



FIRST READING

COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

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Major Bills Passed by the Illinois General Assembly

This issue of *First Reading* summarizes bills as they passed both houses of the General Assembly, and reports the Governor’s actions on them. A total of 599 bills passed both houses in the spring 2019 session. This issue summarizes 197 bills of general interest, classified into 13 categories.

An extensive new act authorized a casino in Chicago, five new riverboat gambling facilities, gaming at racetracks, sports wagering, expanded video gambling, a higher cigarette tax, and a tax on parking space rentals. Another act increased the motor fuel tax, the vehicle registration fee, and the fee for a certificate of title. The voters in November 2020 will consider a proposed constitutional amendment to remove the requirement that state income taxation be non-graduated. If the voters approve, Illinois’ flat individual income tax will be replaced by graduated rates. Two other major acts will allow the sale and possession for personal use of limited amounts of cannabis starting in 2020, and raise the state minimum wage in increments to \$15 per hour in 2025.

Bills that passed both houses will raise the minimum age to buy tobacco products from 18 to 21; limit ethylene oxide emissions; require DCFS to check on the home safety of children returned to home from its care; strengthen penalties for failing to slow down in a construction zone or when passing a vehicle stopped for an emergency; raise minimum teacher pay; and require all Illinois employers to conduct sexual harassment prevention training each year.



Pages 40-41 of this issue give Public Act numbers of laws resulting from bills summarized here. Information on all bills of the 2019 session is available at the Illinois General Assembly’s website: www.ilga.gov

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Appropriations & State Budget

The state's operating budget for fiscal year 2020 is \$86.5 billion—\$4.8 billion over the \$81.7 billion appropriated for FY 2019. Appropriations from the General Funds rose 3.3%, from \$37.2 billion to \$38.5 billion.

The FY 2020 operating budget was passed in a single appropriations bill (S.B. 262), which included \$595.7 million in supplemental appropriations for FY 2019 (\$501 million from the General Funds). The Governor signed it as passed.

The General Funds budget includes about \$8.5 billion in appropriations for contributions to the state's retirement systems—up about \$660 million from appropriations for the previous year.

Largest Dollar Increases

Agencies getting the largest dollar increases in appropriations (from all funds) are Department of Healthcare and Family Services (DHFS) (\$2.0 billion, +8.2%); Central Management Services (CMS) (\$1.0 billion, +15.2%); Transportation (IDOT) (\$636 million, +20.9%); State Board of Education (ISBE) (\$456 million, +3.8%); and Human Services (DHS) (\$276 million, +4.2%).

Most of the DHFS increase is for Medicaid, supported by the new managed care organization assessment and federal Medicaid matching funds. A \$480 million decrease from the General Funds is largely due to a decrease in the General Revenue Fund (GRF) transfer to the Healthcare Provider Relief Fund (offset due to revenues from the managed care assessment for state budget relief). The Medicaid increases include rate increases for nursing homes, additional funds for behavioral health care, minimum wage increases for providers, and funds to maintain actuarially sound Medicaid managed care rates related to costs of the new assessment.

The CMS increase was mostly due to an increase in appropriations from other state funds to pay for state employee health insurance and reduce the backlog of state employee health insurance

bills using revenues from General Obligation bonds. Operating appropriations from the General Funds decreased by about \$17 million (-0.8%) due to removal of one-time spending, largely related to property management. IDOT's increase is entirely from other state funds, as General Funds appropriations were eliminated. The increase is associated with the Rebuild Illinois Capital Program—including additional staff and associated costs, such as training, safety gear, communications, technology, and vehicles.

ISBE's increase was mostly for evidence-based school funding (+\$375 million), transportation reimbursements, and early childhood education. It also received funds for several grant programs that have not been funded in previous years, such as funds for mental health in rural schools and a grant for YouthBuild Illinois. The DHS increase is largely from General Funds. The increase will expand eligibility for the Child Care Assistance Program, fund rate increases for care providers, fund a program to encourage Census participation, and implement the Colbert consent decree (transferred from the Department on Aging).

Largest Dollar Reductions

Agencies with the largest dollar decreases are the Treasurer (-\$1.1 billion, -25.5%); Department of Employment Security (IDES) (-\$17.7 million, -6.4%); Corrections (IDOC) (-\$17.1 million, -1.1%); State Board of Elections (-\$5.6 million, -14.2%); and Military Affairs (-\$4.1 million, -5.9%).

The decrease for the Treasurer (all from other state funds) was mainly due to reduced General Obligation bond debt service (after pension obligation bond debt was retired). Operating appropriations decreased slightly because FY 2019 included one-time appropriations for

transitioning from GRF to other state funds. The IDES decrease is largely due to a decrease in authorized headcount and the completion of several technology implementation projects.

The IDOC reduction is mostly due to a \$93 million increase in FY 2019 appropriations for one-time purposes, primarily for back wages and employee stipends. The Department’s appropriations for operations increased by about \$75 million (from General Funds), mainly for payroll expenses additional security and programming staff as well as increased medical service levels for offenders.

The State Board of Elections’ decrease is largely due to reduced need for election judge reimbursements (as there will be only one election) and the availability of federal grant funds for the Cyber Navigator Program in FY 2019 only. The change for Military Affairs is mostly due to increases in FY 2019 appropriations for one-time needs—back pay for employee step increases and State Active Duty payroll needs. Pre-supplemental appropriations decreased slightly, because the GRF transfer to the Military Family Relief Fund will not be needed in FY 2020.

Education Appropriations

Elementary and secondary education received about \$829 million (+4.9%) more from all funds—including the \$456 million for the State Board of Education and additional General Funds for retirement contributions. Local education’s share of the total budget fell slightly, from 20.7% to 20.5%; however, its share of General Funds appropriations rose from 35.5% to 36.6%.

Higher education appropriations from all funds rose by about \$344 million (+8.78%)—largely due to increased appropriations for the State Universities Retirement System (SURS), though appropriations for each university also rose. Non-SURS higher education appropriations rose \$144 million (+6.4%); appropriations to each university

increased approximately 5%. The percentage of total appropriations going to higher education increased slightly, from 4.8% to 4.9%; its share of General Funds appropriations rose from 8.7% to 9.3%.

Capital Appropriations

General Obligation bond authority was increased by \$20.5 billion to pay old vouchers (\$1.2 billion) and capital projects (\$19.3 billion). Those authorizations include \$11.1 billion for transportation; \$8.0 billion for capital facilities; \$139 million for Illinois Environmental Protection Agency projects; and \$59 million for school construction. Build Illinois bond authorization was also increased, by \$3.2 billion.

Those increases are generally part of the Rebuild Illinois Capital Program, which will last 6 years and spend about \$45 billion. The funding comes from \$20.8 billion of bonding, \$10.6 billion from state revenues for pay-as-you-go funding, \$10 billion from federal funds, and \$3.5 billion from local and private sources. Much of the state revenue will come from changes enacted by P.A. 101-31 (see page 28). The Program’s funding will be allocated as follows:

<i>Amount (billions)</i>	<i>Purpose</i>
\$33.2	Transportation projects
4.3	State facilities
2.9	Higher education
1.9	Economic and community development
1.2	Environment and conservation projects
0.526	Elementary and secondary education
0.465	Healthcare and human services
0.420	Broadband development

Total appropriations are about \$4.2 billion (+5.1%) over the Governor’s budget recommendations;

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Appropriations & State Budget *(continued from p. 3)*

General Funds appropriations are about \$1.5 billion (+4.0%) over his recommendations.

FY 2019 Supplemental Appropriations and FY 2020 Operating Appropriations

P.A. 101-7, enacted by S.B. 262 (J.Cullerton-Steans-Manar-Sims-Aquino—G.Harris).

FY 2020 Budget Implementation

P.A. 101-10, enacted by S.B. 1814 (Steans-J.Cullerton-Sims et al.—G.Harris-West).

Capital Plan Appropriations Bill

P.A. 101-29, enacted by H.B. 62 (G.Harris—J.Cullerton-Manar-Sandoval).

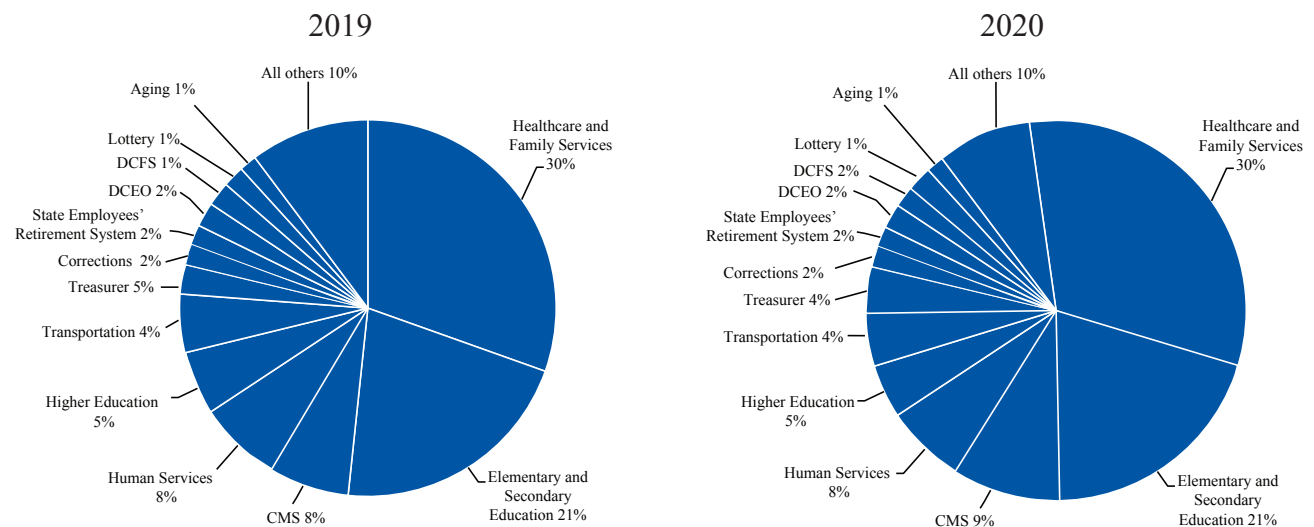
Capital Financing Bill

P.A. 101-30, enacted by H.B. 142 (G.Harris—Manar-Sandoval).

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Figure 1: Allocation of Appropriations by Program Area (excluding capital projects)



Business & Economic Development

A new Public Act incrementally raises the minimum wage to \$15 per hour in 2025. Legislators also voted to add employer harassment of workers as a violation of the Illinois Human Rights Act, and to require all Illinois employers to conduct sexual harassment prevention training every year. Other bills that passed both houses will require public corporations to report on their diversity; prohibit employers from screening job applicants based on their salary history; and require studies on blockchain technology and how to prevent job losses from outsourcing.

Blockchain Study. The Department of Financial and Professional Regulation is to study blockchain technology's potential application in banking, and report its findings by 2021. The Department of Commerce and Economic Opportunity (DCEO) is to promote blockchain technology in at least one of its economic development marketing and business support programs or activities (**P.A. 101-259**, enacted by H.B. 2540, Harper-Tarver-Slaughter-Flowers-Chesney et al.—T.Cullerton-McConchie et al.).

Building Trades Training. DCEO may establish a program to award grants to organizations providing training in building trades for persons 18 to 35 years old. The Department of Children and Family Services is to refer interested youth who have aged out of foster care. Grantees may form agreements with financial institutions or local governments to rehabilitate abandoned property using program participants. Grantees are also to use the funding for an entrepreneurship program to teach skills needed for starting a building trades business (H.B. 2304, Slaughter-Ford-Evans-Turner-Gordon-Booth et al.—Martinez-Peters-Villivalam-Aquino et al.).

Diversity in Public Corporations. By 2021, each public corporation with its principal executive office in Illinois is to include in its annual report to the Secretary of State information on the gender and racial makeup of its board of directors; how members of the boards of directors and executive officers are selected; and policies for promoting diversity among directors and executive officers. The University of Illinois System is to review the data and publish a summary report, which is to include a diversity rating system (H.B. 3394, Welch-Davis-E.Hernandez-Villanueva-Ford et al.—Belt-Collins-Aquino-E.Jones-Sandoval et al.).

Growlers and Crowlers. Brewers and brew pubs may transfer beer that they make or sell to growlers or crowlers (containers owned by customers), and sell them for off-premises consumption. Retail licensees may transfer beer to a growler or crowler that holds no more than 128 fluid ounces. Retailers must first sanitize the growler or crowler, and affix an informational label to it (H.B. 3610, Guzzardi-Wehrli-Butler et al.—Anderson).

Human Rights. Businesses with at least 1 employee (formerly 15) in Illinois for at least 20 weeks per year become subject to the "Employment" article of the Illinois Human Rights Act, but places of worship are excluded (H.B. 252, Guzzardi-E.Hernandez-Harper-Flowers-Connor et al.—Castro-Peters-Holmes-Gillespie-Martinez et al.).

Minimum Wage Increase. Starting in 2020, the state minimum wage (currently \$8.25 per hour for adults and \$7.75 per hour for minors) will rise incrementally each year until 2025 when it will be (1) \$15 per hour for adults and minors who work more than 650 hours per year, and (2) \$13 per hour for all other minors. Employees not paid the minimum wage can recover triple the amount of underpayment plus 5% of the underpayment for each month it remains unpaid (up from the amount of the underpayment plus 2% per month). Such employers may be fined an additional \$1,500 by the Illinois Department of Labor.

Businesses with no more than 50 employees can take a credit against employee income tax withholding equal to a

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Business & Economic Development

(continued from p. 5)

percentage of the increased wages. The percentage in 2020 is 25%; it drops by 4 percentage points each year through 2025. Employers may continue to take a 5% credit in 2026, and employers with 1-5 employees may take it through 2027 (**P.A. 101-1**, enacted by S.B. 1, Lightford-Collins-Muñoz-Martinez-Hunter et al.—Guzzardi-Evans-Hoffman-Ramirez-Welch et al.).

Pay Disclosure. Employers may not require employees to sign a document prohibiting them from disclosing wage, salary, or benefit information. Employers may not require or request that job applicants disclose their salary history; screen applicants based on their salary history; or seek an applicant's salary history from a current or former employer. A civil action can be brought against violators, resulting in damages incurred, special damages up to \$10,000, injunctive relief, and costs and attorney's fees. The prohibition on different pay for "equal" work because of sex or race discrimination is changed to "substantially similar" work (**P.A. 101-177**, enacted by H.B. 834, Moeller-Welter-Villanueva-Evans-West et al.—Castro-Bertino-Tarrant-Lightford-Martinez-Holmes et al.).

Quad Cities Outsourcing Prevention Task Force. This new body is to study and make recommendations on preventing job losses in Illinois from outsourcing. It will have 11 members, include at least 1 representing businesses in the Quad Cities. The Task Force is to report to the General Assembly by 2020 (**P.A. 101-127**, enacted by H.B. 1554, Halpin-McCombie et al.—Anderson).

Rebates issued using rebate cards may not have dormancy or other post-issuance fees, except for card replacement (H.B. 2156, Mah-Meyers-Martin-Lilly-Guzzardi et al.—Castro-N.Harris-Martinez).

Smart Contracts—defined as contracts stored electronically and verified using a blockchain—may not be denied legal effect solely because a blockchain was used to create them. But if a law requires a record to be in writing or some other specified form, a blockchain may not suffice, especially in specified circumstances such as utility service cancellation; eviction notices; or insurance cancellation. Local governments may not regulate the use of blockchains or smart contracts (H.B. 3575, Wheeler-Zalewski-Andrade—Sims-McConchie et al.).

Unemployment Insurance Liens and Benefits. The Director of the Department of

Employment Security may file in the Department of Revenue's lien registry notices of liens against employers who owe unemployment insurance contributions (the registry was formerly only for tax liens). Beginning in 2022, the weekly unemployment benefit is raised to 40.6% (from 40.3%) of the recipient's prior average weekly wage (**P.A. 101-423**, enacted by S.B. 1899, Link—Hoffman-Wehrli et al.).

Video Interviews and Artificial Intelligence.

Employers that use artificial intelligence to analyze video interviews of job applicants must first notify each applicant of that fact; explain how the artificial intelligence works; and obtain each applicant's consent to be evaluated by artificial intelligence. Videos are to be destroyed at an applicant's request (**P.A. 101-260**, enacted by H.B. 2557, Andrade-Pappas-Costa Howard—Martinez).

Worker Cooperatives. A limited cooperative association may be formed by filing articles with the Secretary of State. Such an association is to have "worker-members" who contribute labor or work to the association. Requirements for the organization, bylaws, meetings, voting, and dissolution of such an association are set out (**P.A. 101-292**, enacted by H.B. 3663, Ammons-E.Hernandez-Villanueva et al.—Martinez-Aquino-Sims-Peters et al.).

