



# DUPAGE COUNTY



## 2021 STATE LEGISLATIVE UPDATE

### DuPage County Board Chairman

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### DuPage County Legislative Committee

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James Zay, Vice-Chair	Julie Renehan
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## Legislative Update Week of April 26, 2021

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

### *Support:*

**HB 270 (Moeller, D-Elgin/Belt, D-East St. Louis): Sidewalk Construction** – requires IDOT to solely fund the cost of bicycle and pedestrian ways (sidewalks) in or within one mile of an urban area in conjunction with the construction, reconstruction, or other change of any state transportation facility. It is estimated that only 32% of state roads have sidewalks on both sides of the street. Pedestrian deaths have also increased by 50% in recent years.

**Status:** The bill was adopted by the House by a vote of 104-04 and is before the Senate Committee on Assignments.

**HB 572 (Carroll, D-Northbrook/Holmes, D-Aurora): Prohibit Financing of Pet Adoptions** - amends the Sales Finance Agency Act to provide that a sales finance agency shall not finance, enter into a retail installment contract, or make a loan for the purchase of a canine or feline. Provides that if a sales finance agency violates these provisions, the financing, retail installment contract, or loan shall be null and void and the sales finance agency shall have no right to collect, receive, or retain any principal, interest, or charges related to the loan, retail installment contract, or financing. Unfortunately, DuPage County Animal Services has witnessed countless examples of families borrowing significant funds at extremely high interest rates to purchase an animal, only to have to surrender the animal later due to illness or high medical expenses related to the sourcing of the animal (from a puppy mill).

**Status:** The bill was adopted by the House by a vote of 108-0 and is before the Senate Committee on Assignments. (see attached fact sheet for additional information)

**HB 633/SB 170 (Harper, D-Chicago/Koehler, D-Peoria): Vegetable Garden Protection** - creates the Vegetable Garden Protection Act. Provides for the right to cultivate a vegetable garden and permits state and local regulation on height, setbacks, water use, fertilizer use or control of invasive species if the effect does not preclude gardens. Defines "vegetable garden" and limits home rule powers.

**Status:** HB 633 was adopted by the House by a vote of 92-24 and SB 170 was adopted by the



Senate by a vote of 52-4. Both bills will now be considered by the opposite chamber.

**HB 804 (Williams, D-Chicago): Clean Energy Jobs Act** – creates the Clean Jobs, Workforce and Contractor Equity Act to put Illinois on a path to 100% renewable energy by 2050, eliminating carbon emissions from the power sector by 2030 and electrifying the equivalent of 1.2 million vehicles. Components of the Act include; creation of a Clean Jobs Workforce Hubs Network, expansion of Clean Energy Entrepreneurship & Contractor Incubator Network, creation of the Jobs & Environmental Justice Grant program, creation of an Equity & Empowerment in Clean Energy Advisory Board, creation of the Illinois Clean Energy Jobs & Justice Fund, and creation of the Equitable Energy Financing program, among many other provisions.

DuPage County supports measures that reduces our carbon footprint (Cool DuPage program), reduce industrial emissions and that develop affordable clean energy and solar energy options.

**Status:** The bill is being held on the order of second reading in the House.

**HB 813 (Gabel, D-Evanston/Murphy, D-Des Plaines): Grade Crossing Protection** – authorizes the Illinois Commerce Commission to enter into agreements with rail carriers or public authorities to fund, provide, install, and maintain safety treatments to deter trespassing on railroad property, at locations approved by the rail carrier following a diagnostic evaluation. The costs of treatments, installation, and maintenance shall come from the Grade Crossing Protection Fund. The legislation expands the physical location for projects to address rail safety hazards and railroad trespassing, specifically, suicide safety concerns.

**Status:** The bill was adopted by the House by a vote of 117-0 and is before the Senate Committee on Assignments.

**HB 1711 (Chesney, R-Freeport/Castro, D-Elgin): Sourcing of Animals** - amends the Animal Welfare Act to provide that a pet shop operator may offer for sale a dog or cat only if the dog or cat is obtained from an animal control facility or animal shelter. Provides that an animal control facility or animal shelter that supplies dogs or cats to pet shop operators to be offered for sale shall not be a dog breeder or a cat breeder or obtain dogs or cats from a dog breeder, a cat breeder, a person who resells dogs or cats from a breeder, or a person who sells dogs or cats at auction in exchange for payment or compensation. Defines the term "offer for sale" and modifies the definitions of "pet shop operator" and "animal shelter." Effective 180 days after becoming law.

**(see attached fact sheet for additional information)**

**Status:** The bill was adopted by the House by a vote of 76-24-2 and is before the Senate Committee on Assignments.

**HB 2775 (Ford, D-Chicago/Villivalam, D-Chicago): Emergency Housing Assistance** – amends the Illinois Human Rights Act. Defines "source of income" to provide that if a landlord requires that a prospective tenant or current tenant have a certain threshold level of income, the landlord shall subtract any source of income in the form of a rent voucher or subsidy from the total of the monthly rent prior to calculating if the income criteria have been met. Provides that a landlord shall not apply an income or asset requirement to a tenant with a non-wage source of income that the landlord does not apply to all tenants. The legislation seeks to prevent landlords from refusing to rent to tenants participating in the federal Housing Choice Voucher program



and other emergency rental assistance programs.

