



FIRST READING

COMMISSION ON GOVERNMENT FORECASTING AND ACCOUNTABILITY

VOLUME 36, NO. 3

APRIL 2023

Bills Passed in the 102nd General Assembly’s January Session

This issue of *First Reading* summarizes bills that passed both houses during the final session of the 102nd General Assembly (January 4-10, 2023), and reports on the Governor’s actions on them. A total of 30 bills passed both houses in January; all have been signed. This issue summarizes them in 9 categories.

A new act bans the sale or purchase of an assault weapon (as defined), assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. It prohibits possession of such firearms starting in 2024, except by persons who lawfully possess them in 2023 and file affidavits with the Illinois State Police.

Employees can earn 40 hours of paid leave per year starting in 2024 under another new law. Lawmakers also voted to authorize grants to businesses that make capital investments and create jobs; tax credits for renewable energy manufacturers; and a sales tax credit for air carriers that use sustainable aviation fuel.

Statewide standards were enacted for commercial wind and solar energy facilities, and counties may not impose stricter standards. That law also established a temporary program to help qualifying electric utility customers pay high electric bills.

A new act requires insurance coverage for abortifacients, hormonal therapy medication, and HIV prophylaxis drugs; allows advanced practice registered nurses or physician assistants to perform aspiration abortions not requiring general anesthesia; and prohibits some civil actions



against medical practitioners for participating in health care services lawful in Illinois.

Lawmakers voted to allow the creation of local districts to fund tourism services; remove the requirement that state jobs be located in Sangamon County unless their nature requires them to be located elsewhere; and allow a gender change on a birth certificate without a physician’s attestation. The General Assembly also enacted a second budget implementation act for fiscal year 2023.

Information on all bills of the 102nd General Assembly is available at the General Assembly’s website: www.ilga.gov.

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Appropriations & State Budget

Supplemental appropriations were enacted after revenue estimates for FY 2023 were raised by the Commission on Government Forecasting and Accountability and the Governor's Office of Management and Budget. Among many other items were \$500 million for the Large Business Attraction Fund for grants and expenses under the Invest in Illinois Act; \$100 million to the Department of Innovation and Technology for the Technology Management Revolving Fund; \$20 million to Chicago to help asylum seekers; \$10 million to the Department of Financial and Professional Regulation for a new licensing system; \$10 million to

the Law Enforcement Training Standards Board for grants and administrative expenses to hire or retain law enforcement officers; \$10 million each to the State Appellate Defender's Office, State's Attorneys Appellate Prosecutor's Office, and Illinois Supreme Court for costs related to pretrial release; and sums to raise salaries of statewide executive officers and state agency administrators (described in P.A. 102-1115 in the "State Government & Pensions" article) (P.A. 102-1122, enacted by H.B. 969, G.Harris/Harmon - Sims).

Another act appropriated \$1.37 billion from the General Revenue Fund to pay off Illinois' remaining federal Unemployment Trust Fund debt, and appropriated \$450 million to the Fund as an interest-free loan for paying benefits, to be repaid under the Unemployment Insurance Act (P.A. 102-1121, enacted by S.B. 2801, Holmes - Harmon et al./ Welch - G.Harris).

(P.A. 102-1115, summarized in the "State Government & Pensions" article, contains budget implementation provisions.)

Business & Economic Development

A new act authorizes grants to businesses that make capital investments and create jobs; tax credits for renewable energy manufacturers; and a sales tax credit for air carriers that use sustainable aviation fuel. Other new laws allow employees to get 40 hours of paid leave per year starting in 2024, and reduce some liquor license fees.

Business Incentives. *New provisions.* Under a new Invest in Illinois Act, the Department of Commerce and Economic Opportunity can make grants and loans from the Large Business Attraction Fund to eligible businesses pledging to make capital investments and create or retain jobs in the state. The Speaker of the House and President of the Senate must be notified of a planned award; if both object, it may not be made. The Department must report on the program annually.

Renewable energy manufacturers (as defined) can be eligible for state tax credits under the

Reimagining Energy and Vehicles in Illinois Act by investing \$2.5 million and creating 50 jobs. Makers of conventional vehicles or related products that seek to convert to making electric or renewable vehicles or products can be eligible for such credits by investing at least \$100 million and creating 50 jobs.

