



DUPAGE COUNTY

2017 STATE LEGISLATIVE UPDATE



DuPage County Board Chairman

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End of Session Report 2017

This year, the General Assembly sent the Governor 615 pieces of legislation. Below is a summary of the key issues impacting county government. Further information on specific bills may be found at the General Assembly's website at: www.ilga.gov.

Bills adopted by both chambers:

HB 162, EDGE Tax Credit (Zalewski, D-Riverside/Bush, D-Grayslake): Extends the EDGE tax credit program until June 30, 2022 with a number of changes: sets forth a stricter requirement of eligibility to receive a tax credit; offers a larger incentive if a proposed facility is located in an "underserved area;" provides for the payback of the entire tax credit should a company cease its principal operations with the intent to shut down the project in the state permanently; sets forth capital investment and employment requirements in order to qualify for a tax credit for entities with 100 or more employees and 100 or less employees; among other provisions.

Public Act 100-0511

HB 171, County Chairman Authority (Moeller, D-Elgin/Cullerton, T., D-Villa Park): As amended to exempt DuPage County, the legislation amends the Counties Code to provide that with the advice and consent of a majority of the county board, a county board chairman elected by the voters of the county shall: (1) create standing committees; and (2) appoint members and chairpersons to standing committees (limits applicability to counties having a population between 300,000 and 900,000).

Status: Total Veto

HB 185, Eavesdropping exemption/law enforcement (Sims, D-Chicago/Munoz, D-Chicago): Extends from January 1, 2018 to January 1, 2020, the date of the inoperability of the eavesdropping exemption that provides with prior request to and written or verbal approval of the State's Attorney of the county in which the conversation is anticipated to occur, recording or listening with the aid of an eavesdropping device to a conversation in which a law enforcement officer, or any person acting at the direction of a law enforcement officer, is a party to the conversation and has consented to the conversation being intercepted or recorded in the course of an investigation of a qualified offense as defined in the exemption.

Status: Governor's desk

HB 303, Seizure & Forfeiture Reporting Act (Guzzardi, D-Chicago/Harmon, D-Oak Park): Creates the Seizure and Forfeiture Reporting Act. Provides that various forfeiture statutes are subject to reporting by law enforcement



agencies including the name of the law enforcement agency that seized the property, the date of the seizure, the type of property seized, including a building, vehicle, boat, cash, negotiable security, or firearm (except reporting is not required for seizures of contraband including alcohol, gambling devices, drug paraphernalia, and controlled substances), a description of the property seized and the estimated value of the property and if the property is a conveyance. Provides that the Department of State Police shall establish and maintain on its official website a public database that includes annual aggregate data for each law enforcement agency that reports seizures of property that receives distributions of forfeiture proceeds subject to reporting under the Act, or reports expenditures.

Public Act 100-0512

HB 348, Constitutional Amendment Publication (McSweeney, R-Cary/Cullerton, T., D-Villa Park): Deletes a requirement that the Secretary of State shall mail every household in the state information for ballot measures involving the elimination of the Lt. Governor's office (only). Maintains the publication requirement of such a proposed constitutional amendment in newspapers and on the Secretary of State's internet website (no constitutional amendment to abolish the Lt. Governor's office was adopted this session).

Status: The Governor issued an amendatory veto of the legislation to include all ballot initiatives however as the House failed to act to accept the amendatory veto, the bill died.

HB 418, Police Pensions (Wehrli, R-Naperville/Connelly, R-Lisle): Provides that if a police officer is receiving pension payments and returns to active service with a municipality that has established a downstate police pension fund, the officer/chief may continue to receive those pension payments but may not participate in a second police pension plan. Instead, the individual may participate in a municipality's defined contribution plan and requires municipalities to establish such a plan.

Public Act 100-281

HB 512, Extension of Voter Notification Period (Olsen, R-Downers Grove/Nybo, R-Elmhurst): Amends the Election Code to provide that public referendum questions must be published not more than 60 days (currently 40 days) and not less than 10 days (currently 30 days) before an election.

Public Act 100-0298

HB 524, Safe Pharmaceutical Disposal (Wheeler, R-Crystal Lake/Althoff, R-McHenry): Amends the Safe Pharmaceutical Disposal Act. Provides that notwithstanding any provision of law, any county or municipality (currently, city, village, or municipality) may authorize the use of its city hall, police department, or any other facility under the county's or municipality's control (currently, city hall or police department) to display a container suitable for use as a receptacle for used, expired, or unwanted pharmaceuticals. Provides that the county or municipality shall provide continuous or regular notice to the public regarding the availability of the receptacle. Provides that, to the extent allowed under federal law, pharmaceuticals collected under specified provisions may be disposed of in a drug destruction device, as defined in the Environmental Protection Act. Amends the Environmental Protection Act to make corresponding changes.

Public Act 100-0250

HB 607, Consolidation of Township Road Districts (Yingling, D-Grayslake/Morrison, D-Deerfield): Provides for the automatic dissolution of a township road district if the roads forming a part of the district do not exceed a



total of 4 centerline miles in length (centerline equals the actual distance along a roadway from point to point) and requires a township board to contract with a county, municipality or private contractor to administer these roads; permits a township board of trustees in a county with less than 3 million inhabitants to submit a proposition to abolish the road district of that township to the electors of that township at a general or consolidated election (there are an estimated 1,400 road/bridge districts in the state); if adopted, the township board of trustees shall assume all taxing authority of the road district and may contract as noted above to administer the roads under its jurisdiction.