**Status:** The bill was adopted by the House by a vote of 62-48-2 and is before the Senate Committee on Assignments.

**HB 2950 (Morgan, D-Highwood/Morrison, D-Highwood): Expanded use of MFT dollars** - amends the Counties Code to provide that, in the counties of DuPage, Kane, Lake, Will, and McHenry, proceeds from the County Motor Fuel Tax Law may also be used for operating, constructing, improving, and acquiring land for shared-use paths for nonvehicular public travel, sidewalks, and bike paths. Amends the Illinois Highway Code to also provide that "highway" includes shared-use paths for nonvehicular public travel, sidewalks, and bike paths. Provides that any county may acquire property for the construction, maintenance, or operation of any shared-use path for nonvehicular public travel, sidewalk, or bike path within the county. Provides that the county board of a county with a population over 500,000 may also use state motor fuel tax funds allotted for the construction and maintenance of shared-use paths for nonvehicular public travel, sidewalks, and bike paths. If adopted, this measure would assist the county in the construction of non-motorized infrastructure projects including the East Branch DuPage River Trail.

**Status:** The bill was adopted by the House by a vote of 90-23-1 and is before the Senate Committee on Assignments.

**HB 3289 (Walsh, D-Joliet/Connor, D-Crest Hill): Automatic Renewal of Homestead Exemptions** – provides that the county's chief assessment officer may automatically renew homestead exemptions for the 2021 taxable year (without an application) under certain criteria for three exemption programs; senior citizens assessment freeze; homestead exemptions for persons with disabilities and veterans with disabilities. Also permits the county assessor to perform any audits required to verify a taxpayer is eligible to continue to receive an exemption. Last year, the county's assessor's office approved 18,000 applications for the senior citizen exemption, 2,500 for persons with disabilities, and 1,800 for veterans. Automatic renewal of these exemptions would prevent a large number of seniors and disabled individuals from having to travel in person to the county administration building (especially as we continue to fight the spread of COVID-19) to complete what can be burdensome paperwork.

**Status:** The bill was adopted by the House by a vote of 112-0 and is before the Senate Committee on Assignments.

**HB 3372 (Didech, D-Buffalo Grove): U.S. Flag Half Staff** - amends the Flag Display Act. Establishes a procedure and the occasions in which the United States national flag shall be flown at half-staff. Defines "half-staff" per the U.S. Flag Code. In April of 2020, Governor Pritzker directed that all flags in Illinois be lowered to half-staff to honor the victims of COVID-19 (the Governor recently announced he would raise flags back to full-staff on April 17).

**Status:** The bill was adopted by the House by a vote of 113-0 and is before the Senate Committee on Assignments.

**HB 3702 (Willis, D-Addison): Extension of the Emergency Telephone System Act** - extends the repeal of the Act (and the \$1.50 surcharge that funds local ETSB's) from December 31, 2021 to December 31, 2023. Provides that within 18 months of a contract award under the Public Utilities Act, the state shall establish a statewide next generation 9-1-1 network and every 9-1-1



# DUPAGE COUNTY



## 2021 STATE LEGISLATIVE UPDATE

system in Illinois shall provide next generation 9-1-1 service.

**Status:** The bill is on the order of third reading in the House.

**SB 1899 (Curran, R-Downers Grove): Relocation of Utilities** – a DuPage County initiative that seeks to hold utilities accountable when they fail to address requests to relocate utilities as part of a transportation project. Currently, there is no enforcement mechanism when a utility fails to, within the current statutory deadline of 90 days, remove, relocate, or modify ditches, track, rails, poles, wires, pipeline, or other equipment as requested, often delaying county projects at significant costs to taxpayers (often into another construction season). During the 2019/20 construction season, a number of projects were delayed by utilities, *costing DuPage County taxpayers almost one million dollars in additional construction costs and engineering fees.*

**Status:** The bill failed to advance per the Senate’s procedural deadline, however, the sponsor has indicated he will hold meetings over the summer with the Illinois Energy Association and the Illinois Telecommunications & Cable Associations that opposed the legislation.

### *Oppose:*

**HB 2379 (Walsh, D-Joliet): Extension of the Small Wireless Facilities Deployment Act** – as introduced, extends this Act beyond its original sunset date of June 1, 2021 until December 31, 2026 (House Floor Amendment #1 that was adopted to the bill reduced the sunset date to December 31, 2023). This Act limits the authority of municipalities and counties beyond the Federal Communications Commission (FCC) Order, to site small cell devices in accordance with local zoning and aesthetic guidelines.