Workplace Harassment

Prevention. *Contracts.*

Employment contracts are not to restrict employees from reporting unlawful conduct for investigation. A settlement or termination agreement may include promises of confidentiality related to alleged unlawful employment practices if the employee prefers it and is given time to consider it.

Harassment. Employer harassment based on any of numerous grounds becomes a violation of the Illinois Human Rights Act. Harassment is defined as unwelcome conduct on the basis of a protected status that substantially interferes with work or creates a hostile work environment. Harassment, including sexual harassment, of nonemployees such as contractors, is also a violation.

Beginning July 1, 2020, an employer that had an adverse ruling in a sexual harassment or unlawful discrimination case must disclose it to the Department of Human Rights. If the Department is investigating a charge, it may ask the employer to submit the total number of related settlements entered into in the preceding 5 years.

Some workplace protections given to victims of sexual or domestic violence are extended to victims of gender violence.

Workplace training. The Department is to create a model sexual harassment prevention training program and make it available online at no cost. All employers with employees working in Illinois must use it or another program to train employees at least once per year. The Department is also to create a supplemental training for restaurants and bars. Every restaurant and bar must use it or another training program, and provide a sexual harassment policy to all employees. Fines are authorized for violations.

Hotels and casinos. Each hotel and casino must equip an employee working alone in a guest room, restroom, or casino floor with a portable emergency contact device. Hotel and casino employers must have policies to protect employees against sexual harassment by guests, including temporary work assignments and paid time off to file a complaint.

Government employees. The annual sexual harassment prevention training that state employees and lobbyists complete is to change to harassment and discrimination prevention training. A state employee who files a complaint with an Executive Inspector General or Legislative Inspector General alleging discrimination, harassment, or sexual harassment has a

number of rights, including to review the Inspector General's summarization of the complainant's evidence and summary reports of the investigation, and to testify at hearings. Any governmental unit not under the jurisdiction of a state or local inspector general must provide a mechanism for reporting and independent review of allegations of sexual harassment made against an elected official of the unit by another elected official (**P.A. 101-221**, enacted by S.B. 75, Bush-Gillespie-Martinez-Villivalam-Tracy et al.—A. Williams-McCombie-Lilly-Hammond-Conroy et al.).

Ashley M. Lewis
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**2019 Veto
Session
Dates**

**October
28, 29, 30**

**November
12, 13, 14**

Civil Law

The General Assembly voted to authorize civil damages for disclosing or posting online another person's private images. Legislators also voted to authorize courts to appoint a guardian for a minor whose parents are detained or deported under immigration law; or to allow a minor to petition federal Citizenship and Immigration Services to be declared a "special immigrant juvenile" in some circumstances. Other bills that passed both houses prohibit employers from using arrest records against employees or applicants; prohibit landlords from evicting tenants based on their immigration status; and extend a juvenile court's jurisdiction past age 18 if it finds that a minor was abused, neglected, or dependent before turning 18.

Adoptee Mental Health Services. The Department of Children and Family Services is directed to provide and publicize services related to mental health, including drug abuse, for children who have been adopted under the Adoption Act or otherwise (**P.A. 101-155**, enacted by H.B. 3587, Feigenholtz-Sommer—Peters).

Arrest Records Use. Employers may not use an arrest record (defined as (1) an arrest with no conviction, (2) a juvenile record, or (3) criminal history information ordered expunged, sealed, or impounded) against an employee or applicant. Similar provisions for real estate transactions are enacted. However, lessors may still prohibit illegal actions on their premises. Minor exceptions will apply (S.B. 1780, Aquino-Harmon et al.—Tarver-Turner-Gordon-Booth-Meyers-Martin et al.).

Consumer Debt Post-Judgment Interest. Judgments for debts not over \$25,000, incurred mainly for personal or family purposes, will accrue interest at 5% (normally 9%). The debtor can stop further accrual during an appeal by tendering all amounts owed. Such a judgment can be revived for 10 years after entry (normally 20) (**P.A. 101-168**, enacted by H.B. 88, Guzzardi-Parkhurst-Mah-Skillicorn-Meyers-Martin—Martinez-Aquino et al.).

Court Reporters. Local chief judges, not the Illinois Supreme Court, will bargain with court reporting personnel and set rates per page for transcripts and pay levels for court reporter administrators; statutory limits on those amounts are abolished (S.B. 397, Sims—Reitz).

Court Subcircuits. The General Assembly is to redraw the subcircuits in the Cook, 12th, 16th, 17th, 19th, and 22nd Circuits based on the 2020



Census and all later decennial Censuses. No resident judgeships will be moved until vacancies occur (H.B. 2625, Arroyo-Martwick—Martinez et al.).

Financial Crime—Civil Limitation Period. Civil suits for damages due to several major kinds of financial crimes, including identity theft and financial institution fraud, may be brought for 10 years after the last act in furtherance of the crime, unless an even longer period is otherwise provided (limitation periods of 2 or 5 years would otherwise apply in most cases) (**P.A. 101-136**, enacted by H.B. 2287, Gabel—Fine).

Guardians for Separated Migrant Minors. If a minor's parent(s) cannot care for the minor due to being detained or deported under immigration law, a guardian may be appointed or a standby guardian may assume guardianship (**P.A. 101-120**, enacted by H.B. 836,

Gong-Gershowitz-Durkin-E. Hernandez-Welch-Feigenholtz et al.—Villivalam-Castro et al.).

Immigrant Minors. A juvenile court, or a court that is allocating parenting responsibilities, hearing an adoption petition, preparing to issue an order of protection, or hearing a petition for guardianship can make findings enabling a minor to petition federal Citizenship and Immigration Services to be declared a “special immigrant juvenile.” The court can make those findings based on the minor’s own declaration. The minor’s immigration status is to be kept confidential (**P.A. 101-121**, enacted by H.B. 1553, Gong-Gershowitz-Feigenholtz-E.Hernandez-Ramirez-Moeller et al.—Castro).

Juvenile Jurisdiction. If a juvenile court makes a finding, before a minor turns 18, that the minor likely is abused, neglected, or dependent, the court’s jurisdiction may continue up to the juvenile’s 21st birthday (**P.A. 101-79**, enacted by S.B. 1116, Fine—Feigenholtz-Pappas-Sommer-Edly-Allen et al.).

Minors. Emancipation. A court may order a minor who is deemed mature to be

emancipated over the objection of a parent or guardian, but only upon determining, after a hearing, that emancipation is in the minor’s best interest (**P.A. 101-135**, enacted by H.B. 2256, Welter et al.—McConchie).

Orders of Protection—Confidentiality. Petitions for, and orders of, protection against abusers are not to be publicly disclosed until served on the respondents (**P.A. 101-255**, enacted by H.B. 2309, Windhorst-Cassidy-Mason—Righter-Plummer).

Private Images. Disclosure. If a person who is at least 18 intentionally makes, or threatens to make, a private sexual image of someone available to another, resulting in harm to the person depicted, that person can sue the perpetrator and be awarded (1) either actual damages or statutory damages up to \$10,000 per defendant; (2) any monetary gain from the disclosure; and (3) punitive damages, and may also be awarded attorney’s fees and costs (S.B. 1507, Bush-Hastings—Edly-Allen-Ammons et al.).

Take-down order. A person who is at least 18, and images of whose intimate parts are posted online, can seek an order that the images be removed from the site. No remedy for refusal is specified. But

a civil suit for posting such images is authorized, and successful plaintiffs can receive unspecified damages (**P.A. 101-385**, enacted by H.B. 2408, Bourne-Connor-Parkhurst-Carroll-D.Brady et al.—McClure-Hastings et al.).

Tenants and Immigration Status. Unless required by law or court order, a lessor may not disclose a tenant’s immigration status, or act to evict a tenant due to immigration status (**P.A. 101-439**, enacted by S.B. 1290, Castro-Aquino-Sandoval-Martinez-Muñoz et al.—Mah-E.Hernandez-Welch-Thapedi-Moeller et al.).

Trusts. A comprehensive Illinois Trust Code is enacted to codify Illinois law on trusts. It is based on the Uniform Trust Code (now adopted by almost two-thirds of the states), but also has provisions from six Illinois acts related to trusts, which are repealed. The new Code and repeals are to be effective January 1, 2020 (**P.A. 101-48**, enacted by H.B. 1471, A.Williams-McDermed et al.—Mulroe).

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Criminal Law

A new Public Act legalizes the sale and possession for personal use of limited amounts of cannabis for persons who are at least 21. Cannabis growers and dispensaries will need state licenses. The statute of limitations in some human trafficking cases is extended, and police and hotel employees must be trained to recognize signs of human trafficking. Other bills that passed both houses will impose a heavier sentence on violent crimes committed in a place of worship; require creation of an electronic system to track evidence in sexual assault cases; and exempt qualified police officers from prohibitions on carrying concealed weapons in public and on carrying weapons in incorporated areas.



Conditions on Jailed Person.

If a defendant cannot post bond, the court may order the defendant to have no contact with the victim or “other interested party” while in custody (**P.A. 101-138**, enacted by H.B. 2308, Windhorst-Mazzochi—Righter-Plummer-McConchie et al.).

Conviction of Alien. An existing provision, requiring trial courts to inform any defendant planning to plead guilty that the plea may lead to deportation or other exclusion from the U.S. if the defendant is not a U.S. citizen, is to be enforced by allowing a defendant who was not so informed to withdraw a plea that could have that effect within 2 years after conviction (**P.A. 101-409**, enacted by S.B. 1610, Sims-Lightford-Hunter-E.Jones-Martinez—Cassidy et al.).

Crime in Place of Worship. If any of several kinds of violent crimes, or carrying a dangerous weapon with unlawful intent,

is committed against a member of a congregation engaged in religious activities in a place of worship, a heavier sentence can be imposed than normally applies to the crime committed (**P.A. 101-223**, enacted by H.B. 38, Mayfield-Davis-Meyers-Martin et al.—Crowe-McConchie-J.Morrison-Ellman et al.).

Criminal Record

Consequences. The potential effects of a certificate of good conduct (which a court, after a hearing, can grant to an ex-offender) are expanded to include effects on occupational licensing and housing. However, this amendatory act states that such a certificate does not prevent an occupational licensing authority or landlord from exercising full discretion to grant or deny an application (**P.A. 101-154**, enacted by H.B. 3580, Slaughter-Davis et al.—Sims).

Exploiting Vulnerable Persons. A prosecution for financially exploiting an

elderly person or person with a disability may occur in any county where the crime occurred or a victim lives. Consent is not a defense to such a charge if the defendant knew or had reason to know that the victim lacked legal capacity (**P.A. 101-394**, enacted by S.B. 69, Bertino-Tarrant-Curran-Holmes-L.Murphy et al.—Manley-Carroll-Cabello et al.).

Firearms; Eavesdropping Exemption. A “qualified” current or retired police officer is exempted from prohibitions on carrying concealed weapons in public, and on carrying weapons in incorporated areas. Starting 181 days after signing of this bill, a person under 21 in active military service can apply for a Firearm Owner’s Identification Card without parental consent. A provision allowing recording of conversations to which police or persons under their direction are parties, with the state’s attorney’s approval to collect evidence, is extended 3 years

to 2023 (P.A. 101-80, enacted by S.B. 1139, Muñoz et al.—Bristow-Reitz-Yednock-K.Stuart-Meier et al.).

Human Trafficking. A prosecution for human trafficking or involuntary servitude may be commenced within 25 years after the offense even if the victim was 18 or older at the time of the offense. A civil suit for human trafficking must be commenced within 25 (was 10) years after the latest of (a) the victim’s reaching majority, (b) the plaintiff’s discovery of the offense and of the defendant’s culpability for it, or (c) expiration of the limitation period for any crime forming a basis for the civil suit. A business can be prosecuted and fined up to \$100,000 if it gains a financial or other benefit by participating in involuntary servitude, or involuntary sexual servitude of a minor. State and local police must be trained on recognizing and reporting human trafficking. Starting next June, hotels and motels must train employees who regularly interact with customers on those topics; the Department of Human Services will develop a curriculum that can be used for this purpose (P.A. 101-18, enacted by S.B. 1890, L.Murphy-Rezin-Crowe-Collins et al.—Slaughter-Madigan-Costa Howard-Hurley-Harper et al.).

Immigration Enforcement. Law enforcement agencies and officials may not enter into or remain in agreement with U.S. Immigration and Customs Enforcement under 8 U.S. Code subsec. 1357(g), allowing state and local law enforcement officers to perform limited immigration law enforcement functions (P.A. 101-19, enacted by H.B. 1637, Villanueva-E.Hernandez-Welch-Gordon-Booth-Ortiz et al.—Harmon-Muñoz-Martinez-Castro-Aquino et al.).

Jail Credit. The daily credit a defendant is to get for time in jail before sentencing is increased from \$5 to \$30. Any credit for presentencing jail time can be applied only against a fine (if one is imposed)—not against additional assessments (P.A. 101-408, enacted by S.B. 1609, Sims et al.—Slaughter-Evans et al.).

Limitations. Female genital mutilation. A prosecution for this crime, against a person under age 18, may be commenced at any time. A parent or other person having custody of a child who facilitates or permits the crime against the child commits a Class 1 felony (P.A. 101-285, enacted by H.B. 3498, Manley-Greenwood-K.Stuart-Mussman-Batinick et al.—Bertino-Tarrant-Ellman-Collins-Crowe et al.).

Sex crimes. A prosecution for any crime involving sexual conduct or sexual penetration (as currently defined) can be commenced at any future time. Requirements that a DNA profile of the suspect be obtained and stored within 10 years, and that the victim report the crime to police within 3 years, are eliminated (P.A. 101-130, enacted by H.B. 2135, Wheeler-Wehrli-Welch-Batinick-Stava-Murray et al.—Holmes-Fine-Glowiak Hilton-L.Murphy-Ellman et al.).

Marijuana (cannabis). Starting next January, an Illinois resident who is at least 21 may buy and possess for personal use up to 30 grams of cannabis and specified smaller amounts of other cannabis products; the limits will be half as much for nonresidents. A patient registered under the medical cannabis program may grow up to 5 small cannabis plants in a locked space within a residence. Possession or use by persons under 21 will remain a crime. Employers can enforce “reasonable” policies against employee impairment due to cannabis use. Vehicle drivers may not use cannabis; drivers and passengers may possess it only in “sealed, odor-proof, and child-resistant” containers.

The Department of Agriculture can license up to 30 cannabis cultivation centers and up to 40 initial craft growers (rising

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Criminal Law

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to 100 after June 2020, with an eventual limit of 150). Both types of growers will be subject to detailed requirements and a state tax of 7% of gross receipts. The Department can license up to 40 organizations to make cannabis-infused products (rising to 100 after June 2020), and an unspecified number of organizations to transport cannabis from growers to sellers.

The Governor will appoint an Illinois Cannabis Regulation Oversight Officer, with Senate confirmation, within the Department of Financial and Professional Regulation. The Department will license and regulate cannabis dispensaries (up to an eventual limit of 500). Each dispensary must comply with detailed standards for product acquisition, storage, and sale, and post a sign at least 24 by 36 inches warning about effects of cannabis use. The Illinois Department of Public Health is to provide information on the health effects of cannabis use, including public education campaigns for specific groups.

The Illinois Criminal Justice Information Authority will identify areas in the state that have suffered heavily from crime, poverty, and other social ills, and make grants for programs to help those areas.

Police can use “validated roadside chemical tests” to help determine whether a driver is under the influence of cannabis. Test results, or refusal to be tested, can be introduced at trial. Refusal will result in a 12-month license suspension; a result showing impairment by cannabis is to bring a 6-month suspension. A DUI Cannabis Task Force will study driving under the influence of cannabis and report to the Governor and General Assembly by July 1, 2020. The Department of State Police is to report annually to the General Assembly on effects of cannabis use on road safety, and available ways to test for its use.

Local ordinances can “prohibit or significantly limit a cannabis business establishment’s location” but cannot “unreasonably restrict the . . . number of cannabis business establishment operations authorized . . .” Voters in any Chicago precinct can petition their alderman to propose a ban on cannabis businesses and/or home cultivation in the precinct, and the city council can enact such a ban.

Cannabis buyers must pay a tax of 10% of purchase price on cannabis that is up to 35% THC; 25% on higher concentrations; and 20% on cannabis-infused products (in each case except medical cannabis). A county can impose a tax up to 3.75%

(unincorporated areas), 0.75% (incorporated areas except in Cook County), or 3.0% (incorporated areas in Cook County) on gross receipts from selling cannabis except for medical use. Any municipality can impose such a tax up to 3.0%.

