



DUPAGE COUNTY

2018 STATE LEGISLATIVE UPDATE



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Legislative Update - May 8, 2018

This document highlights bills of interest to DuPage County Government that are **moving** through the legislative process. To view the actual text of bills, please consult the General Assembly website at www.ilga.gov or contact the County Board Office for additional information.

Support:

HB 4191, Immunity/Dogs & Cats Locked in Vehicles (Olsen, R-Downers Grove/Connelly, R-Lisle): The bill amends the Humane Care for Animals Act to provide that a person is immune from civil liability for property damage to a locked vehicle when the damage results from the forcible entry of the vehicle to remove a dog or cat (in imminent danger of suffering harm) under specified conditions (listed in the bill). Further provides that a person shall not be immune from civil liability for any damage or deprivation of property resulting from forcible entry if the person's actions constitute recklessness or willful or wanton misconduct. Provides that a person removing a dog or cat from a locked vehicle must remain with the animal in a safe location until law enforcement, emergency responders or an animal control officer arrives.

Status: The bill was adopted by the House by a vote of 78-27-1 and is before the Senate Criminal Law Committee.

HB 4822, Electronic Notification (Halbrook, R-Shelbyville/Rose, R-Champaign): Permits units of local government and county officers (not school districts) to establish a process to allow people to select electronic notifications through an electronic notification delivery system to receive governmental mailings that are currently sent by U.S. mail. Establishes the process and provides that a unit of local government may enter into an intergovernmental agreement with another entity to provide the electronic notifications and to share data for that purpose.

Status: The bill was adopted by the House by a vote of 108-0 and is on the order of second reading in the Senate.

HB 4907, Prescription Monitoring Program Access (McAuliffe, R-Chicago/Syverson, R-Rockford): Amends the Illinois Controlled Substances Act to provide that the Department of Human Services, in consultation with the Advisory Committee, shall adopt rules allowing licensed prescribers or pharmacists who have registered to access the Prescription Monitoring Program, to authorize a licensed or non-licensed designee employed in that licensed prescriber's office or a licensed designee in a licensed pharmacist's pharmacy, and who has received training in the federal Health Insurance Portability and Accountability Act (rather than a designee), to consult the Prescription Monitoring Program on their behalf. Prescription Monitoring programs are an important tool to deter the misuse, abuse, and diversion of controlled substances.



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(Support Continued):

Status: The bill was adopted by the House by a vote of 102-0 and is before the Senate Public Health Committee.

HB 5123 - Election Commission Consolidation (Conroy, D-Elmhurst/Cullerton, T., D-Villa Park): A DuPage County initiative, the legislation authorizes (permissive) a county board that has established a county board of election commissioners (impacts only two counties, DuPage & Peoria), to dissolve the county board of election commissioners through the adoption of an ordinance or resolution to transfer its functions to the county clerk. In March, DuPage voters approved an advisory question to merge the two offices, that is expected to save taxpayers over \$300,000 annually.

Status: The bill was adopted by the House by a vote of 112-0 and is on the order of second reading in the Senate.

SB 2332, Prohibit Tobacco Sales Under Age 21 (Link, D-Waukegan/Lilly, D-Oak Park): Raises the age for whom tobacco products, electronic cigarettes, and alternative nicotine products may be sold from at least 18 years of age to at least 21 years of age. Makes it a Class A misdemeanor for a person who is under 21 years of age (formerly 18) in the furtherance or facilitation of obtaining any tobacco product to display or use a false or forged identification card or to transfer, alter, or deface an identification card. Makes other technical changes. According to the DuPage County Health Department, people who haven't used tobacco by age 21 are unlikely to start and research indicates increasing the minimum age could reduce premature deaths and preterm births.

Status: The bill was adopted by the Senate by a vote of 35-20 and is before the House Health & Healthcare Disparities Committee.

SB 2483, Hotel/Motel Tax Pilot (Cullerton, T., D-Villa Park/Olsen, R-Downers Grove): As amended by Senate Amendment #1, the bill permits non-home rule municipalities, that are members of the DuPage Convention & Visitors Bureau, to spend 75% of the amounts collected by the Municipal Hotel Operators' Occupation Tax and a Municipal Hotel Use tax, to promote tourism within that municipality. Permits the remaining 25% to be used for economic development or capital infrastructure. The Act repeals as of December 31, 2019.

Status: The bill was adopted by the Senate by a vote of 53-1 and is before the House Tourism, Hospitality & Craft Industries Committee.

SB 2524, Disposal of Pharmaceutical Products (Rose, R-Champaign/Breen, R-Lombard): As amended, the legislation creates the Pharmaceutical Disposal Task Force to coordinate a statewide public information campaign to highlight the benefits of and opportunities to properly dispose of pharmaceutical products. Provides that the campaign shall be implemented by the Environmental Protection Agency, in coordination with the Department of Public Health and the Illinois State Board of Education. Provides that the publicity of the campaign shall include, as appropriate, opportunities to properly dispose of pharmaceutical products provided by specified entities and events. In DuPage County alone, our Rx box drug disposal program has collected over 44.4 tons of medication.

Status: The bill was adopted by the Senate by a vote of 53-0 and is assigned to the House Human Services Committee.