From June 1, 2023 through January 1, 2033, sustainable aviation fuel (as defined) sold to or used by an air carrier for use in Illinois will earn a credit of \$1.50 per gallon. The credit can be applied against use, retailers' occupation, and service use and occupation tax liability on

aviation fuel. But no credit may be earned on sustainable aviation fuel from soybean oil after all air carriers in Illinois have bought aviation fuel containing 10 million gallons of soybean oil feedstock (apparently in that year).

Changes to existing programs. The Economic Development for a Growing Economy (EDGE) and Manufacturing Illinois Chips for Real Opportunity (MICRO) tax credits are increased for projects in underserved areas and creating specified numbers of jobs. A comparison of project costs in other states is no longer

Business & Economic Development

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required for EDGE applications. MICRO credit agreements may have a renewal option for 10 or 15 years depending on the project.

The limit on the size of an area that can be an enterprise zone is expanded from a maximum of 12 to 14 square miles (16 or 20 square miles for an area in multiple jurisdictions).

High Impact Business authorizations will be for initial terms of 20 years with options to renew for up to 20 more. An applicant no longer must certify that the investments and job creation would not occur without tax credits.

The limits on income tax credits for hiring or retaining employees are increased. The number of

an accredited film production's nonresident employees whose pay can qualify for the state income tax credit for film productions is limited to 9 high-level production staff (except actors, who are limited to 2 or 4 based on amount of Illinois production spending). The credit's sunset is delayed from 2027 to 2033 (**P.A. 102-1125**, enacted by S.B. 2951, Villanueva – Feigenholtz et al./Zalewski – D.Vella).

Liquor Licenses and Regulation. The fee for an initial license or non-online renewal for a first-class wine manufacturer or winemaker drops from \$1,500 to \$900, and the online renewal fee from \$1,200 to \$750. Municipalities without home rule (like those with home rule, except Chicago) may not regulate alcoholic beverage delivery by holders of retailer's licenses in ways inconsistent with subsection 5-1(d) of the Liquor Control Act of 1934 (**P.A. 102-1142**, enacted

by S.B. 1001, Belt – D.Turner – Fowler – Tracy – Bryant et al./Zalewski).

Paid Leave for Workers. Starting in January 2024, most employees can accrue 40 hours of paid leave per year, accruing at 1 hour per 40 hours worked, for use (after 90 days' employment in 2024 or beyond) with notice but without a reason or documentation. This will not apply to school district and park district employees; independent contractors; student workers and short-term employees at colleges and universities; or construction workers and nationwide delivery service employees with union contracts. Violation can bring a fine of \$2,500 per offense plus damages (**P.A. 102-1143**, enacted by S.B. 208, Lightford – Peters - D.Turner – J.Collins – Simmons et al./Gordon–Booth – Demmer – Lilly – L.Collins – Gong-Gershowitz et al.).

Criminal Law

Lawmakers voted to ban the sale or purchase of an assault weapon (as defined), assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. Beginning in 2024 the act will also prohibit possession of such firearms except by persons who lawfully possess them before then and file affidavits with the Illinois State Police. Another new law allows registered arsonists, sex offenders, and violent offenders against youth to apply to change their names due to marriage, religious belief, being a victim of trafficking, or gender-related identity.

Name Change After Felony. A person required to register as an arsonist; sex offender; or violent offender against youth may petition a court for a name change due to marriage, religious belief, being a victim of trafficking, or gender-related identity. If

the petition is granted, the person must report the change to law enforcement. The law had barred persons convicted of identity theft, or required to register as sex offenders, from seeking name changes, and barred anyone convicted of any other felony from seeking

a name change until 10 years after completion of sentence (**P.A. 102-1133**, enacted by H.B. 2542, Cassidy – G.Harris – Robinson – Guzzardi – West et al./Cunningham – L.Murphy – Lightford – Peters et al.).

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Criminal Law

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Parole. A person sentenced after May of 2019 to life in prison for first-degree murder committed while under age 21 may seek parole after serving 40 years (**P.A. 102-1128**, enacted by H.B. 1064, Mayfield – Lewis/Harmon – J.Collins – Van Pelt – Hunter et al.).

Firearm Restrictions. *Types restricted.* An act effective January 10, 2023 banned anyone, unless exempted as described below, from making, importing, selling, delivering, or buying an assault weapon (as defined in the act), assault weapon attachment, .50 caliber rifle, or .50 caliber cartridge. Starting in 2024, possession of such devices will be prohibited except by persons who, no later than October 1, 2023, lawfully possessed them and filed affidavits with the Illinois State Police (ISP) listing their makes, models, calibers, and serial numbers. Illegal possession of an assault weapon or .50 caliber rifle is a Class A misdemeanor and a repeat offense is a Class 3 felony; illegally making, selling, or buying one is also a Class 3 felony.