Police agencies must expunge a record of arrest, supervision, or similar action for possessing up to 30 grams of a substance containing cannabis, committed before this act takes effect, 1 year after it occurred, unless the person was convicted. Convictions for such offenses are to be compiled and sent by the Prisoner Review Board to the Governor with recommendations on whether to grant pardons authorizing expungement. A person convicted of a misdemeanor, or Class 4 felony, violation based on cannabis growing, possession, or delivery, who has finished any sentence or other terms imposed, can file a motion in court seeking the vacation and expungement of the conviction based on stated grounds (**P.A. 101-27**, enacted by H.B. 1438, Cassidy-Gordon-Booth-Villanueva-Welter-Morgan et al.—Steans-Hutchinson-Aquino-Barickman-Anderson et al.).

Parents—Crimes Against Children. The list of crimes whose commission against a child victim will result in a

presumption that the offender is not fit to retain parental rights or to adopt is expanded by adding several sex crimes (S.B. 218, T.Cullerton-Curran et al.—Willis-Cabello et al.).

Prisoners. Civic education. Incarcerated persons at a Department of Corrections or Department of Juvenile Justice facility who are nearing the ends of their sentences must receive three 90-minute sessions on voting and other governmental matters (**P.A. 101-441**, enacted by H.B. 2541, Harper-Guzzardi-Tarver-Slaughter-Greenwood et al.—Peters-Aquino et al.).

Job searches. The Department of Innovation and Technology (DoIT) and the Department of Corrections are directed to develop a way for each incarcerated person to visit approved job search and career building websites for a time before release (**P.A. 101-397**, enacted by S.B. 156, Weaver-McGuire-Collins et al.—Mayfield-Swanson-West-McCombie-Turner et al.).

Sentence credit. Inmates convicted of crimes committed before a 1989 act authorizing credit against prison sentences for time spent working or attending classes in prison will be eligible for similar credit if they attest, and the Department of Corrections cannot disprove,

that they have participated in such activities (**Public Act 101-440**, enacted by H.B. 94, Slaughter—Lightford-Harmon et al.).

With children. A Task Force on Children of Incarcerated Parents is created to study ways to protect children from harmful effects of parents' arrest and imprisonment, and make recommendations to the General Assembly and Governor by the end of this year (H.B. 2649, Ramirez-Feigenholtz-Slaughter-Harper-Welch et al.—Hutchinson-Martinez-Harmon-Collins et al.).

Sentences. Impact incarceration. If a defendant is convicted of a felony, the court is to make a specific finding during sentencing about whether the defendant is eligible for impact incarceration ("boot camp"), and provide an explanation if it is not an appropriate sentence (**P.A. 101-105**, enacted by H.B. 3168, Bryant-Windhorst-Costello-Davis-Slaughter et al.—Schimpf-S.Bennett-McGuire).

Parent caring for child. Judges are to consider the effects on children of a parent's absence before imposing a prison sentence on a parent. Similar consideration is to be given to a defendant who is the caregiver for a relative needing care. A defendant can present a

family impact statement before sentencing (H.B. 2444, Cassidy-Ramirez-Feigenholtz-Harper et al.—Collins-Peters-Martinez et al.).

Sexual Assault Evidence Database. The Department of State Police is directed to create an electronic system to track and provide information to police, victims, and others on the status of evidence collected for use in catching perpetrators of sexual assault (**P.A. 101-377**, enacted by S.B. 1411, McConchie-S.Bennett-L.Murphy et al.—McDermed-Carroll-Parkhurst-Grant-Ammons et al.).

Vehicle Accident. Failure to report an accident causing death (the bill calls the offense "leaving the scene of an accident"—prohibited by a different subsection) can bring a heavier penalty if the driver, when committing that offense, was either driving under the influence or using an electronic communication device (**P.A. 101-417**, enacted by S.B. 1750, Crowe—Bristow et al.).

David R. Miller
Research Administrator

Education

Elementary & Secondary

The General Assembly voted to raise minimum teacher salaries and eliminate the basic skills test for prospective teachers until July 2025. Legislators also created a task force to study preventing and handling school sexual abuse. Other bills that passed both houses will allow students to self-administer some medications at school; require schools to develop threat assessment procedures; and mandate that textbooks be non-discriminatory.

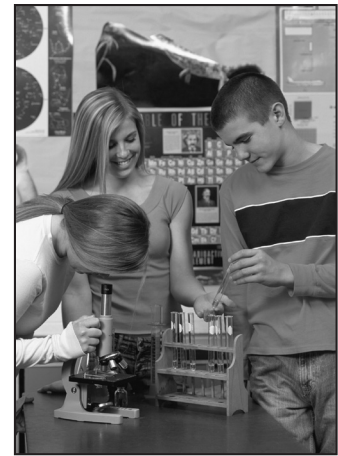
Abuse Investigations and Prevention in Schools. School districts must review their policies for investigating sexual abuse every 2 years. They must check each employee's name in the state's sex and violent offender databases every 5 years, and notify the State Board of Education (ISBE) of any license holder who has a conviction. The Board is to deny or suspend the license of a person charged with listed sexual or violent offenses until the charges are adjudicated.

School employees willfully or negligently failing to report suspected child abuse or neglect may be fired. Those who are mandated reporters must notify the Department of Children and Family Services (DCFS) immediately after receiving the minimal information needed to report alleged sexual abuse. After DCFS or a police agency opens an investigation, it must notify the county's Children's Advocacy Center, if any, to coordinate the investigation. Procedures for investigating sexual abuse claims are specified, including who may see records, procedures for interviewing witnesses and

victims, and who must be notified of such claims.

A 25-person Make Sexual and Severe Physical Abuse Fully Extinct (Make S.A.F.E.) Task Force will study issues related to the sexual abuse of students. It is to report to the General Assembly by September 15, 2020 on best practices for (1) preventing sexual and severe physical abuse at school; (2) addressing such abuse when it occurs; and (3) supporting victims (S.B. 456, Martinez-T.Cullerton-Bertino-Tarrant-Collins et al.—Crespo-Reick-Mussman-McSweeney-Flowers et al.).

Charter School Board Training and Composition. Starting 1 year after this act takes effect, each voting member of a charter school board must get at least 4 hours of professional development training the first year and 2 hours per year thereafter, and at least one member of the board must be a parent or guardian of a current student at the school (P.A. 101-291, enacted by H.B. 3659, Kalish-Scherer—E.Jones-Martinez et al.).



Civics Instruction. Starting in 2020-21, public schools must offer at least a semester of civics education in the 6th, 7th, or 8th grade (P.A. 101-254, enacted by H.B. 2265, Lilly-Conroy-Buckner-Gordon-Booth-Mason et al.—Collins-L.Murphy-T.Cullerton-Martinez et al.).

Data Privacy. Any operator of a website or other online service that seeks personally identifiable information from a school must make a written agreement with the school prohibiting unauthorized disclosure of that information to third parties and describing how the operator will handle any security breach. The operator must inform the school of any breach no more than 30 days after learning of it, and it (or the school) must inform parents. Schools must disclose how they collect and disseminate such information, and may not sell, rent, lease, or trade it (H.B. 3606, Martwick-Turner-Andrade-A.Williams-Stava-Murray et al.—Aquino-L.Murphy-T.Cullerton et al.).

Expulsion for Guns. A student who brings a pneumatic, spring,

paint ball, or B-B gun to a school or school-related event is to be expelled for at least 1 year, unless modified by the superintendent or school board (S.B. 2124, Rose—Caulkins), **vetoed**.

Health and Medication.

Glucagon for students. A school may keep a supply of glucagon prescribed in the name of the school rather than of a student, and may provide it to a student whose prescribed glucagon is unavailable or has expired. A school nurse or delegated care aid may administer glucagon if allowed by the student's diabetes care plan. The drug must be kept in a secure location immediately available to the school nurse or care aid. If it is administered, the school must notify (1) the school nurse unless the nurse administered it, and (2) the student's parent and physician (**P.A. 101-428**, enacted by H.B. 822, Halpin-Mason-Durkin et al.—Anderson et al.).

Medical cannabis. Trained school administrators and nurses are added to the persons who may administer products containing cannabis to students having medical cannabis registry cards. Schools may authorize students with such cards, and written parental permission, to self-administer if directly supervised by a trained school administrator or nurse. ISBE will develop a training program for school administrators and nurses on such administration. School staff will not be criminally liable for administering or helping a

student self-administer medical cannabis (**P.A. 101-370**, enacted by S.B. 455, Castro-L.Murphy et al.—Morgan-Ortiz et al.).

Seizure action plans. A student who seeks assistance with epilepsy-related care in school must have a seizure action plan in place. All school employees are to receive seizure training, and one employee is to be designated to assist the student when needed (**P.A. 101-50**, enacted by H.B. 1475, Bryant-Chapa LaVia-Severin-Villa-K.Stuart et al.—J.Morrison-Bush-Martinez et al.).

Self-administration of medicine. A student with a listed kind of health action plan may self-administer a medication required by it if the student's medical provider and parent gives the school district written permission and prescription information. A school district must adopt an emergency action plan for each such student, including what to do if the student is unable to self-administer and when to call 911. The student's parent must sign a statement exempting the district and staff from liability except for willful and wanton misconduct (**P.A. 101-205**, enacted by S.B. 1250, L.Murphy-J.Morrison-Hutchinson et al.—Villa-McAuliffe-Edly-Allen-Evans-Conroy et al.).

Non-Discriminatory Textbooks and LGBT Education. Textbooks bought using state funds must be non-discriminatory in regard to

characteristics listed under the Illinois Human Rights Act and include information on the roles and contributions of all persons protected under the Act. Public schools when teaching history must include information on roles and contributions of lesbian, gay, bisexual, and transgender persons (**P.A. 101-227**, enacted by H.B. 246, Moeller-Feigenholtz-Robinson-Yingling-Cassidy et al.—Steans-E.Jones-Martinez-Hutchinson-Lightford et al.).

Retired Teachers can teach in subject shortage areas at qualified schools until June 30, 2021 (formerly 2019) without affecting their pensions (**P.A. 101-49**, enacted by H.B. 1472, Davidsmeyer-Bailey-Severin-Bryant et al.—Bertino-Tarrant-Rezin et al.).

School Hours and E-Learning.

A repealed provision defining a day of school attendance as 5 clock hours is reinstated, with alternative calculations allowed for activities such as in-service training, parent-teacher conferences, and sessions with homebound or disabled students. The pilot program for e-learning days in lieu of emergency days is expanded to all districts. Programs must ensure that non-electronic materials are made available to teachers and students lacking access to electronic technology. Information on program expectations and responsibilities must be offered to teachers and students at least 30 days before

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Education

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an e-learning day (**P.A. 101-12**, enacted by S.B. 28, Bertino-Tarrant-Weaver—Crespo-K.Stuart-Bourne).

Teacher Incentives. If enough money is available under the Illinois Teaching Excellence Program, teachers in high-poverty rural or remote districts can get a one-time \$3,000 incentive payment; teachers or liaisons working with the National Board for Professional Teaching Standards to support teachers in such areas can get annual incentive payments of \$2,500 or \$3,200. Some limits on other current incentives are removed (**P.A. 101-333**, enacted by S.B. 1460, Manar-Barickman-Weaver-Collins-Lightford et al.—K.Stuart-Davis-Greenwood-McCombie-Bourne et al.).

Teacher Licensing. The basic skills test requirement for a teacher license is suspended until July 2025; the content area test is still required. Before July 2025, ISBE is to reevaluate its method for scoring content area tests (H.B. 423, Scherer-Smith-Parkhurst-Guzzardi-K.Stuart et al.—Bertino-Tarrant et al.), **vetoed**.

Teacher Pay. Minimum full-time teacher salaries are set at \$32,076 in 2020-21; \$34,576 in 2021-22; \$37,076 in 2022-23; and \$40,000 in 2023-24. Subject to legislative review, rates in later years will rise by any percentage increase in the preceding school year in

the Consumer Price Index for All Urban Consumers. The Professional Review Panel will report to the General Assembly by January 31, 2020 on how state funds and funds distributed under the evidence-based funding formula may help with financial effects of these changes (H.B. 2078, K.Stuart-Hoffman-Hurley-Greenwood-Ramirez et al.—Manar-N.Harris-Collins-Holmes-Hastings et al.).

Threat Assessments. Each school district must develop and implement a threat assessment procedure, and form a threat assessment team of school personnel and at least one law enforcement official. If a school district cannot form a team with its own staff and resources, it may use a regional team of mental health professionals and police officials. Some county sales taxes may be used for school resource officers and mental health professionals (H.B. 1561, Crespo-McCombie-Costa Howard-Wehrli et al.—T.Cullerton-Lightford et al.).

Work-Based Learning

Database. ISBE is to develop a database to expand work-based learning and improve relationships between school districts and businesses. Work-based learning is an education strategy to provide students with real-life work experiences to apply their academic and technical skills and improve their employability (**P.A. 101-389**, enacted by H.B. 2868, Scherer—Gillespie-Weaver).

Higher Education

Legislators voted to require colleges to raise awareness of mental health issues by partnering with mental health service providers and publicizing resources for students needing help. The General Assembly also authorized a pilot program for four public universities to admit qualified applicants in the top 10% of their high school classes. Other bills that passed both houses will establish child savings accounts; allow graduate student assistants to form and join unions; and create scholarships for unemployed adults.

Admission Pilot Program.

Starting in 2020, Eastern, Western, Northern, and Southern Illinois Universities are to start a 4-year pilot program of automatically admitting applicants who (1) were in the top 10% of their high school class (or, if the class size was so small that rank is not a reliable factor, have GPAs of at least 3.5); and (2) satisfied the university's minimum college preparatory requirements and ACT or SAT score. Graduates of nonaccredited private secondary schools must be considered on an equal basis with applicants from accredited high schools. Children of police officers, firefighters, and Department of Corrections prison guards killed on duty are to be admitted if they satisfy the university's minimum ACT or SAT score and minimum requirements of

the university for high school GPA and standardized test performance (H.B. 26, Thapedi-Flowers-Gordon-Booth-Davis-Meyers-Martin et al.—Collins-Van Pelt-Hunter et al.).

Child Savings Accounts.

Starting in 2021, subject to appropriation, the State Treasurer is to deposit in a single fund \$50 for each child born or adopted to parents residing in Illinois. Parents and others can also contribute. Each beneficiary may use the money for qualified higher education expenses after finishing high school or turning 18 if (1) a parent or guardian claimed the money by the beneficiary’s 10th birthday and (2) the beneficiary resides in Illinois when the funds are withdrawn. The Treasurer is to report annually on the program (H.B. 2237, Gabel-Welch-Ortiz et al.—McGuire-Harmon-Bush-Collins-Martinez et al.).

Credit Card Marketing Task Force.

A College Student Credit Card Marketing and Debt Task Force is created to study how credit cards are marketed to, and used by, Illinois students. The Department of Financial and Professional Regulation will provide technical and administrative support. The Task Force must report findings to the General Assembly by December 14, 2019, and then will be dissolved (P.A. 101-33, enacted by H.B. 1581, Scherer-Greenwood-Hammond-Willis-Mayfield et al.—Stadelman-Collins et al.).

Financial Aid. Eligibility.

Illinois resident students ineligible for federal financial aid—including transgender students disqualified for failure to register with the Selective Service, and noncitizens without lawful permanent residence—are eligible for student aid funded or administered by the state or a public university or college. Illinois residents will not be subject to limits on Monetary Award Program (MAP) grants except as required by state law (P.A. 101-21, enacted by H.B. 2691, E.Hernandez-Cassidy-Villanueva-Ammons-Gordon-Booth et al.—Aquino-Lightford-Castro-Martinez-Villivalam et al.).

Filing requirement. Before getting a public high school diploma, a student or the student’s parent must either (1) file a Free Application for Federal Student Aid (FAFSA) or, if applicable, an application for state financial aid, or (2) send a waiver to the school district saying that the student or parent understands the application and chooses not to file. A district must award a diploma to a student who completes all other graduation requirements but cannot meet this requirement due to extenuating circumstances, as determined by the district (P.A. 101-180, enacted by H.B. 2719, K.Stuart-E.Hernandez-Crespo-Harper et al.—Manar-Castro-Martinez-Aquino-Bush et al.).

Food Assistance for MAP

Students. Students eligible for MAP grants are to be notified about SNAP benefits (formerly called Food Stamps). The Illinois Student Assistance Commission (ISAC) is to prepare a notice to be given by colleges and universities to students (S.B. 1641, Peters-Lightford-Curran-Martinez-Collins et al.—Smith-Ford-Villanueva-D.Brady-Hammond et al.).