Public Act 100-0106

HB 619, FOIA Exemptions (Walsh, D-Joliet/Haine, D-Alton): Exempts from inspection and copying requirements certain records requested by a person who is committed to the Illinois Department of Corrections or a county jail, the disclosure of which, would result in harm to any person or the risk of an escape from a correctional facility.

Public Act 100-0026

HB 643, Legislator Pay/Per Diems (Stuart, D-Collinsville/Bush, D-Grayslake): Ends automatic pay increases for legislators and freezes legislator pay and per diem rates for FY 2018.

Public Act 100-0025

HB 683, Truck Length & Size (Beiser, D-Alton/Bivins, R-Dixon): Amends the Illinois Highway Code. Provides that any agency or instrumentality of the State of Illinois or unit of local government may seek recovery for the cost of the repair of damaged or destroyed highways, highway structures, or traffic-control devices that result from operating, driving, or moving a truck tractor-semitrailer combination exceeding 55 feet in overall dimension. Amends the Illinois Vehicle Code. Provides that an agency or instrumentality of the State of Illinois or any unit of local government shall not be required to widen or otherwise alter a non-State highway, Class III highway, or other non-designated State highway constructed before the effective date of the bill to accommodate the increase in dimension of a truck tractor-semitrailer combination.

Public Act 100-0343

HB 685, Classification of Milkweed (Moeller, D-Elgin/Bush, D-Grayslake): Amends the Counties Code and Illinois Municipal Code. Provides that counties and municipalities may not classify milkweed as a noxious or exotic weed. Limits home rule powers.

Public Act 100-0557

HB 706, Pharmaceutical Disposal (Bellock, R-Hinsdale/Connelly, R-Lisle): Provides that if a police officer, State Police officer, coroner or medical examiner is not present at the scene of a death, that a nurse may dispose of any unused medications found at the scene. A nurse may dispose of any unused medications only after consulting with any investigating law enforcement agency to ensure that the unused medications will not be needed as evidence as part of an investigation.

Public Act 100-0345

HB 799, Highway Detour Notice (Andersson, R-Geneva/McConnaughay, R-West Dundee): Amends the Illinois Highway Code. Except for an unanticipated emergency as determined by the department, provides that the



Department of Transportation and a local governmental agency shall post notice of highway detour locations on their respective websites no later than 10 days before a detour becomes active. Provides that a hyperlink on a local governmental agency's website to posted notices of highway detour locations on the Department of Transportation's website shall satisfy the local governmental agency's posting requirements under the bill.

Public Act 100-0473

HB 812, State Designations/Pets (Jimenez, R-Springfield/McCann, R-Jacksonville): Amends the State Designations Act. Provides that shelter dogs and shelter cats that are residing in or have been adopted from a shelter or rescue facility in this State are designated as the official State pet of the State of Illinois.

Public Act 100-0353

HB 1805, Organ Donation Minors (Conroy, D-Elmhurst/Hunter, D-Chicago): Provides that the Secretary of State shall offer to each applicant for issuance or renewal of a driver's license or identification card who is 16 years of age or older (rather than 18 years of age or older) the opportunity to have his or her name included in the First Person Consent organ and tissue donor registry. Provides that upon the death of a donor who is an unemancipated minor, the parent or guardian of the donor may amend or revoke the anatomical gift of the donor's body.

Public Act 100-0041

HB 1811, Emergency Telephone System Act extension (Phelps, D-Harrisburg/Cunningham, D-Chicago): As amended, extends the repeal date of the Act until December 31, 2020 and increases the monthly wireless surcharge from .87 cents to \$1.50 per device (outside the City of Chicago). Provides for the continued consolidation of 9-1-1 systems statewide as required under Public Act 99-0006 and prepares for the statewide implementation of the Next Generation 9-1-1 network as mandated by law. Also abolishes the state requirement that AT & T offer traditional landline phone service, moving customers into wireless phones.

Public Act 100-0020

HB 1896, Township Funds (Halbrook, R-Shelbyville/Rose, R-Champaign): Caps the amount that township officials may accumulate in local government accounts. Excluding a township's capital fund, provides that a township may not exceed an amount equal to or greater than 2.5 times the annual average expenditure of the previous three fiscal years.

Public Act 100-0474

HB 1955, Trailer Bill/Electronics Recycling (Fortner, R-West Chicago/Althoff, R-McHenry): Amends SB 1417, the Consumer Electronics Recycling Act, to make many changes. Provides that each manufacturer e-waste program and collector must submit specified reports to the Environmental Protection Agency by March 1, 2020 and each March 1 thereafter (rather than January 31, 2020 and each January 31 thereafter). Changes the annual registration fee for manufacturers who sell covered electronic devices from \$3,000 to \$5,000. Adds provisions concerning audits of collection sites by manufacturers. Adds provisions concerning when the Environmental Protection Agency may deny a recycler's or collector's registration under the Act. Provides that nothing in the Act shall require a manufacturer or manufacturer e-waste program to collect, transport, or recycle any CEDs other than residential CEDs prepared in accordance with the Act. Creates the Advisory Electronics Recycling



Task Force to submit to the Agency on November 1, 2018 and each November 1 thereafter, a list of agreed-to best practices for collection sites. Repeals the Electronic Products Recycling and Reuse Act on January 1, 2020.

Public Act 100-0362

HB 2379, Fiscal Impact/Executive Orders (Scherer, D-Decatur/Hunter, D-Chicago): Creates the Fiscal Impact Act to require every Executive Order of the Governor to include a fiscal note statement. Requires that the statement shall contain a reliable estimate of the anticipated change in state expenditures or revenues and a reliable estimate of the fiscal impact.