Making, possessing, or selling a device to increase the firing rate of a semiautomatic firearm is a Class 2 felony. Making, delivering, selling, or buying a “large capacity ammunition feeding device” (as defined), by persons not exempted, is also prohibited. Starting 90 days after the act took effect, possession of such an ammunition feeding device is also banned, except by a

person who lawfully possessed it before the effective date. Violation involving a device that can hold over 10 rounds for a long gun, or 15 rounds for a handgun, is a petty offense punishable by a \$1,000 fine.

Exemptions to the purchase and possession bans apply to current and retired law enforcement officers; wardens, superintendents, and keepers of jails and prisons; and military members, armed security officers at nuclear sites, and private security contractors when performing their official duties. There are also exceptions for Olympic shooting events and events at the World Shooting and Recreational Complex at Sparta; nonresidents transporting weapons between states; possession of a weapon only for authorized hunting (by October 1, 2023, the ISP is to develop a list of weapons approved for this purpose); and rental of weapons as movie, television, and video props.

Persons authorized to possess devices banned by this act may do so only on private property they own or where they have permission for possession; at a repair shop or a firing range; and while traveling to or from those places with the devices unloaded and securely boxed. They may transfer them only to heirs, licensed firearms dealers, and residents of other states to keep there. If a transfer is not to an heir, the transferor must notify the ISP and the recipient must file an affidavit with the ISP if one is required for possession.

Private sales. Under P.A. 102-237 (2022) as changed by this act, starting July 1, 2023 a person other than a federally licensed firearms dealer, who seeks to transfer any firearm by private sale, may ask such a dealer to assist in the transfer in lieu of personally checking the buyer’s FOID card validity with the ISP. The ISP must have an Internet-based system to check firearm serial numbers against a list of those reported stolen by July 1, 2023, and an Internet-based way to check FOID card validity by 2024. Anyone buying a firearm by private sale must give a record of the transfer to a federally licensed firearms dealer within 10 days. The dealer may charge up to \$25 for its services, which include keeping the record for 20 years.

Other provisions. Illinois National Guard members are added to the categories of persons under age 21 eligible for FOID cards.

The initial term of a firearms restraining order is increased from 6 months to between 6 months and 1 year; two renewals of up to 1 year each are possible.

The duties of ISP’s Division of Criminal Investigation are expanded to include conducting investigations and coordinating intelligence on human trafficking, illegal drug trafficking, and illegal firearms trafficking (**P.A. 102-1116**, enacted by H.B. 5471, Welch – Morgan – Hirschauer – Ford et al./Harmon et al.).

Education

New laws require the Chicago Board of Education to offer support to school principal candidates, and authorize collective bargaining for some Chicago public school supervisors.

Chicago School Principals.

The Chicago Board of Education is to establish a public database with the names of eligible school principal applicants. Each applicant must be given a written score report and support to correct deficiencies. Principals deemed ineligible must be offered a grievance and hearing procedure. The Board must employ detailed criteria for principals' eligibility (**P.A. 102-1139**, enacted by H.B. 5285, Ford – Scherer – Tarver

– Flowers – Robinson et al./Pacione-Zayas et al.).

Collective Bargaining for Chicago School Supervisors.

In the Illinois Educational Labor Relations Act, the definition of “educational employees” who can organize is expanded to include Chicago public school supervisors—except any supervisor who is a “managerial employee,” defined as someone with a significant role in negotiating collective bargaining agreements or who

formulates and determines employer-wide management policies, including a general superintendent of schools. Supervisors whose positions require an administrative license may not strike. A School Code section banning collective bargaining by Chicago school administrators is repealed (**P.A. 102-1138**, enacted by H.B. 5107, W.Davis – Evans/Peters – Pacione-Zayas – Van Pelt – Villanueva – J.Collins et al.).

Environment & Conservation

Lawmakers voted to establish statewide standards for commercial wind and solar energy facilities, and prohibit counties from imposing stricter standards. The law also established a temporary program to help qualifying electric utility customers pay high energy bills.

Wind and Solar Farms; Electricity Rebates. Statewide standards are established for commercial wind and solar energy facilities, including setback distances and other siting requirements. Counties may not impose more restrictive standards.