Grad Students as Employees.

Graduate student assistants are added to the list of “educational employees” who may form and join unions (P.A. 101-380, enacted by H.B. 253, Guzzardi et al.—Fine-Gillespie et al.).

Manufacturing Grant

Program. Subject to appropriation, the Illinois Community College Board is to establish a 21st Century Employment program of grants to community colleges and public high schools partnering with workforce development organizations to offer manufacturing training programs to students. Applicants must submit plans listing, among other things, skills to be taught, certificates to be offered, proposed numbers of students, and where they could work after graduation. Applicants must show some private business funding. An advisory board will oversee and evaluate the program (S.B. 1919, Gillespie-Crowe-J.Cullerton-Ellman et al.—Walker-McCombie-Ammons-McAuliffe-Ford et al.).

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Environment & Conservation

Legislators voted to limit ethylene oxide emissions from most facilities that emit it, and to repeal a law that prohibited state regulations to reduce greenhouse gas emissions. Mixing lead-acid or rechargeable batteries with recycling material will be prohibited, and a new committee will study expanded waste reduction opportunities.

Battery Recycling. Beginning in 2020, it is prohibited to mix lead-acid batteries with other material intended for recycling. In addition, unless expressly authorized by a recycling program, it is prohibited to mix rechargeable batteries, or items containing them, with other items intended for recycling (**P.A. 101-137**, enacted by H.B. 2296, A. Williams-Ammons et al.—Bush et al.).

Ethylene Oxide Emissions. *Non-sterilization operations.* Permitted ethylene oxide emission sources currently emitting more than 150 pounds of ethylene oxide (not including sterilization operations and licensed hospitals), and located in a county of at least 700,000, must submit plans for continuously collecting emissions information to the Illinois Environmental Protection Agency (EPA), and must perform EPA-approved dispersion modeling. EPA permits for ethylene oxide emissions must impose site-specific annual caps on such emissions (**P.A. 101-23**, enacted by S.B. 1854, Bush-Curran-Ellman-Glowiak Hilton et al.—Mason-Didech-Mayfield-Wehrli-Yingling et al.).

Sterilization operations. Sterilization facilities using ethylene oxide must capture 100% of all ethylene oxide emissions, and reduce its atmospheric release at each exhaust point by at least 99.9% or to 0.2 parts per million. The owner or operator of an ethylene oxide sterilization source must conduct emissions testing on each exhaust point at least once per year. Emission test results are to be submitted to the EPA. In the case of a failed emissions test, a facility is to immediately stop sterilization operations. Sterilization facilities must submit Ambient Air Monitoring Plans to the EPA for review and approval (**P.A. 101-22**, enacted by S.B. 1852, Curran-Bush-Ellman-Collins-Glowiak Hilton et al.—Durkin-Wehrli-Mason-Mazzochi et al.).

Greenhouse Gas Emissions. The Kyoto Protocol Act of 1998, which prohibited state regulations to address the adverse effect of climate change by requiring reductions in greenhouse gas emissions, is repealed (**P.A. 101-373**, enacted by H.B. 3481, Gabel-Morgan-G.Harris-A. Williams et al.—Ellman-Collins-Gillespie-J.Morrison).

Solid Waste Recycling. A Statewide Materials Management Advisory Committee with 25 voting members will be created. The Committee is to examine opportunities to expand waste reduction, recycling, reuse, and composting. The EPA is to provide administrative and technical support to the Committee. The Committee is to report to the General Assembly by July 1, 2021 (**P.A. 101-74**, enacted by H.B. 3068, Costa Howard-Mason et al.—Ellman-Curran).

Wrongful Tree Cutting. Cutting a tree or woody plant listed in the Illinois Exotic Weed Act is excepted from the general penalty for cutting timber without authority (three times its value). A person intentionally cutting any standing timber or tree on “protected land” (land held for conservation purposes), without the legal right to do so, must pay three times its value plus remediation costs to the owner of an interest in the land (**P.A. 101-102**, enacted by H.B. 3105, Edly-Allen-Gabel et al.—Stadelman-Bush-Holmes et al.).

*Robert L. Bayless
Senior Staff Scientist*

Health & Safety

Legislators voted to restrict the sale of tobacco products to people 21 or older (up from 18). They passed bills stating that an embryo or fetus does not have independent rights under state law; requiring health insurance policies that cover pregnancy to cover abortion also; and establishing a task force to study mortality in African American infants and their mothers. Other bills will require insurance policies to cover, in some circumstances, donated breast milk; cardiopulmonary monitors; diagnostic mammograms; epinephrine injectors for children; hearing aids; pregnancy and postpartum mental disorders; tick-borne disease; and an annual whole-body skin exam.



Advance Directives (Electronic). Living wills and healthcare powers of attorney are exempted from existing requirements that they be on paper. The Illinois Department of Public Health (IDPH) may create an electronic version of the uniform practitioner orders for life-sustaining treatment (POLST) form, and is to study the feasibility of a statewide directory (presumably electronic) of advance directives and POLST forms. Documents created under the Health Care Surrogate Act; Mental Health Treatment Preference Act; and Illinois Power of Attorney Act (as to health-care powers of attorney) may also be either paper or electronic (**P.A. 101-163**, enacted by S.B. 182, J.Morrison—Moeller-McDermed-Lilly).

Bisphenol A-Coated Thermal Paper Ban. Beginning in 2020, the manufacture of thermal paper with bisphenol A (BPA) added to the coating is to be banned. In addition, such paper may not be distributed or used for business or banking records, except for thermal paper

manufactured before 2020. The manufacturing ban will not apply to paper containing recycled material (H.B. 2076, Villa-Robinson-Gong-Gershowitz-Mason et al.—Gillespie-Bush et al.).

Cosmetic Testing on Animals. Manufacturers may not import or sell cosmetics developed or produced using animal testing that was conducted or contracted from January 1, 2020 forward. In specified instances, this prohibition will not apply to animal testing required by a federal, state, or foreign regulatory authority. Cosmetic inventory in violation of this prohibition may be sold for 180 days (**P.A. 101-303**, enacted by S.B. 241, Holmes-Castro-Bertino-Tarrant-Glowiak Hilton-Ellman et al.—Carroll-Connor-Didech-Cabello-Hurley et al.).

Diversity in Health Care Professions Task Force. This body is to be chaired by the Director of IDPH, who is to appoint 16 health care professionals in varying specialties. A priority of the body is to promote minority

recruitment and participation within the healthcare workforce. The Task Force is to report annually to the Governor and the General Assembly, with the first report due by December 1, 2020 (**P.A. 101-273**, enacted by H.B. 2896, Flowers-Mayfield-Greenwood-Stava-Murray et al.—Sims-Collins et al.).

Food Allergy Awareness. Restaurants must display notices to customers that information regarding food allergies must be provided to a restaurant employee. An employee given such information must provide it to the restaurant's person in charge or the on-duty food protection manager. IDPH must create and post for download from its website the notice required above (H.B. 3018, Mason-Carroll-Kifowit—Koehler).

Health Promotion Workgroup. The University of Illinois at Chicago School of Public Health, in consultation with IDPH, is to convene a workgroup to review bills and make policy recommendations

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Health & Safety

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on the health of Illinois residents and how governments can incorporate health considerations in their decisions. The 22-member workgroup is to meet at least twice a year and report annually to the General Assembly starting in December 2020. Their findings and recommendations are to be considered in developing the State Health Improvement Plan every 5 years (**P.A. 101-250**, enacted by H.B. 2146, Gabel—Koehler-Syverson).

Insurance Coverage. *Breast milk.* Individual and group health insurers, and Medicaid, must provide coverage for prescribed pasteurized donated human breast milk for infants who are very small or have stated medical conditions. The milk must be obtained from a human milk bank; the infant's mother must be unable to produce milk adequately; and prescribed milk must be determined to be medically necessary (H.B. 3509, K.Stuart-Carroll-Ammons-T.Jones-Ford et al.—Crowe et al.).

Cardiopulmonary monitors. Group policies of accident and health insurance, and Medicaid, must cover cardiopulmonary monitors determined to be medically necessary for persons 18 or younger who experience cardiopulmonary events (**P.A. 101-218**, enacted by H.B. 3471, Bristow-Meyers-Martin-K.Stuart—Crowe).

Diagnostic mammograms. Health insurance coverage for employees of self-insuring counties and

municipalities, individual health insurance policies, health maintenance organizations, and Medicaid must include coverage for medically necessary diagnostic mammograms to evaluate breast abnormalities. With limited exceptions, a health policy subject to this requirement may not impose a deductible, copayment, or other cost-sharing requirement for this coverage (S.B. 162, Holmes-Fine-Bush-Lightford et al.—Keicher-Hammond-Batinick-Wheeler-K.Stuart et al.).

Epinephrine injectors. Accident and health insurance policies, managed care plans, health maintenance organizations, limited health service organizations, voluntary health service plans, and Medicaid must cover medically necessary epinephrine injectors for persons 18 and under (**P.A. 101-281**, enacted by H.B. 3435, Carroll-Costa Howard-Didech-Mason et al.—J.Morrison-Villivalam-Bush).

Hearing aids. Group policies of accident and health insurance, managed care plans, health maintenance organizations, limited health service organizations, and voluntary health service plans must offer, for an additional premium, optional coverage or reimbursement for hearing aids and related services when prescribed by a hearing care professional (**P.A. 101-393**, enacted by H.B. 3503, Manley-Carroll-K.Stuart-Hurley-Lilly et al.—Bertino-Tarrant-Ellman-McGuire et al.).

Pregnancy and postpartum mental disorders. Health insurance providing coverage for mental, emotional, nervous, or substance use disorders must include coverage for mental health conditions that occur during pregnancy or during the postpartum period, such as postpartum depression (**P.A. 101-386**, enacted by H.B. 2438, Flowers-Davidsmeyer-Greenwood-Stava-Murray-McAuliffe et al.—Collins-Hutchinson et al.).

Skin exams. Individual or group policies of accident or health insurance must cover—without any cost-sharing requirement—one annual office visit for a whole-body skin exam for suspected skin cancer lesions (H.B. 3113, Cassidy-Carroll-Wehrli-Connor-Bristow—Fine-Bush).

Tick-borne disease. Group policies of accident and health insurance, managed care plans, health maintenance organizations, and Medicaid must cover long-term antibiotic therapy—including office visits and followup testing for persons with tick-borne disease (**P.A. 101-371**, enacted by H.B. 889, Swanson-Reick-Carroll-Hammond-T.Jones et al.—Anderson-Manar-Holmes-L.Murphy-Martinez et al.).

Intended Parents in Hospital Delivery Room. A hospital having a gestational surrogate's surrogacy contract on file, or otherwise received, may not deny an intended parent entry into the delivery room if the surrogate mother is being

induced or in labor. Exceptions are allowed if there is a medical risk to the surrogate's life or health; the contract prohibits an intended parent's presence; or medical personnel determine there is other good cause for an intended parent not to be present (P.A. 101-286, enacted by H.B. 3531, Stava-Murray-Robinson-Greenwood-Lilly-Flowers et al.—T.Cullerton).

Medical Cannabis Program.

"Pilot" is removed from the name of the Compassionate Use of Medical Cannabis Pilot Program. A county's tax on sales of nonmedical cannabis may be 3% of sales made in municipalities (previously 0.75% in non-home-rule counties). Advanced practice registered nurses and physician assistants become certifying health care professionals for purposes of the medical cannabis program. Ulcerative colitis, autism, chronic pain, and other specified conditions are added to the program's list of debilitating conditions. A cannabis cultivation center may sell or give cannabis to another cultivation center or a licensed laboratory, in addition to dispensing organizations as currently authorized. In registering dispensing organizations, the Department of Financial and Professional Regulation is to give preference to applicants in areas of high poverty or unemployment (P.A. 101-363, enacted by S.B. 2023, Fine-Harmon-Holmes-Castro et al.—Morgan-Cassidy-Durkin-Gordan-Booth-Harper et al.).

Needle and Syringe Access.

Organizations that promote mitigation of drug use-related health risks may establish needle and hypodermic syringe access programs. An organization establishing such a program must register with IDPH. The Department may annually report on current substance use disorder treatment and capacity in Illinois (P.A. 101-356, enacted by S.B. 1828, Bush- J.Morrison-Van Pelt-Peters-Rezin et al.—Conroy-Mason-Kifowit-Manley-Feigenholtz et al.).

Nursing Home Workers. IDPH is to establish a nursing home labor force promotion, expansion, and retention program. It is to include a public relations campaign to encourage people to become nursing home workers; scholarships for nurses and nursing assistants; and retention incentives for nursing home workers. The Department is to report annually to the General Assembly on the number of scholarships awarded and the demographics of recipients (S.B. 1573, Villivalam-Harmon-J.Morrison et al.—Davis-Unes-Greenwood-Burke-Gordon-Booth et al.).

Organ Donation. An employer may not retaliate against an employee requesting a leave of absence to donate blood, an organ, or bone marrow. An insurer may not refuse or limit coverage for life, disability, or long-term care insurance solely because a person is a living organ donor. By July 1, 2020, the Secretary of State must create a database of persons who have

consented to be listed in the First Person Consent donor registry. Organ procurement organizations are to be granted online access to this database (P.A. 101-179, enacted by H.B. 2847, Conroy-Hurley-Gabel-D.Brady-Feigenholtz et al.—J.Morrison-Fine-Belt-Bush et al.).

Parkinson's Disease Awareness.

Subject to appropriation, the Director of IDPH must establish a Parkinson's Disease Public Awareness and Education Program. The Program must, among other things, develop and maintain a list of current specialized service providers for diagnosis and treatment of Parkinson's disease. In addition, the Department and other experts must prepare an informational booklet on the symptoms and treatment of Parkinson's (P.A. 101-107, enacted by H.B. 3247, Greenwood-Manley-Hoffman-Flowers-Halpin et al.—Belt-Curran-McGuire).

Rabies Control in Cats. Owners of companion animal cats must have them inoculated against rabies at 4 months or more of age. A second rabies inoculation is to be required within 1 year of the first. This requirement does not apply to feral cats. If a feral cat is brought to a veterinarian for sterilization, the cat must also be inoculated against rabies unless there is proof of prior inoculation. The cost of a feral cat rabies inoculation is to be paid by the person presenting it for care (P.A. 101-299, enacted by S.B. 131, Tracy-Holmes—Spain).

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Health & Safety

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Restrooms. *All-gender single-occupancy.* Single-occupant restrooms in places of public accommodation or public buildings must be identified as all-gender and designated for use by one person at a time or family or assisted use. Such restrooms must have exterior signs that do not indicate a specific gender (**P.A. 101-165**, enacted by S.B. 556, Bush et al.—Yingling-Didech-Carroll et al.).

Baby changing stations. Public buildings—defined to include places of public accommodation; state buildings open to the public; and large retail stores and restaurants—with restrooms open to the public must have at least one publicly-accessible and clean baby diaper changing station in a bathroom for women and men, or a changing station accessible to both genders. Exceptions are provided for a nightclub or bar that does not allow persons under 18; a restroom in a health facility for the use of a single patient or resident; and a renovation where such an installation is not feasible. A public bathroom equipped with a baby changing station must have a sign indicating the station’s presence (**P.A. 101-293**, enacted by H.B. 3711, Ramirez-Tarver-Yingling-Morgan-Kifowit et al.—Villivalam).

Tobacco Products—Not Under 21. The purchase by, or sale to, persons under 21 (up from 18) of any tobacco product, electronic cigarette, or alternative nicotine product is prohibited. Sellers must verify the age of

any buyer who appears to be under 30 using a government-issued photographic ID; or, for remote sales, use an independent age verification service. Free samples of tobacco products are prohibited, except in adult-only facilities (**P.A. 101-2**, enacted by H.B. 345, Lilly-Butler-Meyers-Martin et al.—J.Morrison-Collins-Van Pelt-Hunter-Link et al.).

Women’s Reproductive Health. *Abortion care.* A new act establishes the right to make autonomous decisions about one’s own reproductive health, and the right to continue a pregnancy and give birth or have an abortion. It provides that a fertilized egg, embryo, or fetus does not have independent rights under state law.

Health care professionals may provide abortion care in accordance with their professional judgment and based on accepted standards of care. If they determine there is “fetal viability”—defined as a significant likelihood of a fetus’ sustained survival outside the uterus without extraordinary medical measure—they may provide an abortion only if it is necessary to protect the life or health of the patient.