Status: Total Veto Stands

HB 2427, Townships Recycle Yard Waste (Olsen, R-Downers Grove/Nybo, R-Elmhurst): Provides that a township may by ordinance, allow employees to recycle woodchips in addition to brush and leaves within unincorporated areas.

Public Act 100-0056

HB 2462, Salary History (Moeller, D-Elgin/Biss, D-Skokie): Amends the Equal Pay Act of 2003. Prohibits an employer from: (i) screening job applicants based on their wage or salary history, (ii) requiring that an applicant's prior wages satisfy minimum or maximum criteria, and (iii) requesting or requiring as a condition of being interviewed or as a condition of continuing to be considered for an offer of employment that an applicant disclose prior wages or salary. Prohibits an employer from seeking the salary, including benefits or other compensation or salary history, of a job applicant from any current or former employer (except in a few noted circumstances). Limits defenses. Provides for penalties and injunctive relief.

Status: Total Veto – the House overrode the Governor's veto by a vote of 80-33 but the Senate failed to override 29-17-1 (requires a three-fifths majority vote), therefore the Total Veto stands

HB 2525, Workers Compensation (Hoffman, D-Belleville/Raoul, D-Chicago): Makes numerous changes to the worker's compensation system. Provides that a rate is excessive if it is likely to produce a long run profit that is unreasonably high for the insurance provided or if expenses are unreasonably high in relation to the services rendered. Repeals provisions regarding presumptions that a competitive market exists, determining whether a competitive market exists, and disapproval of rates under specified circumstances. Provides that accidental injuries sustained while traveling to or from work do not arise out of and in the course of employment. Defines "in the course of employment" and "arising out of the employment". Permits an employer to file with the Illinois Workers' Compensation Commission a workers' compensation safety program or a workers' compensation return to work program implemented by the employer. Provides that the Commission may certify any such safety program as a bona fide safety program after reviewing the program. Contains provisions concerning repetitive and cumulative injuries; permanent partial disability determinations; electronic claims; annual reports by the Commission concerning the state of self-insurance for workers' compensation in Illinois; and duties of the Workers' Compensation Premium Rates Task Force; and other matters.

Status: Total Veto Stands

HB 2538, CMAP Stream Meetings (Riley, D-Hazel Crest/McConnaughay, R-West Dundee): Requires open meetings of the Board of the Chicago Metropolitan Agency for Planning to be broadcast to the public and maintained in real-time on the Board's website using a high-speed Internet connection. Provides that recordings



of each meeting broadcast shall be posted to the Board's website within a reasonable time after the meeting and shall be maintained as public records to the extent practicable, as determined by the Board. Effective January 1, 2018.

Public Act 100-0479

HB 2581, Toll Highway Grade Separations (Sauer, R-Libertyville/Cunningham, D-Chicago): Amends the Toll Highway Act. Provides that when the Illinois State Toll Highway Authority has built or will build grade separations or interchange improvements at intersections with any railroads, waterways, street railways, streets, thoroughfares, public roads, or highways intersected with the toll highways, the local highway agency or municipality with jurisdiction shall enter into an agreement with the Authority for the ongoing maintenance of the structures.

Public Act 100-0071

HB 2721, Insurance PANDAS/PANS (Conroy, D-Elmhurst/Cullerton, T., D-Villa Park): Known as "Charlie's Law", the legislation provides that a group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of the amendatory Act shall provide coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome, including, but not limited to, the use of intravenous immunoglobulin therapy. Effective immediately.

Public Act 100-0024

HB 2778, Annexation by Fire Protection Districts (Willis, D-Northlake/Jones, D-Chicago): Amends the Fire Protection District Act. Provides that a fire protection district may annex any property into its jurisdiction for which it is providing coverage under the Emergency Telephone System Act. Provides notice and hearing requirements. Provides that a certified copy of the annexation ordinance shall be transmitted to certain individuals and that the annexed property shall become an integral part of the fire protection district and subject to all of the benefits of service and responsibilities of the district.

Public Act 100-0547

HB 2831, Property Assessed Clean Energy Act (Lang, D-Skokie/McConnaughay, R-West Dundee): Creates the PACE program in Illinois that permits a county, city or village to establish a property assessed clean energy program for commercial, industrial, non-residential agricultural, or multi-family real properties to help finance the costs of energy efficiency improvements. Provides that the ordinance or resolution creating the program shall include a description of the territory within the PACE area. Sets forth requirements for the program and defines eligible energy projects.

Public Act 100-0077

HB 2842, EPA Local Siting Review (Rita, D-Blue Island/Ives, R-Wheaton): Amends the Environmental Protection Act to provide that applicants for local siting approval shall present at least one witness to testify (rather than shall present testimony) subject to cross-examination at specified public hearings. Provides that decisions on local siting review by the county board or governing body of the municipality are to be in writing, confirming a public hearing was held with testimony from at least one witness presented by the applicant, and specifying the reasons for the decision (currently, decisions are to be in writing and specifying the reasons for the decision).



Public Act 100-0382

HB 2966, IMRF Revisions (Andrade, D-Chicago/Althoff, R-McHenry): Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. In a provision that requires an additional contribution from a participating municipality or participating instrumentality for certain increases in reported earnings, changes a reference from "salary" to "reported earnings" and provides that the change is a clarification of existing law and is intended to be retroactive to January 1, 2012 (the effective date of Public Act 97-609). In a provision establishing the board of trustees, provides that no person shall be eligible to become a trustee who does not have the minimum service credit in the Fund to qualify for a pension (instead of at least 8 years of creditable service).