(Support Continued):

SB 2543, Mosquito Abatement District Consolidation (Cullerton, T., D-Villa Park/Olsen, R-Downers Grove): A DuPage County initiative, the bill adds mosquito abatement districts to Public Act 98-1002, that permits the consolidation of a mosquito district with a neighboring municipality, county or township (as amended) per a majority vote of both governing boards. Provides that on the effective date of the annexation or consolidation, all the rights, powers, duties, assets, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district vests in and is assumed by the governmental unit assuming the former district's functions. Provides for the rights of the employees of the former district once the former district is consolidated into the other governmental unit.

Status: The bill was adopted by the Senate by a vote of 55-0 and is before the House Cities & Villages Committee.

SB 2544, Local Government Reduction & Efficiency Act (Cullerton, T., D-Villa Park/Yingling, D-Round Lake Beach): A DuPage County initiative, the bill makes a number of changes to the Act to streamline the dissolution of specified county appointed agencies. Last year, all counties received the authority granted under the Act (initially granted to DuPage County only in 2013) to dissolve a defined list of county appointed governmental agencies but only after an extensive public review process.

Status: The bill was adopted by the Senate by a vote of 49-0 and is before the House Government Consolidation & Modernization Committee.

SB 2581, Juvenile Court Detention Screenings (Mulroe, D-Chicago/Gabel, D-Evanston): Provides that on and after July 1, 2020, a detention screening instrument shall be used for referrals to all authorized juvenile detention facilities in this state prior to a judicial hearing. Provides a minor alleged to be a delinquent minor taken into temporary custody must be brought before a judicial officer within 48 hours, currently the federal requirement (rather than 40 hours, excluding Saturdays, Sundays and court designated holidays). Provides that if an appearance is required of any minor taken and held in a place of custody or confinement operated by the state or any of its political subdivisions, including counties and municipalities, **the chief judge of the circuit may permit by rule for the minor's personal appearance to be made by means of two-way audio-visual communication, including closed circuit television and computerized video conference**, in the following proceedings: the initial appearance before a judge; a detention or shelter care hearing; or any status hearing. Provides that the Division of Probation Services of the Supreme Court shall adopt a statewide juvenile detention screening instrument that has been verified through evidence-based and data-based practices that is to be used by all authorized juvenile detention facilities. Video conferencing ensures juvenile offenders are processed more quickly and saves taxpayers over \$125,000 annually in overtime and transport costs from the Kane County Regional Detention Facility where DuPage juveniles are held.

Status: The bill was adopted by the Senate by a vote of 49-0 and is before the House Human Services Committee.

Oppose:

HB 4208, School Safety (Welch, D-Westchester/Lightford, D-Westchester): The legislation creates the Safe Schools and Healthy Learning Environments Program to establish a competitive grant program administered by



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(Oppose Continued):

the State Board of Education (subject to appropriation), to reduce reliance on law enforcement to address school disciplinary matters. Under the program, selected schools that are required to submit school discipline improvement plans may apply for funding to support restorative justice programs that may include the increased use of social workers and behavioral health specialists. Funds shall not be used to increase the use of school-based law enforcement or security personnel. DuPage County supports the utilization of school psychologists and other mental health professionals in schools in addition to school resource officers, who work to enhance the safety and security of our children, building relationships with students and serving as a resource to students, teachers, and administrators to help resolve problems before they escalate to violence.

Status: The bill was adopted by the House by a vote of 64-25 and is before the Senate Education Committee.

HB 5749, Overweight Trucks (Finnie, D-Harrisburg/Fowler, R-Harrisburg): Provides that the Illinois Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, may issue a special permit authorizing an applicant to move heavier loads of agricultural commodities if the vehicle's axle weight and gross weight do not exceed 10% above the maximum limits allowed and the vehicle's gross weight does not exceed the vehicle's registered gross weight by 10%. Makes other changes and provides that a combination of permits shall not exceed a total fee of \$1,000. The bill sets a precedent for other commodities to follow to permit heavier trucks on local roads.

Status: The bill was adopted by the House by a vote of 92-2-2 and is before the Senate Committee on Assignments.

Budget Issues

- **LGDF:** Monies distributed by the state to units of local government under the Local Government Distributive Fund (LGDF), represent a very small portion of the income taxes paid by our citizens that are returned to our communities to support critical local services. DuPage County currently receives an estimated \$9.8 million annually in LGDF funds, an amount that was reduced by the state 10% last year to balance the state's budget, **close to a \$1 million hit to the county budget.** Counties and municipalities have suffered the same economic hardships as the state yet have made the tough choices to cut spending, reduce staffing levels, and achieve operational efficiencies to balance our budgets. DuPage County opposes any attempts by the state to divert our fair share of income tax proceeds again this year.
- **Reduction of sales tax surcharge:** As part of the state's effort to balance its FY 2018 budget, the Illinois Department of Revenue imposed last year a new 2% administrative fee on the collection of 14 locally imposed sales taxes prior to the distribution to local governments. For DuPage County, this fee resulted in a **\$1 million annual revenue loss.** It has been widely reported that revenues collected from the 2% fee have generated the state over \$10 million more than projected. For state FY 2019, DuPage County urges legislators to either eliminate or reduce this fee to 1% and return needed revenues back to our communities.