Health care professionals must report on abortions they have performed to IDPH, without identifying patient names. Such information and records collected by the Department are exempt from inspection under the Freedom of Information Act. The act repeals or amends several

abortion-related laws including the Illinois Abortion Law of 1975, the Partial-Birth Abortion Ban Act, and the Abortion Performance Refusal Act.

New and renewed policies of accident and health insurance that provide pregnancy-related benefits must cover abortion care at costs no greater than those required for other pregnancy-related benefits (**P.A. 101-13**, enacted by S.B. 25, Bush-Sims-Holmes-Castro-Aquino et al.—Cassidy-Welch-Feigenholtz-Evans-Gordon-Booth et al.).

Birthing facility education. IDPH must ensure that birthing facilities conduct annual continuing education for staff caring for pregnant or postpartum women. Such training must include modules regarding management of severe maternal hypertension and obstetric hemorrhage. The Department must also collaborate in developing an initiative to improve birth equity and reduce peripartum racial and ethnic disparities (**P.A. 101-390**, enacted by H.B. 2895, Flowers-Greenwood-Mayfield-Stava-Murray-Villanueva et al.—Sims-Collins et al.).

Infant and maternal mortality, African Americans. A Task Force on Infant and Maternal Mortality Among African Americans is established. The Task Force must meet at least quarterly to study and research best practices to decrease mortality in African American infants and their mothers. The Task Force is to report its findings annually to the General Assembly, starting

in December 2020 (**P.A. 101-38**, enacted by H.B. 1, Flowers-Greenwood-Ramirez-Stava-Murray-Villanueva et al.—Collins-Hutchinson-Hunter et al.).

Rights in pregnancy and childbirth. Nineteen new rights related to women, pregnancy, and childbirth are added to the Medical Patient Rights Act. IDPH, the Department of Healthcare and Family Services, the Department of Children and Family Services, and the Department of Human Services must post information about those rights on their websites. Health care providers,

licensed day care centers, and community centers must post information about those rights in a prominent place, and on their websites if applicable (H.B. 2, Flowers-Greenwood-Mayfield-Stava-Murray-Villanueva et al.—Collins-Lightford-Hutchinson-Hunter-Van Pelt et al.).

Substance use; levels of care. The Department of Human Services must ensure access to gender-responsive substance use disorder treatment services for pregnant and postpartum women. Such services must also be trauma-informed and prioritize justice-involved women.

IDPH must establish a classification system for specified levels of maternal care, from uncomplicated pregnancies to the most complex. Health care facilities are to be aware of their level and have a clear threshold for transferring women to facilities that offer a higher level of care. The Department must ensure that EMS systems transport pregnant women to proper facilities based upon this classification system (H.B. 5, Flowers-Greenwood-Stava-Murray-Mayfield-Lilly et al.—Collins-Hunter).

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Higher Education

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Mental Health on College Campuses. Public universities and community colleges must raise awareness of student mental health issues in a number of ways, such as including them in curricula and on school websites; implementing an online screening tool; establishing peer support groups for students with mental health conditions; and partnering with local mental health service providers. Using such partnerships, along with on-campus providers, each college is to have a goal of one clinical, non-student staff member per 1,250 students. Resident assistants, advisors, and campus security staff must complete a mental health training course before starting their duties. The Board of Higher Education

(IBHE) will develop a Technical Assistance Center to support colleges in these areas. These requirements are subject to appropriation. The Commission on Government Forecasting and Accountability will make recommendations to the General Assembly by December 31, 2019 on the appropriation amount needed to implement this act (**P.A. 101-251**, enacted by H.B. 2152, Welch-Conroy-Lilly-Carroll-Bristow et al.—McGuire-J. Morrison-Martinez-Bush et al.).

Scholarships for the Unemployed. Subject to appropriation, the ISAC is to create a scholarship program for unemployed persons over age 30 enrolling at community colleges. Scholarships would cover tuition and fees, up to \$2,000 per year. If appropriated funds are insufficient, the Commission may prioritize grant distribution based

on specified factors, such as applicants' financial need and duration of unemployment (**P.A. 101-315**, enacted by S.B. 1167, Ellman-Crowe-J. Morrison-Gillespie-Hutchinson et al.—Kifowit-Ammons-K. Stuart-Ortiz et al.).

Tuition Report. Starting in July 2020, public universities must report annually to the IBHE amounts of tuition paid by undergraduate, degree-seeking students in the preceding academic year, and how many of them paid full or reduced tuition. The Board will compile the information and report it to the General Assembly annually (**P.A. 101-93**, enacted by H.B. 2512, Mazzochi-Hammond-D. Brady-Flowers-Greenwood—Curran-McGuire et al.).

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Local Government

The General Assembly voted to require local first responder agencies to make mental health services available to employees. A new task force will study ways to reduce suicide among first responders. Another bill that passed both houses limits local officials from collecting both a salary and IMRF pension benefits for the same elected position, and requires that a newly elected county official be offered an audit of the previous officeholder's spending. Other bills that passed both houses allow counties except Cook to change the way a county assessor or supervisor is selected, and require property tax bills to contain TIF district information.

Assessor Selection. Counties except Cook may, by (1) ordinance or voter petition, and (2) referendum, change the way a county assessor or supervisor of assessments is selected—by changing an appointed position to an elected one or an elected position to an appointed one (**P.A. 101-150**, enacted by H.B. 3143, Halbrook-Martwick-Bailey—McConchie).

Cooperative Extension Funding. The state must (previously may) appropriate up to half the funds needed by counties for cooperative extension programs (**P.A. 101-383**, enacted by H.B. 2264, Meier-Costello-Swanson-Weber-Halpin et al.—S.Bennett-Weaver-Anderson et al.).

Ethics. *Local officials and vendors.* Locally elected officials may not, for the same elected position, collect both a salary and Illinois Municipal Retirement Fund pension benefits (except for county board members serving in counties that reduced the salaries of such officials before 2019). A newly elected countywide official must be offered a transitional audit at the county's expense, to determine if funds expended by the official's predecessor

were consistent with the board's allocations to that official.

A (1) county board chairman or (2) forest preserve district board officer may be removed by a four-fifths vote of the board (such a person remains a board member). A vendor that, for contracts over \$30,000, fails to disclose to a county a familial relation to an elected official or department director may be denied, suspended, or terminated from providing goods or services to that county (S.B. 1236, Link-L.Murphy-McConchie et al.—Yingling-Mason-Welter-Batinick-McSweeney et al.).

First Responders' Mental Health. Local law enforcement and firefighting agencies are to ensure that mental health resources are available to employees. Law enforcement agencies, EMS providers, or unions with peer support programs are to ensure that peer counselors receive proper training and maintain confidentiality. Firefighter training is to include recognizing and responding to stress, trauma, and post-traumatic stress.

The Department of State Police (formerly only local agencies) may not terminate an officer

whose FOID card is seized or revoked because he or she has been treated at a mental health facility unless the officer is deemed a "clear and present danger" to self or others. The Department and other law enforcement agencies are to document if and why an officer has been determined to pose a clear and present danger.

A task force will study ways to reduce suicide among first responders and report to the General Assembly by December 31, 2020 (**P.A. 101-375**, enacted by H.B. 2766, Hurley-McAuliffe et al.—Link-Cunningham-Martinez-L.Murphy-T.Cullerton et al.).

Library District Annexation. A referendum (previously only an ordinance) is required for public library districts to annex territory (**P.A. 101-99**, enacted by H.B. 2993, Davidsmeyer—McClure).

Property Tax Bills are to include (1) a list of TIF districts in which the property is located, and (2) the amount of tax due that is allocable to those districts (**P.A. 101-134**, enacted by H.B. 2209, Yingling-Skillicorn et al.—Fine et al.).

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Professions & Occupations

Legislators voted to create new “Buy Here, Pay Here” used vehicle dealer licenses, and to require a license for scrapping a salvage vehicle. They also voted to require pharmacy benefit managers to register with the state. Pharmacists with required training will be able to inject long-acting opioid antagonists or antipsychotic medications. The required training courses for public health dental hygienists are specified.



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Dealer Licensing. Licensed remittance agents must (1) complete 8 hours of education; and (2) have a background check. New or used vehicle dealers must certify in their license applications that no principal of the business committed a forcible felony or some financial crimes in the past 10 years.

Used vehicle dealers who finance sales without a third-party lender and sell more than 4 vehicles per year must be licensed by the Secretary of State as “Buy Here, Pay Here” used vehicle dealers. The Secretary may create special dealership licenses for entities specializing in specific types of used vehicles that may be based on model, make, age, or another factor (H.B. 3269, Walsh—McGuire).

Pharmacists. With required training, pharmacists may inject prescribed long-acting or extended-release opioid antagonists and long-term

antipsychotic medications (P.A. 101-349, enacted by S.B. 1715, Hastings et al.—Feigenholtz-Demmer).

Pharmacy Benefit Managers. Beginning July 1, 2020, pharmacy benefit managers (PBMs) must register with the Department of Insurance. A contract between a health insurer and a PBM must require the PBM to update maximum allowable cost pricing information weekly, provide pharmacies access to its maximum allowable cost list, and allow a pharmacy to appeal its reimbursement, among other things. People without prescription drug coverage cannot be required to pay more than the retail price for a drug, and PBMs may not limit pharmacists from disclosing the availability of a more affordable alternative drug (H.B. 465, G.Harris-Davidsmeyer-Moeller-E.Hernandez et al.—Manar-Holmes-Fowler-L.Murphy-Bush et al.).

Public Health Dental Hygienists. The required 42 hours of training courses for public health dental hygienists are specified as 29 hours of study in areas specific to public health dentistry and an 8-hour, in-classroom review and exam on those subjects, plus 5 hours of courses on dentistry for special populations (P.A. 101-64, enacted by H.B. 2676, Zalewski-Ugaste et al.—Bertino-Tarrant-Weaver et al.).

Salvage Vehicles. A license will be required to scrap salvage vehicles. Licensed nonresident buyers of salvage vehicles must provide identification. Buyers who provide an address outside the U.S. are to receive a salvage certificate stamped “For Export Only” (S.B. 1934, Manar-Link et al.—Hoffman-Halpin).

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Revenue

Three new Public Acts create a number of new taxes and make other changes. The base tax per gallon on gasoline rises from 19¢ to 38¢, and will rise with inflation in later years; the tax per gallon on diesel fuel rises from 21.5¢ to 45.5¢. The registration fee for First Division vehicles rises from \$101 to \$151, and the fee for a certificate of title rises from \$95 to \$150. The Illinois Gaming Board can license a casino in Chicago, 5 new riverboat gambling facilities, and gaming at racetracks; established riverboats can buy additional gaming positions. Wagering on major-league sporting events is authorized and taxed. Video gambling establishments may have more terminals and must pay more tax. The cigarette tax rises from \$1.98 per pack to \$2.98, and a tax of 15% of the wholesale price of electronic cigarettes is imposed. A new tax on parking space rentals starts in 2020. The voters in November 2020 will consider a proposed constitutional amendment to remove the requirement that state income taxation be non-graduated. If it passes, graduated individual income tax rates will replace the current 4.95% flat tax.

Craft Liquor Licenses.

Existing craft distiller licenses are subdivided into two classes. A Class 1 license (costing \$75 initially and \$50 for renewal) allows making of up to 50,000 gallons of spirits per year. A licensee may apply for a self-distribution exemption allowing sales of up to 5,000 gallons of its spirits to retail licensees per year. A Class 2 license (costing \$100 plus \$75 for renewal) allows making of up to 100,000 gallons of spirits per year, and (with prior approval) transferring them to another distiller owned by the licensee, or up to 5,000 gallons to a pub owned by the licensee.

With prior approval, either type of licensee may sell (1) up to 5,000 gallons of its spirits at retail and (2) vermouth bought through a licensed distributor for on-premises consumption.

It may get a craft distiller warehouse permit (\$25 plus \$25 for renewal) to store up to 500,000 gallons of spirits at specified premises.

A new distilling pub license (\$1,500 plus \$1,200 for renewal) will allow making up to 5,000 gallons of spirits per year; its sale to distributors and at retail under some restrictions; and selling any type of liquor for on-premises consumption. A Class 2 craft distiller licensee may also hold a distilling pub license (H.B. 2675, Demmer-Carroll-Zalewski-Wehrli-Batinick et al.—Martinez-Link-McConchie et al.).

Film Tax Credit Extended.

The sunset of tax credits under the Film Production Services Tax Credit Act is postponed to the end of 2026 (P.A. 101-178, enacted by S.B. 1595,



Sims-Lightford-Fowler-Collins et al.—Turner-Severin-Davis-Lilly-J.Williams et al.).

Fuel Tax, Registration Fee, Etc. Increases.

Fuel taxes. The base tax per gallon on gasoline rises from 19¢ to 38¢ on July 1, 2019, and will rise with inflation thereafter. The tax per gallon on diesel fuel rises from 21.5¢ to 45.5¢ (the rate for gasoline plus 7.5¢ in lieu of 2.5¢). Also, rising percentages of sales tax proceeds on motor fuels will go to the Road Fund, reaching 80% in 2025.

Cook County municipalities may impose taxes up to 3¢ per gallon on motor fuel in addition to those now imposed. Lake and Will Counties are added to the three collar counties authorized to tax motor fuels. The maximum rate of that tax is doubled to 8¢ per gallon. The

Illinois Department of Revenue (IDOR) will determine an annual rate increase based on a factor not yet specified.

Registration and other fees.

The registration fee reduction for electric vehicles is eliminated, and owners will pay an additional \$100 per year in place of motor fuel tax. The registration fee for First Division vehicles rises from \$101 to \$151 in calendar year 2020. Registration fees for most other types of larger vehicles will increase by \$100; but the commercial distribution fee is eliminated.

The fee for a certificate of title rises from \$95 to \$150 (\$250 for a motor home or van camper); the fee for a duplicate certificate of title fee drops from \$95 to \$50. The fee for a salvage certificate rises from \$4 to \$20, and a junking certificate will cost \$10.

Pedestrian and bicycle fund set-aside. The Illinois Department of Transportation is to set aside \$50 million received from the Road Fund for pedestrian and bicycle facilities and converting abandoned railroads into trails (P.A. 101-32, enacted by S.B. 1939, Sandoval-Villivalam et al.—Hoffman).

Gambling; New Taxes. *New casinos and riverboats.* The Illinois Gaming Board can license a casino in Chicago, and 5 riverboat gambling facilities in Danville, Waukegan, Rockford, Williamson County,

and one of six named Cook County townships. A riverboat licensee may offer land-based gambling with Board approval. New licenses must be competitively bid. A Chicago casino or riverboat may have up to 4,000 gaming positions; the Williamson County riverboat may have 1,200; all others may have 2,000 (up from 1,200) each. License fees per gaming position are \$30,000 in Cook County and \$17,500 elsewhere. Licensees will pay \$15 million for a license, plus a reconciliation payment after 3 years. A new, separate tax structure for table games and electronic gaming devices is to be imposed on all casinos, the day a new casino opens. An additional tax equal to one-third of the Chicago casino's adjusted gross receipts is imposed on that casino to fund Chicago's pensions.

Racetrack gambling. The Illinois Gaming Board may license racetracks for gaming, including electronic gaming devices (slots) and table games. Cook County racetracks may have up to 1,200 gaming positions each; other tracks may have 900. Surcharges on winnings are extended; when a racetrack starts offering other forms of gambling, the pari-mutuel tax will become graduated and some fines and fees will be raised, including the admission charge (from 15¢ to 40¢ per person).

Through 2027, sales or exchanges of horse racing or other gambling properties (with some exceptions) will be subject to an income surtax equal to the federal income tax liability due to those events. Prohibitions on political activities and conflicts of interest for Illinois Racing Board members and their families are expanded. Riverboats, casinos, racetracks with gaming, and suppliers must establish diversity programs for awarding contracts.

Sports wagering. A new Sports Wagering Act authorizes wagering on major-league sporting events, by Illinois residents 21 or older, in person or using the Internet. The Illinois Gaming Board may issue up to 7 master sports wagering licenses to sports facilities or their designees. Master sports wagering licenses are also authorized at casinos, racetracks, and at a limited number of off-track betting parlors. The license fee is \$10 million, with a \$1 million renewal every 4 years. A licensee may conduct sports wagering at or within 5 blocks of a sports facility and through the Internet. The Board is to issue 3 master sports wagering licenses to online sports wagering operators for a \$20 million fee and a \$1 million renewal every 4 years. Under a pilot program, sports lottery terminals will be placed in lottery retail locations for 2 years. Licensees are to report

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annually on their diversity spending.

The state will collect 15% of a master sports wagering licensee's adjusted gross receipts to be deposited into the Sports Wagering Fund and then transferred to the Capital Projects Fund. Another 2% of adjusted gross receipts from sports wagers placed in Cook County will go to Cook County for its criminal justice system.