Public Act 100-0139

HB 2977, Cursive Writing Mandate (Welch, D-Westchester/Lightford, D-Westchester): Requires public elementary schools, beginning with the 2018-2019 school year, to offer at least one unit of instruction in cursive writing. Provides that school districts shall, by policy, determine at what grade level or levels students are to be offered cursive writing, provided that such instruction must be offered before student's complete grade 5.

Public Act 100-0548 (both chambers overrode the Governor's veto)

HB 3036, Recorder Fees (Walsh, D-Joliet/Jones, D-Chicago): Provides that on and after January 1, 2019, a county shall adopt and implement a predictable fee schedule that eliminates surcharges or fees based upon the individual attributes of documents to be recorded with the county recorder. Provides that fees for standard documents are divided into 5 classifications of document class flat fees, which are inclusive of county and state fees required for each recorded document. Provides for how predictable fee schedules are initially and subsequently approved. Provides that if an ordinance or resolution adopts a document class flat fee that exceeds \$21, the county board shall obtain from the clerk or recorder an analysis of the average fees collected for the recording of each of the document classifications based on the 3 previous years of recording data or the 3 previous years from the date of a cost study upon the adoption of the ordinance or resolution. Provides that the county board shall set document class flat fees based upon the data or cost study. Provides that in order to raise a document class flat fee, a cost study must show that the fees allowed are not sufficient to cover the cost of providing the service related to the document class flat fee for which is to be increased.

Public Act 100-0271

HB 3044, Prevailing Wage Schedule (Hoffman, D-Belleisle/Silverstein, D-Chicago): Amends the Prevailing Wage Act. Requires the Illinois Department of Labor to publish, by July 15 of each year on its official website, a prevailing wage schedule for each county in the state based upon the prevailing rate of wages investigated and ascertained by the Department during the month of June.

Public Act 100-0002

HB 3120, Website Publication of Prevailing Wage (Demmer, R-Rochelle/Bivins, R-Dixon): Provides that if the Illinois Department of Labor ascertains the prevailing rate of wages for a public body, the public body may satisfy the newspaper publication requirement (but not its obligation to mail notice to interested parties) by posting on the public body's website a notice of its determination with a hyperlink to the prevailing wage schedule for that locality that is published on the official website of the Department of Labor.



Public Act 100-0154

HB 3122, IMRF Eligibility Elected Officials (Moeller, D-Elgin/Castro, D-Elgin): Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code to set the hourly standard for all governing body member participants, whether elected or appointed, at 1,000 hours, applicable to members who begin participation as a governing body member after the effective date of the bill. Provides that a person who holds part-time office as a member of a governing body is not a participating employee with respect to that office, unless he or she (i) was elected to that office before the effective date of the amendatory Act and (ii) has elected while in that office to become a contributor. Provides that an office as a member of a governing body shall be deemed to be part-time if it normally requires the performance of duty during less than 1,000 hours a year for the governing body of the participating municipality or instrumentality. Effective January 1, 2018.

Public Act 100-0274

HB 3150, Recorder's Fraud Review (Hurley, D-Chicago/Harmon, D-Oak Park): Amends the Counties Code. Removes a repeal date of June 1, 2018 in a Section concerning a county recorder's ability to establish procedures for investigating filings that would cause the recorder to reasonably believe that the filing may be fraudulent, unlawfully altered, or intended to unlawfully cloud or transfer the title of any real property.

Public Act 100-0276

HB 3161, DHS Opioid Abuse Website (Manley, D-Joliet/Bertino-Tarrant, D-Plainfield): Requires the Illinois Department of Human Services to create and maintain a website to educate the public on heroin and prescription opioid abuse. Provides that at a minimum, the website shall include: (i) information on the warning signs of heroin and prescription opioid addiction; (ii) helpful hints for parents on how to discuss the dangers of heroin and prescription opioid addiction with their children; (iii) information on available treatment options and services; (iv) a listing of the toll-free number established by the Department to provide information and referral services for persons with questions concerning substance abuse and treatment; and (v) links to flyers and resources for download.

Public Act 100-0494

HB 3240, Noise Monitoring Reports (Winger, R-Wood Dale/Cullerton, T., D-Villa Park): Amends the Permanent Noise Monitoring Act. Provides that on or before June 30, 2018 each airport shall upgrade its permanent noise monitoring system to be capable of producing the data necessary to meet the requirements of Public Act 99-202. Provides that on June 30, 2018 and thereafter an airport's permanent noise monitoring report and noise contour maps shall be produced using the criteria under Public Act 99-202.

Public Act 100-0165

HB 3469, Fire/OEM Vehicles (Bennett, T., R-Pontiac/Bennett, S., R-Champaign): Amends the Illinois Vehicle Code. Provides that a vehicle operated by a fire chief or the Director or Coordinator of a municipal or county emergency services and disaster agency may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet.

Public Act 100-0182



HB 3521, Consolidation of Township Collectors (Butler, R-Springfield/Brady, R-Bloomington): Provides for the dissolution of the office of township collector in Sangamon County as of January 1, 2022, (permits township collectors elected at the 2017 consolidated election to serve out their terms) and for the Sangamon County Treasurer to assume the duties of each township collector in the county.

Public Act 100-0187

HB 3649, Comptroller Reports (Crespo, D-Streamwood/Manar, D-Bunker Hill): Requires State agencies to report current state liabilities held by the agency, by fund source (rather than the aggregate dollar amount of all current liabilities being held) and whether the liabilities are appropriated, to the Comptroller each month (versus annually). Allows the State Comptroller to waive the reporting requirement if a state agency does not have state liabilities.