**Status:** The bill was adopted by the House by a vote of 91-17-3 and is before the Senate Committee on Assignments.

**SB 643 (Murphy, D-Des Plaines): Takeover of Local Health Departments** – amends the Illinois Emergency Management Agency Act to provide that during a proclamation by the Governor declaring a statewide disaster, impacting every county in the state, all 97 local (county) health departments shall report to and be directed by, the Illinois Department of Public Health.

**Status:** The bill is on the order of postponed consideration before the Senate Executive Committee and the deadline was extended until April 30.

### *Other Issues:*

- **Protect County Revenues:** The Governor’s proposed FY2022 budget includes an additional 10% reduction in the amount of state income tax dollars shared with county and municipal governments under the Local Government Distributive Fund (LGDF). Since 2017, the General Assembly has reduced payments from the original 10% share of proceeds to an estimated 6% of income tax collections. As local governments continue to respond to the COVID-19 pandemic, it is critical that counties continue to receive this source of funding (see attached fact sheet from ISACo).



# DUPAGE COUNTY



2021 STATE LEGISLATIVE UPDATE

- **Reapportionment:** With the recent announcement that the U.S. Census will not be sharing with states and local governments the census data required to redraw legislative and county board district boundaries until September, county boards will be unable to meet the current statutory deadline of July 1 to redraw county board districts. The General Assembly should consider either moving candidate filing deadlines or make some other type of accommodation to ensure counties can comply with this statutory deadline and that accurate population data is utilized during the reapportionment process.



# PROHIBIT FINANCING AND SOURCING OF ANIMALS FROM PUPPY MILLS



## House Bill 572

### Protect consumers from high financing costs of pet purchases

#### Background:

A bill to protect consumers, purchasing animals at pet stores, from being a victim of predatory lending. Unfortunately, DuPage County Animal Services has witnessed numerous examples of people borrowing significant sums of money, at interest rates as high as 144 percent. Often the animals are purchased on impulse, only to surrender the animal later due to illness, unaffordable medical costs, or behavioral issues related to the sourcing of the animal (from a puppy mill).

House Bill 572 provides that a sales finance agency (often owned/in partnership with a pet store) shall not finance, enter into a retail installment contract, or make a loan for the purchase of a canine or feline. Should a sales finance agency violate these provisions, the financing, retail installment contract, or loan shall be null and void and the sales finance agency shall have no right to collect, receive, or retain any principal, interest, or charges related to the loan, retail installment contract, or financing.

## House Bill 1711

### Ban puppy mills

#### Background:

A puppy mill is an inhumane (high-volume) dog breeding facility that ignores the needs of puppies and their mothers. Often due to poor sanitation and inadequate veterinary care, animals bred from puppy mills suffer from a variety of health issues and behavioral problems due to a lack of socialization. Unfortunately, the majority of puppies sold in U.S. pet stores (an estimated 2 million annually) originate from puppy mills.

Many of these animals end up being surrendered to shelters due to high medical bills and because the animal is no longer wanted as a result of behavior issues. Significant County resources are needed in order to help these animals be adopted.

House Bill 1711 provides for the humane sourcing of animals in Illinois by requiring pet shop owners to offer for sale, a dog or cat, only if the dog or cat is obtained from an animal control facility or animal shelter.

# ISACo POLICY BRIEF

## The Local Government Distributive Fund (LGDF)

### OVERVIEW

The Local Government Distributive Fund (LGDF) was established in 1969 as part of the then newly-enacted state income tax. Counties and municipalities are allocated a percentage of the total state income tax revenues through this fund. The local share is distributed on a per capita basis. LGDF revenue is an important funding source for local governments and is a successful partnership between the state and eligible local governments.

#### Historical Trends for the Local Share

Until January 2011, counties and municipalities received 10% of total state income tax revenues through LGDF. Following a temporary increase in state income tax rates in 2011, the percentage of tax revenue allocated to LGDF for distribution to local counties and municipalities declined to 6%.

Although the state decreased the percentage of LGDF revenue shared with counties and municipalities, local governments continued to receive approximately the same dollar amount they had been receiving as a result of increased tax revenues brought about by the higher income tax rates.

In January 2015, the local share of the state income tax increased to 8% when the higher income tax rates declined according to a predetermined schedule established by law. Revenues distributed to counties and municipalities from LGDF remained about the same as the amount collected before the income tax rates declined.

The state income tax was permanently increased in 2017 and the local government share was reduced to 5.45% for individual income tax collections and 6.16% for corporate income tax collections for State Fiscal Year (SFY) 2018. The LGDF share was increased within the SFY 2021 state budget and is presently 6.06% for individual income tax collections and 6.845% for corporate income tax collections.

### QUICK FACTS

- LGDF plays an important role in funding everyday essential local services for Illinois citizens.
- LGDF revenue is the result of a partnership between the state and local governments.
- Recent years have seen reductions to the percentage of income tax revenues allocated to local governments through LGDF.
- The state has kept for itself 100% of additional income tax revenue raised from higher tax rates.