State executive and legislative branch officers, Gaming and Racing Board employees, and family members living with them may not have ownership interests in gambling licensees (except passive ownership of publicly traded stock) while serving or for 2 years thereafter. Any such holding by a legislator or family member must be divested within 1 year after this act takes effect.

Video gambling expansion. A licensed video gambling establishment may have 6 (was 5) terminals, except that a licensed large truck stop (as defined by this act) may have 10. A new 3% tax (added to the current 30%) is imposed on video gambling income on July 1, 2019; 1% will be added in July 2020. The additional tax revenue will go to the Capital Projects Fund. A licensee may operate up to 50 video gaming terminals at the Illinois State Fair and up to 30 at the

DuQuoin State Fair; a tax of 35% of net terminal income from these fairs will go to the State Fairgrounds Capital Improvements and Harness Racing Fund.

New or higher taxes. The cigarette tax rises from \$1.98 per pack to \$2.98; proceeds of the increase go to the Capital Projects Fund. A tax of 15% of the wholesale price of electronic cigarettes is imposed.

Starting in 2020, a tax on parking space rentals will be 6% of any hourly, daily, or weekly charge, or 9% of a monthly or annual charge. Operators of parking areas and garages must register with IDOR.

Starting in 2020, the “documentary fee” that automobile sellers can charge installment buyers will rise to \$300, and sales tax will apply to the portion of the value or credit for a trade-in beyond \$10,000.

Starting with tax year 2019, winnings from Illinois horse racing tracks, riverboats, and casinos are allocable to Illinois for state income tax purposes. State income tax must be withheld from those payouts, but only if federal law also requires such withholding.

Sales taxation. IDOR will set standards for certifying providers and software to perform sales tax functions for out-of-state retailers that fit criteria enacted in 2018 for taxing their sales to Illinois.

A sale by such a retailer will be deemed made at the place to which the item is shipped or delivered or the buyer takes possession. By July 1, 2020, IDOR must have a downloadable database identifying the taxability of each product category; sales tax rates in all Illinois jurisdictions; and delivery addresses in them.

Data centers. Through July 1, 2029, qualifying data centers can seek exemptions from state and local sales taxes on qualifying items, and from the electric excise tax. A business receiving an exemption is eligible for an income tax credit of 20% of wages paid to build a new data center in an area of high poverty or unemployment.

Worker training. A new Illinois Works Preapprenticeship Program and Illinois Works Apprenticeship Initiative will provide funding to train workers and set goals for training apprentices on public works projects (**P.A. 101-31**, enacted by S.B. 690, Link-Muñoz-Hutchinson-Syversen-Hastings et al.—Rita).

Gambling Winnings—Taxation. Starting with tax year 2019, nonresidents' winnings from Illinois horse racing tracks and riverboats are allocable to Illinois for state income tax purposes. State income tax must be withheld from those payouts, but only if federal law also requires such withholding (H.B. 3590, Yingling—Bush), **vetoed**.

Graduated Income Tax Referendum. The voters in November 2020 will consider a proposed constitutional amendment to remove the requirement that state income taxation be non-graduated. If it is approved, starting in 2021 Illinois' flat 4.95% individual income tax rate will be replaced by the following rates on individuals (with each rate applying to the portion of the taxpayer's income shown to its left except that the 7.99% rates will apply to all net income of taxpayers subject to it):

<i>Single filer</i>		<i>Joint filers</i>	
Net income	Rate	Net income	Rate
\$ 0 - \$ 10,000	4.75%	\$ 0 - \$ 10,000	4.75%
10,001 - 100,000	4.90	10,001 - 100,000	4.90
100,001 - 250,000	4.95	100,001 - 250,000	4.95
250,001 - 350,000	7.75	250,001 - 500,000	7.75
350,001 - 750,000	7.85	500,001 - 1,000,000	7.85
750,001+	7.99	1,000,001+	7.99

The corporate income tax rate will rise from 7% to 7.99%.

Approval of the referendum would also bring the following changes starting in tax year 2021: The income tax credit for residential property taxes would rise from 5% to 6% of such taxes paid. There would be a new child tax credit of \$100 per qualifying child, reduced by \$5 for each \$2,000 by which the taxpayer's net income exceeds \$60,000 (joint return) or \$40,000 (other return). Spouses who file a joint federal return must also file a joint state return (S.J.R.—C.A. 1, Harmon-Manar-Hutchinson-Bush-Martinez et al.—Martwick-Cassidy-Ramirez-Turner-Ortiz et al., and **P.A. 101-8**, enacted by S.B. 687, Hutchinson-Sims—Zalewski-Evans-Andrade (to be effective only if S.J.R.—C.A. 1 is approved)).

Internet Lottery Sales. The Lottery Department's authority to sell lottery tickets on the Internet is extended 3 years to July 1, 2022. In addition to Lotto, Mega Millions, and Powerball, it may offer on the Internet Lucky Day Lotto, Pick 3 and Pick 4, and draw games offered at retail locations. The Lottery's private manager must have the Director's approval to offer any other draw games (**P.A. 101-35**, enacted by H.B. 3661, Welch—Lightford).

Local Sales Tax Use. A non-home-rule municipality that passed a sales tax referendum after July 13, 2010 can continue using the proceeds for municipal operations (in addition to other authorized purposes) until July 1, 2030 (instead of December 31, 2020) (**P.A. 101-47**, enacted by H.B. 938, Walsh—McGuire).

OTB Parlors; Raffles. The minimum separation between off-track betting parlors and churches or schools is reduced from 500 to 100 feet. OTBs no longer need neighbors' consent to locate within 500 feet of more than 50 registered voters. A municipality, or county for an unincorporated area, can authorize raffles based within it to sell tickets statewide. The organization sponsoring a raffle may contract with a third party to provide services for the raffle, paying reasonable compensation for those services (**P.A. 101-109**, enacted by H.B. 3334, Rita—Syverson-Rezin et al.).

Property Tax Rebates. Starting in fiscal year 2021, homeowners who are current on their taxes and receive the general homestead exemption are to get a property tax rebate equal to the amount

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appropriated to a new Illinois Property Tax Relief Fund divided by the statewide number of general homestead exemptions that year. The rebate will be used to reduce property tax bills (**P.A. 101-77**, enacted by S.B. 39 Link-Cunningham-Muñoz et al.—Didech-Mayfield-Morgan-Kifowit-Andrade et al.).

Property Tax Relief Task Force. This body will make recommendations for “short-term and long-term administrative, electoral, and legislative changes” for property tax relief. The Governor will appoint an unstated number of members, and the four legislative leaders will appoint unstated numbers of legislators. The Task Force is to report within 90 days and make a final report before 2020 (**P.A. 101-181**, enacted by S.B. 1932, Manar et al.—Carroll-Yingling-Mayfield-Morgan-Kifowit et al.).

Senior Citizen Homestead Exemption Renewal. Cook County taxpayers need not reapply annually for their senior citizen homestead exemptions for tax years 2020 through 2024. They are to notify the assessor if a parcel ceases to qualify for the exemption. The assessor will work with the county clerk, Department of Public Health, Social Security Administration, and recorder of deeds to learn when a person

getting an exemption dies or moves, and then terminate it unless the new owner qualifies. The assessor is to audit all senior citizen homestead exemptions by the ends of 2022 and 2024 to find any that were granted erroneously (H.B. 833, Crespo-Manley-Flowers-Villa-Hurley et al.—Ellman-Cunningham-Collins-Harmon et al.).

Tax Amnesties, Franchise Tax Phaseout, Job Tax Credits, Etc.

Tax amnesty; franchise tax phaseout. A tax amnesty program for taxes collected by the Department of Revenue will apply from October 1 to November 15, 2019 for taxable periods ending after June 30, 2011 and before July 1, 2018, as will an amnesty for franchise tax and license fees for tax periods ending after March 15, 2008 and before July 1, 2019. The corporate franchise tax will be phased out over 3 years, ending after 2023.

Jobs tax credits. A new Blue Collar Jobs Act offers income tax credits for High Impact Businesses, Enterprise Zone businesses, and River Edge Redevelopment Zone businesses that create construction jobs. It also offers a New Construction EDGE Credit—an income tax credit for construction projects that include capital investment and job creation. These credits may not total over \$20 million per fiscal year.

Healthcare assessment. If federal approval is given, a new assessment will apply to managed care organizations for FYs 2020 through 2025, ranging from \$1.20 to \$60.20 per member month based on the number of member months of coverage each organization provided in 2018.

Sales taxes. “Marketplace facilitators” that enable online sales under agreements with sellers (such as eBay), and meet the sales thresholds enacted last year for taxing out-of-state sellers, must collect state sales tax. Starting July 1, 2019, the sales tax exemption for manufacturing machinery and equipment includes tangible personal property used in manufacturing, such as fuels, lubricants, and hand tools (**P.A. 101-9**, enacted by S.B. 689, Hutchinson-Steans et al.—G.Harris).

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Social Services

Legislators voted to require DCFS to regularly check on the home safety of children returned home from its care, and randomly sample some of its child abuse or neglect reports classified as unfounded to see if the classification was accurate. A family's TANF grant is to be designated 75% for the children and 25% for the adults, and the adult portion is to be reduced for noncompliance with program requirements. Other bills that passed both houses will lower the number of children a foster family may accept from 8 to 6; require training for all mandated reporters of child abuse or neglect; and authorize residents in developmental disability facilities or community-integrated living arrangements to electronically monitor their rooms.



Agency Coordination for Youth in Care. Eight state entities are to form an interagency agreement to provide preventive services to youth in care and those aging out. They are to establish an interagency liaison to review cases of youth at risk of homelessness, incarceration, or similar outcomes and connect them to support services. They are to report annually to the General Assembly (**P.A. 101-167**, enacted by S.B. 1808, Peters-Hunter-Collins et al.—Robinson-Kifowit-Edly-Allen-Feigholtz et al.).

Apprenticeship Stipends. Subject to appropriation, the Department of Children and Family Services (DCFS) must provide an apprenticeship stipend to eligible youths who are in its care or who aged out, or youth formerly in its care who were adopted under an adoption assistance agreement or placed in private guardianship under a subsidized guardianship agreement. Applicants must (1) be enrolled in a qualified apprenticeship training program; (2) not

be receiving a DCFS college scholarship or fee waiver; and (3) be under 26 before enrollment in the apprenticeship program. Stipends are to be available for up to 5 years after enrollment, on condition of satisfactory progress toward completion (S.B. 1525, Peters-Lightford-Collins et al.—Kalish-Tarver-Villa-Stava-Murray-Ramirez et al.).

Authorized Electronic Monitoring. A resident in a community-integrated living arrangement or developmental disability facility may conduct authorized electronic monitoring of the resident's room, if any roommate also consents and after notifying the staff. Signs stating that some rooms are electronically monitored must be posted. No one may retaliate or discriminate against a resident for consenting to authorized electronic monitoring, or prevent the installation or use of such a device. Violations may result in a fine up to \$1,000 (**P.A. 101-229**, enacted by H.B. 344, T.Bennett-Davis-Moeller-McDermed-Meier et al.—S.Bennett).

Child Protection Reports—Review. Before classifying a report of an abused or neglected child as “unfounded,” DCFS must determine whether the report is subject to review. Under the review process, DCFS is to review a random sample of at least 5% of reports intended to be “unfounded” where the subject child is under school age, and 5% of “indicated” reports on children not of school age and not in state care. If the reviewer determines a finding is inconsistent with DCFS rules, the caseworkers are to be notified to ensure that corrective steps are taken. DCFS is to report on the reviews twice a year to the General Assembly, along with recommendations for reforms.

Contract incentives that discourage or reward decisions to provide family preservation services after a report is “indicated,” or to refer a child for a wardship petition, are prohibited. If a private agency and DCFS disagree about whether to refer a child for a

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Social Services

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wardship petition, the Deputy Director of Child Protection is to make the determination (S.B. 193, J.Morrison-Fine-Collins—Feigenholtz-Moeller-Kifowit-Ramirez-Sommer et al.).

Child Protection Training

Academy. The training efforts of the state’s Child Protection Training Academy are to include simulation and laboratory training, and cultural competency training. DCFS is to continue to arrange for an independent evaluation of the Academy through June 2021 (S.B. 1889, L.Murphy—Mussman et al.).

Children’s Forensic Interviews.

Consent is not required for electronic recording of forensic interviews with children under the Children’s Advocacy Center Act. Failure to record does not render a forensic interview inadmissible. Forensic interview recordings or transcriptions are exempt under the Freedom of Information Act, and may be viewed only in a court proceeding (**P.A. 101-236**, enacted by H.B. 909, Welch-McCombie-Manley-Crespo-Carroll et al.—Lightford-Crowe-J.Morrison).

Mental Health Treatment—Young Adults and Insureds.

The Department of Healthcare and Family Services (DHFS) is to restructure the Family Support Program to enable early treatment of young adults with serious mental or emotional

illnesses. The program is to serve people under age 26 who have had three inpatient admissions for psychiatric treatment in the previous 12 months. Workgroups are to help with making families aware of the program; developing services; and improving access to substance use treatment.

Policies of accident and health insurance issued or renewed after 2020 are to provide coverage for coordinated specialty care for first episode psychosis treatment, and assertive community treatment and community support team treatment. Only providers approved by the Department of Human Services’ Division of Mental Health may provide such services. The Department of Insurance is to lead two workgroups to (1) develop medical necessity criteria for coverage, and (2) determine how to pay for those services based on bundled treatment models instead of payment for separate services. If after 5 years an insurer asks the Department of Insurance to contract with a third party to analyze the impact of this coverage on premiums, the Department is to do so. If premiums rose more than 1% annually solely due to this coverage, the coverage will no longer be required. HMOs and government employers are also to provide the coverage (H.B. 2154, Feigenholtz-Demmer-Willis-Spain-Conroy et al.—Steans-Holmes-Bush-Belt et al.).

Foster Families; Residential

Placements. The limit on the number of children a foster family can accept is lowered from 8 to 6. DCFS may waive the limit to allow (1) a parent and child to remain together; (2) siblings to remain together; (3) a child with a meaningful relationship with the family to remain there; or (4) a family with special training to care for a child with a severe disability (instead of for good cause and only to facilitate an adoption). After DCFS places a child in a residential treatment program, a court is to approve or disapprove the placement. If it is approved, DCFS must submit evidence at each status and permanency hearing that the placement is necessary, how long the child will be there, and efforts made to prepare the child to return home or to a foster family (**P.A. 101-63**, enacted by H.B. 2571, Feigenholtz-Sommer-Flowers-Guzzardi-Villa—Steans).

Home Safety. DCFS must ensure that children under its jurisdiction are current on their well-child visits, including immunizations (or that there is a documented reason the child did not receive immunizations). Before a child is returned home, DCFS must complete a home safety checklist. The checklist is to be completed again within 5 working days after the child’s return home and every month after that until the child’s case is closed. DCFS is to provide 6 months of aftercare services

to each child returned home. When a mandated reporter reports abuse or neglect, and the family has received services before, DCFS must do a safety assessment. If the family refuses to cooperate, an investigation is to be opened if all criteria are met. The Auditor General is to audit DCFS 1 year after the date this law takes effect to see if these requirements are being met, and again 2 years after that audit is released (P.A. 101-237, enacted by H.B. 1551, Scherer-Feigenholtz-Sommer-Cassidy et al.—J.Morrison-Bush et al.).

Mandated-Reporter Training.

The list of those required to report suspected child abuse or neglect is reorganized, and members of the clergy are added. (Previously, they were required to report only cases of sexual abuse.) All mandated reporters (not only school personnel) must complete training upon being hired and every 3 years after that (6 years for medical personnel who work with children; medical personnel who do not work with children may instead attest at their licensure that they understand their obligations). DCFS must develop materials to raise awareness of child abuse and neglect (S.B. 1778, J.Morrison-Collins-Hunter-Peters et al.—Feigenholtz-Cassidy-Crespo-Costa Howard et al.).

Medicaid Eligibility—Released Offenders. The Department of Corrections must screen offenders for Medicaid eligibility before releasing them. Staff

must assist an eligible person to complete the application. If the address listed on the application is temporary, the eligible person must notify the Department of Human Services after getting permanent housing (P.A. 101-351, enacted by S.B. 1744, Belt-Hunter et al.—Greenwood-Mayfield-Flowers et al.).

Preferred Drug Lists. By 2020, DHFS must develop a standardized format for all Medicaid managed care organization (MCO) preferred drug lists, in collaboration with Medicaid MCOs and other stakeholders. A new Illinois Drug and Therapeutics Advisory Board is to recommend drugs to be listed on the Department's preferred drug list (P.A. 101-62, enacted by H.B. 2259, Feigenholtz-G.Harris et al.—J.Morrison et al.).