Status: Governor issued a Total Veto – House overrode 112-0, Senate overrode 52-3

Public Act 100-0552

HB 3817, Expungement of Juvenile Records (Nekritz, D-Buffalo Grove/Hastings, D-Frankfort): Amends the Juvenile Court Act of 1987. Provides that all juvenile records which have not been expunged are sealed and may never be disclosed to the general public or otherwise made widely available. Provides that sealed records may be obtained only when their use is needed for good cause and with an order from the juvenile court, as required by those not authorized to retain them. Provides that a juvenile adjudication shall never be considered a conviction nor shall an adjudicated individual be considered a criminal. Provides that, unless expressly allowed by law, a juvenile adjudication shall not operate to impose upon the individual any of the civil disabilities ordinarily imposed by or resulting from conviction. Provides that adjudications shall not prejudice or disqualify the individual in any civil service application or appointment, from holding public office, or from receiving any license granted by a public authority. Excludes a specific list of forcible felony type offenses from the automatic expungement provisions among other items.

Public Act 100-0285

House Resolution/HR 687, Task Force on Sexual Harassment (Currie, D-Chicago): Creates the House Task Force on Sexual Discrimination and Harassment. Directs the Task Force to conduct a comprehensive review of the legal and social consequences of sexual discrimination and harassment, in both the public and private sectors, and make recommendations to the General Assembly. Provides specific areas of inquiry related to sexual discrimination and harassment to be addressed by the Task Force. Provides for the composition of and appointments to the Task Force. Requires the Task Force to make its report, including recommendations in the form of legislation, to the General Assembly on or before December 31, 2018.

Status: Resolution adopted by a vote of 116-0

SB 3, Omnibus Consolidation Bill (Cullerton, T, D-Villa Park/Yingling, D-Grayslake): Extends the applicability of the Local Government Reduction & Efficiency Act (DuPage consolidation model) to all counties in the state permitting the dissolution of specified county appointed governmental entities by county boards; creates a process for township consolidation through a referendum question placed on the ballot by a township board to consolidate two or more adjacent townships, to merge and divide a township between two other townships, and to dissolve a township coterminous with a municipality (19 remain in the state); removes the limitation capping the size of a township to 126 square miles to permit a county consolidation; permits township boards to



initiate a referendum to the voters on the question of the merger of a general township and its road district if the road district maintains less than 15 miles of road (less than 100 road districts of this size statewide).

Public Act 100-0107

SB 6, FY 2018 Appropriations Bill (Steans, D-Chicago/Harris, D-Chicago): Contains the appropriation authority for a FY 2017 supplemental and the FY 2018 state budget, including \$36.5 billion in General Funds spending authorization and a 5% across the board reduction in state operations from current spending levels. All funding levels are contingent upon the sale of the Thompson Center and implementation of pension reforms. Also includes a cut to local governments of 10% of Local Government Distributive Fund (LGDF) payments for one year and the diversion of a portion of Corporate Personal Property Replacement Tax (CPPRT) proceeds also received. Appropriates \$626,438 from the Capital Development Fund (from a grant received several years ago) to the Department of Natural Resources for the Graue Mill Stormwater Project.

Public Act 100-0021

SB 8, State Procurement Act (Harmon, D-Oak Park/Riley, D-Hazel Crest): Omnibus bill that overhauls the state's procurement laws and establishes processes for state agencies to follow. Requires ethics training for Executive Branch employees to include the duties and responsibilities of state employees under certain provisions of the Illinois Procurement Code. Provides that each state agency shall provide the chief procurement officer, on a monthly basis, with a list of contracts procured under an exception to the Code, with exceptions, among many other provisions.

Public Act 100-0043

SB 9, Income Tax Increase (Hutchinson, D-Chicago Heights/Davis, D-East Hazel Crest): Effective July 1, 2017, increases the individual state income tax rate to 4.95% (from 3.75%) and the corporate income tax rate to 7% (from 5.25%). Makes a number of other changes including: increases the earned income tax credit from 10% to 18% over two years; removes the sales tax discount for gas; removes cable, satellite and services tax; increases the education expense credit from \$500 to \$750; limits income eligibility levels for the standard income tax exemption and the real estate property tax credit to \$250,000 for individuals and \$500,000 for joint filers; retroactively extends the research and development tax credit among other provisions.

Public Act 100-0022

SB 31, Law Enforcement/Immigration (Cullerton, J., D-Chicago/Welch, D-Westchester): Creates the Illinois TRUST Act. Prohibits law enforcement agencies and officials from detaining or continuing to detain an individual solely on the basis of an immigration detainer or non-judicial immigration warrant or from otherwise complying with an immigration detainer or non-judicial immigration warrant. Provides for law enforcement training in compliance with the Illinois TRUST Act.

Public Act 100-0463

SB 41, Home Rule Borrowing (Cullerton, J., D-Chicago/Currie, D-Chicago): Allows home rule communities to establish special funds to help lower borrowing costs. Amends the Illinois Municipal Code to provide that a home rule municipality may enter into an agreement to assign, sell, transfer, or otherwise convey its interest in all or part of any revenues or taxes that it receives from the State Comptroller, the State Treasurer, or the



Department of Revenue, and sets forth the requirements for such agreements. Provides that these provisions are applicable to home rule units and that they restrict the power of home rule units.

Status: Total Veto

SB 42, Budget Implementation Bill (Trotter, D-Chicago/Harris, D-Chicago): Creates the FY 2018 BIMP Act to make the required changes to implement SB 6 and SB 9 (FY 2018 state budget). Amends various local tax acts (including the RTA sales tax) to permanently divert/withhold 2% of all collections to the Illinois Department of Revenue for administrative expenses. Also decreases deposits of LGDF by 10% for FY 2018 only. Implements a process to begin to pay down the back log of \$15+ billion in overdue bills including inter fund borrowing, fund sweeps and a bond authorization program. Authorizes small rate increases for several classifications of social service providers including Community Care workers and creates a Community Care Program Services Task Force to consider ways to reduce costs for the program. Makes numerous pension changes to the Teachers Retirement System and the State University Retirement System.

