or related to the use of highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports or fuels, for any purpose/expenditure other than for the stated/statutory **transportation** purpose. Also if adopted by voters, would prevent a Governor from “sweeping” road fund dollars for purposes other than transportation.