Prescriber Education. DHFS must develop a program to provide prescribing physicians under the Medicaid program with evidence-based, non-commercial sources of the latest objective information about pharmaceuticals. The program is to have (1) a web-based curriculum and (2) academic educator outreach. The program is to contract with clinical pharmacists to visit prescribing physicians to update them on medication usage and disease states. Physicians can get continuing education credits for participating (P.A. 101-278, enacted by H.B. 3097, Mah et al.—Fine-McGuire).

Research Payment Exclusion for Public Aid. Financial assistance provided to anyone enrolled in a program not funded with general revenue funds that is intended to investigate the impacts of policies designed to reduce poverty, promote social mobility, or increase financial stability for Illinois residents, is to be disregarded for up to 60 months in determining public aid eligibility or amounts (P.A. 101-415, enacted by S.B. 1735, Aquino-Lightford-Collins et al.—Ramirez-Morgan-Flowers et al.).

Sex Education. Anyone admitted to a developmental disability facility and receiving habilitation is to have developmentally-appropriate sex education (H.B. 3299, Davis-Kalish et al.—Harmon-Holmes-Martinez et al.).

SNAP Restaurant Meals. A Restaurant Meals Program is to allow households with elderly or disabled members, their spouses, or homeless persons to redeem their SNAP benefits (formerly called Food Stamps) at businesses that contract with the Department of Human Services to offer meals at concession prices (P.A. 101-110, enacted by H.B. 3343, Harper-Lilly-Ramirez-Flowers et al.—Aquino-Collins-Van Pelt-N.Harris-Martinez et al.).

Suggestions from Youth in Care. Group homes, shelters, and transitional living

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Social Services

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arrangements that accept youth in care are added to residential treatment centers as locations where DCFS is to place locked suggestion boxes. DCFS must submit an annual report to the General Assembly on the suggestions. DCFS is to develop a survey to gather feedback from children who age or transition out of foster care. It is to conduct the survey every 5 years and report to the Governor and General Assembly (**P.A. 101-166**, enacted by S.B. 1743, Peters-Lightford-Collins et al.—Edly-Allen-Feigenholtz et al.).

TANF Grants. A family's Temporary Assistance for Needy Families (TANF) grant is to be designated 75% for the children and 25% for the adults. Adult recipients not in compliance with TANF education and employment requirements without good cause are to have their portion reduced by 30%. Good cause is expanded to include being evicted; utility disconnection; or leaving state care without having a fixed nighttime residence. Maximum TANF benefits are to be annually adjusted to equal at least 30% of the federal poverty guidelines for each family size (**P.A. 101-103**, enacted by H.B. 3129, Flowers-Greenwood-Mayfield-Smith-Stava-Murray et al.—Hunter-Van Pelt-N.Harris-Collins-Martinez et al.).

Wardships of Minors.

Wardships of neglected, abused, or dependent minors terminate when the minor reaches age 21 (up from 19). A minor placed in DCFS guardianship while an application for the Family Support Program is pending will continue to be eligible for the program. The court is to conduct a hearing within 14 days after the application is approved and services are available, to determine whether to return the minor to his or her parents with Family Support Program services, or to keep the minor with DCFS and decline services (**P.A. 101-78**, enacted by S.B. 191, Fine—Feigenholtz et al.).

Youth Homelessness

Prevention. The Governor's Cabinet on Children and Youth is to create a Youth Homelessness Prevention Subcommittee to help prevent homelessness among youth who leave state care. It is to study state discharge plans, collect housing data on youth released from state care, and make recommendations. Reports must be submitted every 6 months to the Governor and annually to the Governor and General Assembly (**P.A. 101-98**, enacted by H.B. 2983, Slaughter-Harper-Manley-Villanueva-G.Harris et al.—Glowiak Hilton-Peters-Van Pelt-Martinez-Hunter et al.).

Samuel Miller
Research Associate

CGFA Publications

The following are some of the publications that are available on the CGFA Internet site at: <http://www.ilga.gov/commission/CGFAInterim.html>

Federal Funds to State Agencies

This publication presents information on federal aid programs administered by Illinois state agencies. It includes program descriptions and outlay information. A table shows which programs are supported and what regions and populations of Illinois are served by the federal grants.

Fiscal Year 2020 Budget Summary

Details Illinois' most recently enacted budget. Includes major categories of appropriations, comparisons of prior state fiscal year appropriations, and other information about the current state budget.

How a Bill Becomes Law in Illinois (English and Spanish versions)

This chart shows the progress of a bill through the Illinois General Assembly and the Office of the Governor.

Illinois Tax Handbook for Legislators

This handbook gives information on every significant Illinois state tax.

Laws for Youth

This booklet tells about major laws that affect young persons in Illinois. The laws are divided by subject and arranged in a question-and-answer format to make them easy to find.

Penalties for Crimes in Illinois

This chart summarizes the sentences and fines for criminal offenses in Illinois.

State Government & Pensions

The General Assembly voted to create an Asian American Family Commission, Immigration Task Force, Native American Employment Plan Advisory Council, and Veterans' Service-Related Ailments Task Force. Most new state employees are to be automatically enrolled in the state's deferred compensation plan unless they opt out. Other bills that passed both houses will prohibit the state from applying for a waiver to reduce coverage required under the Affordable Care Act; require the state and local public bodies to use sustainability factors when making investment decisions; and allow the Treasurer to buy property in Springfield in FYs 2019 and 2020.

Abraham Lincoln Presidential Library and Museum.

Cooperation between the Museum and the related foundation must be in a memorandum of understanding that: authorizes foundation operations; requires the foundation to provide financial information to the state; and creates a working group to advance the interests of the Museum (S.B. 731, Manar—A. Williams-Butler-Willis-Ford-M. Murphy et al.).

Affordable Care Act and Medicaid Waivers. The state may not apply for a federal waiver that would (1) reduce or eliminate protection or coverage required under the Affordable Care Act that was in effect on January 1, 2017, including protection for persons with pre-existing conditions and coverage for essential health benefits, or (2) result in more restrictive requirements than those in effect in Illinois on January 1, 2017 for Medicaid or the Children's Health Insurance Program, unless the General Assembly approves the application by joint resolution (S.B. 2026, Rezin et al.—Mason-Carroll-Didech-Gabel-Morgan et al.), **vetoed**.

Asian American Family Commission. This body is created to advise the Governor, legislature, and state agencies on topics related to Asian American families. It must monitor and comment on bills and programs; help agencies improve social and economic conditions of Asian American children and families; facilitate Asian American participation in policy development; and promote research efforts to document the impact of policies and programs on Asian American families. The Commission can receive funding through several agencies and must report annually on progress toward its goals (**P.A. 101-392**, enacted by H.B. 3217, Mah-Villanueva-E. Hernandez-Gong-Gershowitz-Lilly et al. — Villivalam-Castro).

Immigration Task Force. A new task force is created to examine several listed aspects of immigration in the state, including: what the state is doing and can do to help immigrants; the extent to which immigrants are discriminated against; whether laws are having intended effects; and how the U.S. Immigration and Customs Enforcement operates in the state. The Task

Force must meet at least 12 times and report its findings and recommendations by May 31, 2020 (H.B. 3196, Villanueva-E. Hernandez-Guzzardi et al.—Martinez).

Law Enforcement Officer Eligibility. Officers may not have pled guilty to a felony or several listed misdemeanors (the prohibition formerly applied only to those convicted of such offenses). Law Enforcement Training and Standards Board investigators with mandated training may exercise police powers without contact and cooperation with local authorities. Law enforcement agencies that do not train an officer within the first 6 months of appointment may not hire the officer for 1 year; after a second time, the agency may not hire that person in a law enforcement capacity (**P.A. 101-187**, enacted by H.B. 2591, Cabello-Slaughter—Link-Sims et al.).

Native American Employment. The Department of Central Management Services (CMS) must create a plan to increase the number of Native Americans employed by the state, including at the supervisory, technical,

State Government & Pensions *(continued from p. 35)*

professional, and managerial levels, and must monitor and report annually on compliance with the plan. The Native American Employment Plan Advisory Council is created to examine several related topics and appoint a coordinator. State agencies must implement strategies to increase the number of Native Americans employed by the state (in addition to Hispanics, Asian Americans, and bilingual persons) (S.B. 727, Glowiak Hilton-Castro—Costa Howard-Mussman et al.).

Private Prisons. The state and local governments may not make agreements with private companies to own, manage, or operate private detention facilities, and may not subsidize or give financial benefits for a private company to buy, build, or operate a private detention facility (P.A. 101-20, H.B. 2040, Cassidy-Villanueva-Ramirez-Villa-McDermed et al.—Peters-Aquino-J.Morrison-Martinez-Sims et al.).

Public Investments. The state and local public bodies must use sustainability factors when making investment decisions. Those may include factors related to: (1) corporate leadership; (2) environmental impacts; (3) social capital; (4) human capital; and (5) business model and innovation. Retirement systems, pension funds, and investment boards under the Illinois Pension Code

(added to every board of trustees of a pension fund) must adopt and file with the Department of Insurance written investment policies. All such policies must include sustainability factors (H.B. 2460, Davis-Meyers-Martin-Kifowit et al.—Martinez et al.).

Public Transportation. The Regional Transportation Authority by ordinance may establish lines of credit (added to Working Cash Notes) to cover short-term cash flow deficits; it must notify the state before doing so. The borrowing limit is unchanged. If the Chicago Transit Authority or RTA defaults on notes that the state invested in, the Treasurer may have the Comptroller withhold portions of state payments to the appropriate agency until the total amount invested is repaid (H.B. 2823, Zalewski—Sandoval-DeWitte).

State Employees. *Deferred compensation.* CMS must automatically enroll new state employees (in GARS, SERS, or JRS) in the state's deferred compensation plan 30 days after starting employment, at a 3% deferral rate; employees can withdraw and get a refund of amounts deferred within 90 days of enrollment (P.A. 101-277, enacted by H.B. 3082, Martwick-Zalewski et al.—Aquino).

State Finances. *Property.* The Treasurer may buy real property in Springfield during fiscal years

2019 and 2020 using moneys in the State Pensions Fund; may renovate and maintain the property with money from that Fund; and may let others operate on the property (H.B. 2836, Welch-Scherer-Durkin-Butler et al.—Manar).

Transaction repository. The Comptroller's online repository of state financial transactions must include expenditure amounts and dates, vendor names, the state agency making each expenditure, employee salaries, and (if possible) graphical data (P.A. 101-212, enacted by H.B. 313, McSweeney-Skillicorn-Bailey-Halbrook-Batinick et al.—T.Cullerton).

Veterans' Service-Related Ailments Task Force. This body is created to study and make recommendations on service-related ailments not recognized by the U.S. Department of Veterans Affairs and ways the state can both improve the rate at which claims are approved and reduce disparities between approval of Illinois veterans and veterans in other states. It must report by December 31, 2020 (P.A. 101-225, enacted by H.B. 120, Kifowit-Swanson-Frese-M.Murphy et al.—Castro-Bush-T.Cullerton et al.).

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Transportation

Legislators voted to increase the penalties for failing to slow down in a construction zone or when passing a stopped emergency vehicle, and for causing a serious accident while driving and using an electronic communication device. They also voted to prohibit watching streaming video while driving, and smoking in a vehicle when a person under 18 is in it. Other bills that passed both houses will allow digital rear license plates; authorize mobile carrying devices on sidewalks and crosswalks; and require applicants for commercial driver's licenses to get training.



CDL Training; Registration Revocation. Beginning February 7, 2020, commercial driver's license applicants must complete a training course before taking the skills test. The Secretary of State may invalidate a state identification card when it is surrendered, the cardholder dies or refuses to correct or update information, or otherwise under regulations. The Secretary may suspend, deny, or revoke vehicle registration for making false statements or failing to disclose information on the application, or for applying on behalf of an ineligible person (**P.A. 101-185**, enacted by H.B. 2315, Evans—Sims).

Clearing License Suspension for Support Arrearage. A person whose driver's license has been suspended twice for failure to pay child support may get the suspension removed by arranging for payment of the support in a manner satisfactory to a court (under current law, only by paying the support in full) (**P.A. 101-336**, enacted by S.B. 1473, Hunter—Ford-Mah-Lilly-Ammons et al.).

Digital License Plates. The Secretary of State, in consultation with law enforcement, can develop digital license plates for an additional registration fee. Digital license plates are to be only for the back of a vehicle; a metal plate must still be in the front. Owners must pay initial and replacement costs of digital license plates. Digital plates must be visible in daytime, at night, and when the engine is stopped. The Secretary of State may renew a digital plate electronically, and may replace the image with an alternative image or blank screen for failure to renew or any other vehicle violation (**P.A. 101-395**, enacted by S.B. 102, Sandoval—Rita).

Electronic Lien and Title System. By July 1, 2021, the Secretary of State is to create and administer an electronic lien and title system allowing a lienholder to perfect, assign, and release liens under the Vehicle Code. The Secretary may charge a reasonable fee to administer the system and/or

contract with a private business to administer it. Starting on that date, some vehicle dealers and other licensees will be required to submit documents to the Secretary of State electronically (H.B. 2856, D'Amico-Butler-Manley—Sandoval).

Expressway Cameras. The State Police, the Department of Transportation, and the State Toll Highway Authority are to create a program to increase the number of cameras on Cook County expressways. The cameras will be used to investigate firearm offenses and to detect expressway hazards, not to catch petty offenses (**P.A. 101-42**, enacted by H.B. 331, T.Jones-Ford-Mayfield-Thapedi-Flowers et al.—Collins et al.).

Freight Train Crews are to have at least two crew members. This requirement will remain in effect until a federal law or rule on this subject is adopted (**P.A. 101-294**, enacted by S.B. 24, Link-Villivalam-Bush-Holmes-Collins et al.—Hoffman-T.Jones-Willis-Tarver et al.).

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Transportation

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Mobile Carrying Devices

(electrically powered devices for transporting personal property, weighing less than 90 pounds, with maximum speed of 12.5 miles per hour, and designed to stay within 10 feet of the owner) may be operated on sidewalks and in crosswalks in accordance with local ordinances. Such devices must have brakes. Their operators must obey traffic devices and signals; may not unreasonably interfere with traffic; and may not transport a person or hazardous materials. A mobile carrying device operator that is not a human being must register with the Secretary of State (P.A. 101-123, enacted by H.B. 245, Andrade-Demmer-Zalewski-Evans—Villivalam).

New License Plates and

Decals. The Secretary of State may issue to eligible persons Cold War license plates (P.A. 101-245, enacted by H.B. 2088, Swanson-Severin-Carroll-Connor—Wilcox et al.); Global War on Terrorism license plates (P.A. 101-51, enacted by H.B. 1494, Miller-Chapa LaVia—Rose); and United Nations Protection Force license plates (P.A. 101-247, enacted by H.B. 2119, K.Stuart—Crowe), in each case for a \$15 original issuance fee and a \$2 renewal fee.

Three additional entities may issue decals for the universal special license plate, with some proceeds going to funds

supporting specified causes: K-9s for Veterans, NFP, for post-traumatic stress disorder awareness (P.A. 101-248, enacted by H.B. 2126, Ford et al.—Lightford et al.); the International Association of Machinists and Aerospace Workers and its Local Lodge 701, to support the Guide Dogs of America Fund and the Mechanics Training Fund (P.A. 101-256, enacted by H.B. 2492, Walsh—Belt); and the Department of Human Services, to support (1) the Theresa Tracy Trot-Illinois CancerCare Foundation Fund for pancreatic cancer research (P.A. 101-276, enacted by H.B. 3041, Unes—Weaver); (2) developmental disabilities awareness (P.A. 101-282, enacted by H.B. 3437, Buckner-Gabel-Mussman-Carroll et al.—J.Morrison); and (3) pediatric cancer research and treatment (P.A. 101-372, enacted by S.B. 946, McClure et al.—Davidsmeyer-Carroll).

Non-binary Gender

Designation. Beginning when a new digital driver's license and identification card issuance and facial recognition system is implemented, driver's license and identification card applicants can choose "male," "female," or "non-binary" as their sex on the application form (H.B. 3534, Stava-Murray-Cassidy-Robinson et al.—Castro-Martinez et al.).

Safety in Construction Zones and Around Emergency

Vehicles. *Construction zone safety.* Failure to obey a traffic control device in a construction zone becomes punishable by a fine of \$100 to \$1,000. Failure

to change to a lane farther from workers or to slow down when entering a construction zone can bring a fine up to \$25,000 (formerly \$10,000) (P.A. 101-172, enacted by S.B. 1496, T.Cullerton et al.—Carroll-McSweeney et al.).