Public Act 100-0023

SB 55, Barack Obama Day (Jones, D-Chicago/Evans, D-Chicago): Amends the State Commemorative Dates Act. Provides that August 4th of each year is designated as Barack Obama Day.

Public Act 100-0037

SB 81, Minimum Wage Increase (Lightford, D-Westchester/Guzzardi, D-Chicago): Amends the Minimum Wage Law to increase the minimum wage for an employee who is 18 years of age or older as follows: to \$9 per hour from January 1, 2018 to December 31, 2018; to \$10 per hour from January 1, 2019 to December 31, 2019; to \$11.25 from January 1, 2020 to December 31, 2020; to \$13 per hour from January 1, 2021 to December 31, 2021; and to \$15 per hour on and after January 1, 2022. Makes similar changes for employees under the age of 18. Creates a credit against the withholding tax liability of employers with 50 or fewer employees, calculated based on the increase in the minimum wage.

Status: Total Veto stands

SB 402, Sexual Harassment (Cullerton, J., D-Chicago/Madigan, D-Chicago): In response to recent allegations of sexual harassment, the General Assembly unanimously adopted this legislation during the fall veto session. The bill prohibits sexual harassment, requires all state officials, employees, and lobbyists to complete in-person sexual harassment training on an annual basis, imposes penalties for violations of the sexual harassment prohibition, and establishes a hotline to receive complaints of sexual harassment. Requires units of local government within 60 days to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment and specifies minimum requirements that the policy must contain.

Public Act 100-0554

SB 403, Natural Disaster Income Tax Credit (Bush, D-Grayslake/Yingling, D-Round Lake Beach): As amended, establishes a natural disaster income tax credit of up to \$750 in counties where a state disaster proclamation was issued in July of 2017 (Lake, McHenry, Kane, Cook, Carroll, Henry, Jo Daviess, Lee, Ogle, Rock Island, Stephenson and Whiteside Counties). Individuals must own property and have reported property damage among other items.

Public Act 100-0555



SB 473, Property Tax Exemptions (Munoz, D-Chicago/Martwick, D-Chicago): For taxable years 2017 and after, increases the maximum Senior Homestead Exemption deduction to \$8,000 in Cook County and \$5,000 in all other counties. For taxable year 2017, increases the maximum allowable household income for the Senior Citizens Assessment Freeze Homestead Exemption to \$65,000 for qualified property located in Cook County and \$55,000 for qualified property in all other counties. For taxable years 2018 and thereafter, the amount is \$65,000 for all counties. For taxable year 2017 and thereafter, increases the maximum amount of the general homestead exemption for Cook County to \$10,000 (remains at \$6,000 for all other counties).

Public Act 100-0401

SB 641, County Animal Control Fund/limitation (Holmes, D-Aurora/Burke, D-Chicago): Provides that the funds from the current \$10 set aside of the differential of the registration of certain dogs and cats that is placed in the county animal population control fund may only be used to: 1) spay, neuter, vaccinate or sterilize adopted dogs or cats; 2) spay, neuter, or vaccinate dogs or cats owned by low-income county residents who are eligible for the food stamp program or the social security disability benefits program; or to 3) spay, neuter, and vaccinate feral cats in programs recognized by the county or a municipality. Exempts Cook County from these limitations.

Public Act 100-0405

SB 666, Township Caucus Procedures (Althoff, R- McHenry/Wheeler, R-Crystal Lake): Amends the Township Code. Provides that a participant in a caucus shall be entitled to only one vote for each office for which he or she is voting. Provides that a participant's vote shall not be weighted to be equal to more than one vote.

Public Act 100-0219

SB 669, Lake County Board Chairman (Link, D-Waukegan/Mayfield, D-Waukegan): Provides that at the 2018 election, a public question shall be submitted to the voters of Lake County to determine whether the chairman of the Lake County Board shall be elected by the voters and, if approved, the chairman of the Lake County Board shall be elected by the voters of the county at the 2020 election and thereafter.

Status: Total Veto

SB 701, IMRF Pension Exclusions (Morrison, D-Deerfield/Nekritz, D-Buffalo Grove): Excludes vehicle allowances from the definition of earnings for a participating employee under IMRF who is hired on or after the effective date of this Act. Also, provides in a provision that requires an employer to pay the present value of the increase in a pension resulting from an increase in earnings greater than 6% or 1.5 times the increase in the consumer price index for any of the 12-month periods used to determine final rate of earnings, excludes earnings increases resulting from payments for unused vacation time (but only for payments for unused vacation time made in the final 3 months of the final rate of earnings period).

Public Act 100-0411

SB 731, Review Zoning Board of Appeals (Murphy, D-Elk Grove Village/Fortner, R-West Chicago): Amends the Code of Civil Procedure. In provisions governing actions to review decisions of a zoning board of appeals, deletes language limiting this provision to only municipalities with populations of 500,000 or more.

Public Act 100-0083



SB 751, Counties Enforce Judgments (Jones, D-Chicago/Stratton, D-Chicago): Amends the Counties Code. In provisions regarding enforcement of judgments, fines, costs, penalties, or other sanctions that remain unpaid after exhaustion of, or failure to exhaust, judicial review, provides that taxes and fees may also be collected and that the taxes, fees, fines, costs, penalties, or other sanctions cannot be related to real property.