Task force, teaching safety. A Move Over Task Force will study ways to protect police and emergency responders from drivers' failure to use caution around emergency vehicles and in construction zones, and report findings and recommendations by January 1, 2020.

The Secretary of State is to include in the "Rules of the Road" booklet information advising drivers to use the "zipper merge" method when merging into a reduced number of lanes. The question pool used for the written part of the driver's license exam must include at least one question on driver responsibility when approaching a stopped emergency vehicle (P.A. 101-174, enacted by S.B. 2038, McConchie-T.Cullerton-Bertino-Tarrant et al.—Batinick-Butler-Hoffman-Evans-Cabello et al.).

Passing stopped emergency vehicles. When drivers reduce speed to pass a stopped emergency vehicle, they are to leave a safe space until safely past the emergency vehicle (if changing lanes is not possible). Failure to change lanes or reduce speed to pass a stopped emergency vehicle

can bring a fine of \$250 to \$10,000 for a first offense and \$750 to \$10,000 for a repeat offenses (formerly \$100 to \$10,000 for any offense). Failure that results in damage to another vehicle is a Class A misdemeanor not eligible for supervision; it is a Class 4 felony if it results in injury or death to another person. Such failure involving reckless homicide resulting in the death of a firefighter or EMS person performing those duties is a Class 2 felony. Failure involving reckless homicide becomes an aggravating factor in sentencing. The fines will go to the Scott's Law Fund, or to the county or municipality issuing the ticket, to educate drivers on safely approaching stopped emergency vehicles and to hire off-duty police officers to monitor construction zones (**P.A. 101-173**, enacted by S.B. 1862,

Muñoz-Anderson-Link-Sims-McClure et al.—Evans-Hoffman-Butler-Cabello-T.Jones et al.).

Smoking in Vehicles. Smoking is prohibited in a vehicle when a person under 18 is in it. Violation is punishable by a \$100 fine for a first offense and \$250 for a repeat offense. Police may not stop a vehicle or inspect it solely for a suspected violation (H.B. 2276, Carroll-Welter-Batinick-Connor-D'Amico et al.—J.Morrison-McClure-Collins).

Streaming While Driving. Driving while using an electronic communication device to watch or stream video is prohibited (**P.A. 101-297**, enacted by S.B. 86, Stadelman-McConchie—West).

Texting While Driving. The punishment is increased for

a driver who, while using an electronic communication device, is involved in a motor vehicle accident that results in great bodily harm, permanent disability, disfigurement, or death to another person if the violation is a proximate cause of the injury or death. The fine is raised from \$75 to a minimum of \$1,000, and the driver's license must be suspended for 12 months (**P.A. 101-90**, enacted by H.B. 2386, Hammond-D'Amico-Severin-Hurley et al.—Tracy-Plummer-Fowler et al.).

Tinted Vehicle Lights. Lighting with a smoked or tinted lens or cover is prohibited on a motor vehicle or equipment used on a highway (**P.A. 101-189**, enacted by S.B. 87, Stadelman—West).

Ashley M. Lewis
Senior Research Associate

Abstracts of Reports Required to be Filed With the General Assembly

The CGFA staff is required to prepare abstracts of reports required to be filed with the General Assembly. Legislators may receive copies of entire reports by emailing the form that was delivered to their Springfield office to isinfo@ilsos.net or by mailing it to the State Government Report Distribution Center at the Illinois State Library. Abstracts are published quarterly.

Adult Redeploy Illinois Oversight Board

Annual report, FY 2017

The Adult Redeploy Illinois (ARI) program offers incentives to counties implementing community-based plans in lieu of prison for nonviolent crimes. There are 39 programs at 20

sites in 39 counties. Enrollment levels started to return to pre-budget impasse levels in FY 2017. ARI sites served 1,689 people; 1,481 stayed out of prison. (730 ILCS 190/20(e)(2) (I); Dec. 2018, rec'd Feb. 2019, 30 pp.)

Central Management Services, Dept. of

Statement of surplus real property transferred or conveyed

The former DNR Mine Rescue Station on East Princeton Avenue in Springfield was

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Bills With Governor's Action

All bills summarized in this issue of *First Reading* are listed below. Beside the number of each bill on which the Governor had acted by early August is the Public Act number or other indication of his action. The following abbreviations are used for the Governor's actions on bills:

- AV Amendatorily vetoed
- AVD Amendatorily vetoed; bill dead
- IV Item and/or reduction vetoed
- V Totally vetoed

Information on all 2019 bills and Public Acts, including their texts, is available at: <http://www.ilga.gov>
 Click on the "Bills & Resolutions" or "Public Acts" link near the top of the page for information on a given bill or Public Act. Information on the General Assembly's workload over the years can be found at the CGFA's webpage.

H.B.	Public Act	H.B.	Public Act	H.B.	Public Act	H.B.	Public Act	H.B.	Public Act
	101-		101-		101-		101-		101-
1	38	836	120	2135	130	2460		2993	99
2		889	371	2146	250	2492	256	3018	
5		909	236	2152	251	2512	93	3041	276
26		938	47	2154		2540	259	3068	74
38	223	1438	27	2156		2541	441	3082	277
62	29	1471	48	2209	134	2557	260	3097	278
88	168	1472	49	2237		2571	63	3105	102
94	440	1475	50	2256	135	2591	187	3113	
120	225	1494	51	2259	62	2625		3129	103
142	30	1551	237	2264	383	2649		3143	150
245	123	1553	121	2265	254	2675		3168	105
246	227	1554	127	2276		2676	64	3196	
252		1561		2287	136	2691	21	3217	392
253	380	1581	33	2296	137	2719	180	3247	107
313	212	1637	19	2304		2766	375	3269	
331	42	2040	20	2308	138	2823		3299	
344	229	2076		2309	255	2836		3334	109
345	2	2078		2315	185	2847	179	3343	110
423	V	2088	245	2386	90	2856		3394	
465		2119	247	2386	90	2868	389	3435	281
822	428	2408	385	2408	385	2868	389	3435	281
833		2438	386	2438	386	2895	390	3437	282
834	177	2126	248	2444		2896	273	3471	218
						2983	98	3481	373

H.B.	Public Act 101-	S.B.	Public Act 101-	S.B.	Public Act 101-	S.B.	Public Act 101-	S.B.	Public Act 101-
3498	285	1	1	262	7	1460	333	1814	10
3503	393	24	294	397		1473	336	1828	356
3509		25	13	455	370	1496	172	1852	22
3531	286	28	12	456		1507		1854	23
3534		39	77	556	165	1525		1862	173
3575		69	394	687	8	1573		1889	
3580	154	75	221	689	9	1595	178	1890	18
3587	155	86	297	690	31	1609	408	1899	423
3590	V	87	189	727		1610	409	1919	
3606		102	395	731		1641		1932	181
3610		131	299	946	372	1715	349	1934	
3659	291	156	397	1116	79	1735	415	1939	32
3661	35	162		1139	80	1743	166	2023	363
3663	292	182	163	1167	315	1744	351	2026	V
3711	293	191	78	1236		1750	417	2038	174
		193		1250	205	1778		2124	V
		218		1290	439	1780			
		241	303	1411	377	1808	167		

Types of Actions Governor Can Take on Bills

The Illinois Constitution allows the Governor to make any of four kinds of vetoes: total, amendatory, item, or reduction. The following describes each kind of veto and legislative responses to it.

Total Veto

The Governor may reject an entire bill and return it to its house of origin. Overriding such a total veto requires the affirmative votes of at least three-fifths of the members elected to each house (71 in the House, 36 in the Senate). Unless a total veto is overridden, the bill dies.

Amendatory Veto

A Governor can return a bill “with specific recommendations for change” to its house of origin. Such an amendatorily vetoed bill is considered like a vetoed bill, except that each house can accept the Governor’s recommendations by vote of a mere constitutional majority (60 in the House and 30 in the Senate). Thus if a bill is amendatorily vetoed, the General Assembly can do any of three things to it: (1) override the veto by three-fifths vote in each house, enacting the bill as it originally passed the General Assembly, (2) accept the Governor’s recommendations and return the bill to the Governor for his certification that the acceptance conforms to his recommendations, or (3) do neither, in which case the bill dies.

Item and Reduction Vetoes

The Governor can cut line items, and/or reduce the amount of any line item, in an appropriation bill without vetoing the entire bill. The amounts not eliminated or reduced become law immediately when the Governor transmits his veto message. But the majorities needed to restore those amounts differ. If a line item is vetoed, a three-fifths majority in each house is needed to restore it. But if the item is merely reduced, it can be restored to its original amount by a mere constitutional majority in each house.

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transferred to the Illinois Department of Transportation to facilitate the High-Speed Rail Project in the city. The property is 0.84 acres. (30 ILCS 605/7.1(e); Jan. 2019, rec'd Feb. 2019, 1 p.)

Children and Family Services, Dept. of

Collaboration with Department of Human Services to develop programs to serve families impacted by substance abuse disorders, annual report, 2018

The report gives information on three pilot programs: Title IV-E substance abuse federal waiver demonstration project; Intact Family Recovery program; and St. Monica's Moms Recovery Home at Maryville Academy. The Intact Family Recovery program served 259 families in FY 2018, and successfully treated 138 parents for substance use disorders. (325 ILCS 5/7.3c; undated, rec'd Feb. 2019, 3 pp.)

Commerce and Economic Opportunity, Dept. of

Bilingual employee report, 2019

As required by the State Services Act, the report gives the names, job titles, job descriptions, and languages spoken by bilingual employees. There are 5 bilingual employees and all speak Spanish. (5 ILCS 382/3-20; March 2019, rec'd April 2019, 2 pp.)

High Impact Business designation

Leeward Renewable Energy Holdings, LLC was designated a High Impact Business/Wind Energy Business, which allows it to use the building materials sales tax exemption for up to 20 years. (20 ILCS 655/5.5(h); issued & rec'd Feb. 2019, 2 pp. + 1 map)

Illinois Film Office quarterly report, Oct.-Dec. 2018

The report estimates that 3,937 technical crew and office (27% minority and 19% white women), 671 talent, and 4,783 extra jobs were created or retained. Film production brought over \$85.3 million in spending to Illinois. (35 ILCS 16/45(b); undated, rec'd Feb. 2019, 2 pp.)

Illinois Film Office quarterly report, Jan.-March 2019

The Illinois Film Office estimates that 4,141 technical crew, 562 production office, 738 talent, and 4,459 extra jobs were created or retained. (Figures may be for projects dating back to 2015.) Of 4,030 crew members hired, 30% were minorities and 20% were white women. Reported production spending was \$93.7 million (\$15.0 million commercial; \$55.3 million TV; and \$23.4 million film). The Office is not able to track vendor jobs; it encourages educational opportunities for minorities to be trained for film and television work. (35 ILCS 16/45(b); undated, rec'd April 2019, 2 pp.)

Live Theater Tax Credit Report, Oct.-Dec. 2018

The report lists no live theater or film production spending, production, or jobs brought to Illinois during the quarter. No assessment can be made since no credits were issued. (35 ILCS 17/10-50(b); undated, rec'd Feb. 2019, 1 p.)

Live Theater Tax Credit report, Jan.-March 2019

DCEO reports no live theater or film production spending, production, or jobs brought to Illinois during this period. The program requires diversity reporting, but no assessment can be made since no credits were issued. (35 ILCS 17/10-50(b); undated, rec'd April 2019, 1 p.)

Corrections, Dept. of

Quarterly report, Oct. 2018

On August 31, 2018, adult facilities had 40,721 residents—21% below bed space for 51,339. That was projected to fall to 39,342 by September 2019. Nearly all inmates were double-celled (72%) or multi-celled (24%), with about 43 square feet of living space each. Ratio of inmates to security staff was 4.5, and to total staff was 3.4. Adult transition centers had 903 residents—15 below bed space. August participation (a person enrolled in two programs would be counted twice) in educational programs was 5,017 (416 completed) and vocational programs was 6,309 (717 completed). No current capital projects were funded.

(730 ILCS 5/3-5-3.1; Oct. 2018, rec'd Feb. 2019, 16 tables)

Environmental Protection Agency

Office of Energy annual report, FY 2018

The report addresses the transfer (under Executive Order 2017-03) of the Office of Energy and Recycling from the Department of Commerce and Economic Opportunity to the Environmental Protection Agency. No existing personnel and limited files have been transferred so far. The Office is fulfilling mandated activities and partnering with universities and local agencies for energy efficiency projects. The Office does not recommend new laws related to the reorganization. (Executive Order 3 (2017); Dec. 2018, rec'd Feb. 2019, 4 pp.)

Law Enforcement Training and Standards Board

Mobile Team Training Units annual report, FY 2018

The 14 Mobile Team Training Units collectively expended some \$9.9 million in federal, state, and local funds (\$5.8 million in state funds). The Units conducted 41,824 hours of instruction statewide. Training was provided at a cost of \$237.23 per instructional hour, \$65.04 per trainee, and a cost per training man-hour of \$12.90. The Units offered 62 mandatory firearms courses to 410 officers. (50 ILCS 720/6; issued & rec'd Jan. 2019, 10 pp. + appendix)

Lottery, Dept. of the
Report on work of the Lottery Control Board, FY 2018

The Lottery Control Board met four times and received updates on all pending administrative hearings and court cases. The report summarizes the legal matters the Board was briefed on, and lists the advertising campaigns presented to the Board. The report also includes the minutes from each of the meetings. (20 ILCS 1605/7.8; July, 2018, rec'd April 2019, 36 pp.)

Metropolitan Pier and Exposition Authority
Affirmative action plan, FY 2019

On June 30, 2018, the Authority had 377 workers; 122 (32.36%) were minority group members and 60 (15.92%) were women (a person could be both). Of 19 officials and administrators, 9 were minority and 11 female. Of 6 professionals, 6 were minority and 4 were female. Of 12 administrative support and sale workers, 9 were minority and 11 female. Of 31 management-level skilled workers, 7 were minority and none female. Of 61 electricians, 17 were minority and 9 female. Of 195 other skilled workers, 46 were minority and 9 female. Of 53 service workers, 28 were minority and 16 female. (70 ILCS 210/23.1(a); Sept. 2018, rec'd Oct. 2018, 9 pp. + 5 appendices)

State Board of Investment
Emerging money managers annual report, 2018

The Board reports that it meets or exceeds all policy goals with

respect to minority investment managers. In a total portfolio of \$18.6 billion, some \$4.8 billion (25.6%) is managed by emerging and minority investment managers. Illinois-based brokerage utilization is below the target rate of 25% (6.1% for equities, 8.4% for fixed income). Board staff is 42% female and 58% minority. (40 ILCS 5/1-109.1(8); Dec. 2018, rec'd Feb. 2019, 5 pp. + enclosure)

State Police, Dept. of
Juvenile charge report, July-Sept. 2018

The State Police received 6,477 juvenile charge reports in the third quarter of 2018, characterized by type as: 501 ordinance violations; 224 petty offenses; 3,074 misdemeanors; 1,896 Class 1 to 4 felonies; 190 Class X felonies; 19 murders; and 573 charges were not identified. The report lists juvenile charges by gender: 5,304 male, 1,172 female, and 1 unknown. Racial information is reported as follows: 4,060 African Americans; 1,427 whites; 889 Hispanics; 29 Asians; 4 American Indians; and 68 unidentified. The report also lists each offender's age at arrest and the total charges by county. (20 ILCS 2605/2605-355; Oct. 2018, rec'd Feb. 2019, 4 pp.)

State's Attorney of Union County

Eavesdropping requests and authorization, 2018

The two eavesdropping requests

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in Union County were approved by the State's Attorney's office. (720 ILCS 5/14-3(q)(3.10); issued & rec'd April 2019, 1 p.)

State Universities Retirement System

Certification of required state contribution, FY 2020

The SURS Board of Trustees certified \$1.86 billion as the preliminary total required state contribution for FY 2020. However, the final amount is likely to be higher, due to the expected approval of

an additional \$43 million in Excess Benefit Arrangement contributions. (40 ILCS 5/15-165; Oct. 2018, rec'd Dec. 2018, 3 pp.)

Teachers' Retirement System *Final state funding certification, FY 2020*

The TRS Board certified 2 state funding amounts for FY 2020: \$4.81 billion based on law or \$7.88 billion based on actuarial standards. The certifications includes assumptions about the impact of Public Act 100-587, which lowers the cap on salary increases used in final average salary calculations, and allows buyouts. (40 ILCS 5/16-158(a-5); issued & rec'd Jan. 2019, 2 pp. + 2 attachments)

First Reading

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