Public Act 100-0221

SB 772, Prescription Drug Monitoring (Bush, D-Grayslake/Zalewski, D-Riverside): Requires a check of the Prescription Monitoring program before prescribing opioids. Provides that effective January 1, 2018, each prescriber possessing an Illinois controlled substances license shall register with the Prescription Monitoring Program. Provides that each prescriber or his or her designee shall also document an attempt to access patient information in the Prescription Monitoring Program to assess patient access to controlled substances when providing an initial prescription for Schedule II narcotics such as opioids, except for prescriptions for oncology treatment or palliative care, or a 7-day or less supply provided by a hospital emergency department when treating an acute, traumatic medical condition, among other items.

Public Act 100-0564

SB 789, Use of Motor Fuel Tax (Sandoval, D-Cicero/Fine, D-Glenview): Amends the Illinois Highway Code. Provides that a county board of any county, any township, or any municipality may use motor fuel tax funds allotted to it for the operation costs of any public transportation service, for capital improvements designed to improve or enhance pedestrian, bicycle, or transit mobility.

Status: Total Veto stands

SB 910, County Board Apportionment Plan (Bush, D-Grayslake/Willis, D-Northlake): Amends the Illinois Voting Rights Act of 2011. Provides that apportionment plans pursuant to certain provisions of the Counties Code shall provide racial minorities or language minorities with equal opportunity to participate in the political process. Provides that the apportionment plan shall provide racial minorities or language minorities who constitute less than a voting-age majority of a district with an opportunity to substantially influence the outcome of an election. Provides that to the extent practicable, districts shall be drawn to create crossover districts, coalition districts, or influence districts. Provides that the requirements imposed are in addition and subordinate to other laws.

Status: Total Veto

SB 1343, Probation Officer Training (Mulroe, D-Chicago/Sims, D-Chicago): Amends the Probation and Probation Officers Act. Provides that the Division of Probation Services shall establish training standards for continuing education of probation officers and supervisors and broaden access to available training programs.

Public Act 100-0091

SB 1399, Drug Court (Mulroe, D-Chicago/Sims, D-Chicago): Provides that a drug court program may, subject to the approval of the Chief Judge of the Circuit, establish a program for electronic monitoring of juvenile's subject to the jurisdiction of the juvenile drug court program as a less restrictive alternative to detention, consistent with any available evidence-based risk assessment or substance abuse treatment eligibility screening.

Public Act 100-0431

SB 1417, Electronics Recycling (Althoff, R-McHenry/Manley, D-Joliet): Creates the Consumer Electronics Recycling Act to improve residential access to electronics recycling. Establishes a number of county collection



sites based on population (DuPage will receive 5) that may either be permanent collection sites or a series of one-day collection events effective for program year 2019. The sites will collect specified covered electronic devices banned from landfills including computers, monitors, printers, televisions, facsimile machines, electronic keyboards, video game consoles, videocassette recorders, scanners and other items. Funds the program through registration fees collected from manufacturers that are deposited into the state's Solid Waste Management Fund.

Public Act 100-0433

SB 1420, Cooking Oil Collections (Nybo, R-Elmhurst/Breen, R-Lombard): An initiative of SCARCE, provides that a collection center that collects cooking grease or cooking oil from the public at an event hosted by a not-for-profit organization (or government entity), is exempt from the registration, licensure fee, and reporting requirements under state statute.

Public Act 100-0093

SB 1451, Small Wireless Facilities (Link, D-Waukegan/Burke, D-Oak Lawn): The Small Wireless Facilities Deployment Act severely limits the authority of local governments to regulate its own infrastructure under its jurisdiction. Currently, the bill provides that a unit of local government has limited authority to prohibit, regulate, or charge for the collocation of small wireless facilities on its right-of-way or the installation, mounting, maintaining, modifying, operating, or replacement of small wireless facilities on or adjacent to a wireless support structure or utility pole. Directs that small wireless facilities shall be classified as permitted uses and not subject to zoning review and approval under specified circumstances. Primary concerns include the vague definition of "small wireless facilities" and "wireless provider", the potential impact on future public safety communication needs, the loss of community input as to the location of these devices, and the effect of the legislation on existing agreements and review processes.

Status: The bill has been adopted by both chambers however **the Senate has placed a procedural hold** on the legislation pending passage of a trailer bill designed to address concerns raised by the cable industry.

SB 1479, Voter Registration Nursing Homes (Link, D-Waukegan/Tabares, D-Chicago): Amends the Election Code to provide for grace period registration and change of address on election day for residents of long-term care facilities.

Public Act 100-0442

SB 1561, Pollution Control Facilities (Koehler, D-Peoria/Walsh, D-Joliet): Amends the Solid Waste Planning and Recycling Act. Provides that no provision of the Act shall be construed to allow any county with a population of less than 2 million residents to adopt an ordinance or resolution, with certain exceptions, that requires the issuance of a permit, or that imposes regulations upon the operations of a municipal solid waste landfill unit, sanitary landfill, storage site, transfer station, or waste disposal site, as long as the facility obtains specified permits. Provides that nothing in the amendatory Act shall be construed to diminish or impair any authority conferred upon a county under the Environmental Protection Act. Provides that nothing in the amendatory Act shall be construed to limit the authority of a county to prepare, adopt, or implement a specified plan; or to relieve a facility proposed for siting approval from demonstrating consistency with that plan under specified provisions of the Environmental Protection Act.

Public Act 100-0095



SB 1562, Abandoned Housing Rehabilitation (Cunningham, D-Chicago/Currie, D-Chicago): Amends the Abandoned Housing Rehabilitation Act. Expands the definition of "parties of interest" to include the applicable unit of local government where the property is located. Changes the definition of "rehabilitation" to mean the process of improving the property, including, but not limited to, ensuring that the proposed improvements conform with a local government's comprehensive plan or other planning policies and bringing property into compliance with the applicable unit of local government's fire, housing, licensing, zoning, and building codes.
Public Act 100-0233

SB 1567, EDGE Reports (Castro, D-Elgin/Davis, D-East Hazel Crest): Amends the Economic Development for a Growing Economy (EDGE) Tax Credit Act to provide that each business claiming a credit under the Act shall, no later than April 15 of each taxable year for which the entity claims a credit, submit to the Illinois Department of Commerce and Economic Opportunity an annual report containing certain information concerning procurement goals and spending for female-owned, minority-owned, veteran-owned, and small business enterprises.
Public Act 100-0451

SB 1722, Gun Offenses (Raoul, D-Chicago/Durkin, R-Westchester): Omnibus legislation that increases sentencing guidelines for repeat gun offenders supported by the Chicago Police Superintendent and the Mayor of Chicago.
Public Act 100-0003

SB 1843, Law Enforcement Training (Raoul, D-Chicago/Mitchell, C., D-Chicago): Creates the Commission on Police Professionalism and provides that the Commission shall meet regularly to review the current training and certification process for law enforcement officers, review the duties of the various types of law enforcement officers, including auxiliary officers, review the standards for the issuance of badges, shields, and other police and agency identification, review officer-involved shooting investigation policies, review policies and practices concerning the use of force and misconduct by law enforcement officers, and examine whether law enforcement officers should be licensed. Provides that the Commission shall submit a report of its findings and legislative recommendations to the General Assembly and Governor on or before September 30, 2018.
Public Act 100-0319

SB 1882, Pet Sourcing (Hastings, D-Frankfort/Costello, D-Red Bud): In provisions amending the Animal Welfare Act, requires every dog dealer and cattery operator to provide documentation that every dog or cat available for sale has been microchipped and that the microchip has been enrolled with a searchable national database. Removes provisions concerning information on dogs and cats available for adoption by an animal shelter or animal control facility. Makes changes in the acceptance of stray dogs and cats. Makes changes to the conditions required when prohibiting a pet shop operator from obtaining a dog or cat for resale or sale. In provisions concerning impoundment and redemption, provides that prior to transferring to a pet store, a dog or cat shall be scanned a second time for the presence of a microchip and examined for other means of identification.
Public Act 100-0322

SB 1905, Collective Bargaining Regulations (Silverstein, D-Chicago/Moylan, D-Des Plaines): Creates the Collective Bargaining Freedom Act. Provides that the authority to enact legislation designed to prohibit, regulate



or restrict union security agreements between an employer and labor organization is vested exclusively with the Illinois General Assembly. Prohibits units of local governments from essentially enacting “right to work” zones.

Status: Total Veto Stands (Senate overrode 42-13 but the House override vote failed by one vote)

SB 1933, Automatic Voter Registration (Manar, D-Bunker Hill/Gabel, D-Evanston): Establishes an automatic voter registration program in Illinois. Provides that whenever an eligible Illinois resident applies for, updates or renews a driver’s license or state ID, he or she will be automatically registered to vote or have their registration updated unless they select to opt out. Creates a similar program for other state agencies including the Department of Human Services and Department of Natural Resources.

Public Act 100-0464

SB 1947, School Funding Reform (Manar, D-Bunker Hill/Davis, D-East Hazel Crest): Establishes a new school funding formula for Illinois’ 852 public school districts to include an evidence based model. Preserves existing levels of formula funding and prioritizes new education monies for the state’s most impoverished districts. Provides that Chicago Public Schools’ normal pension costs will be paid outside of the school funding formula (as is the case with all other school districts). Establishes a five-year scholarship program that allows up to \$75 million in tax exemptions for private school pupils, among other items.

Public Act 100-0465

SB 2034, Bail Reform Act (Trotter, D-Chicago/Sims, D-Chicago): Requires the courts to consider a defendant’s socio-economic circumstances when setting conditions of release or before imposing monetary bail. The Act requires courts to impose the least restrictive conditions (that may include electronic home monitoring, curfews, drug testing and counseling) to reasonably assure the appearance of the defendant for further court proceedings. Places offenses into two categories; Category A for more serious offenses and Category B for business, petty, Class A, B & C misdemeanors, and certain Class 3 & 4 felonies. Requires that a person in custody for a Category B offense due to an inability to pay shall have a second bail hearing within seven days from the date bail was set. A person subject to bail on a Category B offense shall also have \$30 deducted from his or her monetary bail amount each day the person is incarcerated (and are automatically released once this amount has been met). Also provides that the Supreme Court may establish a statewide risk-assessment tool to be used in proceedings to assist the court in establishing bail for a defendant. Extends the RICO Act for an additional five years.

Public Act 100-0001

SB 2066, Unfunded Mandates (Righter, R-Mattoon/Breen, R-Lombard): Amends the State Mandates Act. Provides that the Department of Commerce and Economic Opportunity’s catalog of state mandates shall also include a statewide cost of compliance estimate.

Public Act 100-0242

Senate Resolution 241, Lake County Government Consolidation (Bush, D-Grayslake): Establishes a Working Group on Local Government Consolidation to identify ways to eliminate barriers to consolidation and resolve certain discrepancies in Illinois statutes governing local governments and special districts in Lake County and the 31st Legislative District.

Status: Adopted by the Senate



DUPAGE COUNTY

2017 STATE LEGISLATIVE UPDATE