A county may not adopt zoning regulations that bar such facilities in any district zoned for agricultural or industrial uses; charge unreasonable permit application fees; or impose standards for construction or decommissioning more restrictive than those of

the Illinois Department of Agriculture. They may require vegetative management, and submittal of results of environmental studies and historic site considerations. Road use agreements must require facility owners to pay costs of improving and repairing roads used to build facilities, but only for work specifically attributable to that construction.

A temporary program will help qualifying electric utility customers pay high electric bills. Any electric utility that experienced more than a 90%

increase from June 1, 2021 to June 1, 2022 in its power cost to supply residential and small commercial customers may be eligible. Funds appropriated to the Department of Commerce and Economic Opportunity (DCEO) will be allocated equally among such customers as credits on their bills, for up to 5 monthly billing periods through October 2023. Subject to appropriation, DCEO may provide up to \$200 million for this purpose (**P.A. 102-1123**, enacted by H.B. 4412, Gabel – Hoffman – E.Hernandez – Evans et al./Cunningham – Koehler et al.).

Health & Safety

A new act requires insurance coverage for abortifacients, hormonal therapy medication, and HIV prophylaxis drugs; allows advanced practice registered nurses or physician assistants to perform aspiration abortions not requiring general anesthesia; and prohibits some civil actions against medical practitioners for participating in health care services lawful in Illinois. Other new laws expand the time limit for the Department of Human Services to find a secure placement for a criminal defendant ordered to inpatient treatment from 20 days to 60; allow a nurse agency to make a noncompetition agreement with a nurse or certified nurse aide who is on a long-term assignment; and add requirements for sprinkler system safety.

Abortion and Reproductive Health. *Out-of-state permits.* The Illinois Department of Financial and Professional Regulation (DFPR) may issue temporary permits to applicants licensed to practice in other states as physicians, advanced practice registered nurses, or physician assistants, to work at a sponsoring medical facility. Applicants must be in good standing in their home states, except that discipline for taking part in an abortion or other service that would be lawful in Illinois will not be considered an adverse action. A permit will last 2 years, with a single 2-year renewal possible. Permittees may treat Illinois residents through telehealth.

Insurance coverage. Starting in 2024, group and individual health plans, self-insured counties and municipalities, school employee health insurance plans, HMOs, state employee group insurance, limited health service plans, voluntary health service plans, and Medicaid must pay for abortifacients, hormonal therapy medication, HIV prophylaxis drugs, and follow-up services related to such coverage at no charge to patients. Also, in addition to covering abortion, such policies (except Medicaid) that cover pregnancy-related benefits must cover prescriptions

used to terminate pregnancy.

Expanded practice. Advanced practice registered nurses or physician assistants may perform aspiration abortions not requiring general anesthesia. A pharmacist may dispense hormonal contraceptives under a standing order issued by the Department of Public Health without a prior relationship with the recipient.

Civil protections. DFPR and liability insurers may not take actions against medical practitioners for participating in health care services lawful in Illinois. The Wrongful Death Act creates no cause of action against a health care professional, medical institution, or patient (formerly only against a physician or medical institution) for wrongful death of a fetus due to a lawful abortion. Illinois residents are to be immune from out-of-state subpoenas and legal actions based on reproductive health care or treatment of gender dysphoria if lawful in Illinois.

Assisted reproduction is added to the definition of “Reproductive health care” in the Reproductive Health Act. A 2-year statute of limitations for suits under the Act is added. Birth centers are not prohibited from offering any form of reproductive health care

if they comply with all legal requirements.

Miscellaneous. A new Abortion Care Clinical Training Program Act requires the Department of Public Health to contract with a nonprofit entity to make grants for abortion care training programs at two community-based sites where abortions are performed (**P.A. 102-1117**, enacted by H.B. 4664, Cassidy – Welch – G.Harris – Avelar – Greenwood et al./Villanueva et al.)

Health Care Staffing, Etc. Changes made by this health care act include these: (1) Nursing homes must meet minimum staffing standards set by the Illinois Department of Public Health by 2025; fines for noncompliance must start no later than July 1, 2025 (formerly January 1, 2022). (2) Any federally defined “rural emergency hospital” is now deemed a “hospital” under the Hospital Licensing Act. (3) The time limit for the Department of Human Services to find a secure placement for a criminal defendant ordered to inpatient treatment is extended from 20 days to 60. If placement cannot be made in 60 days, the Department is to update the court each 30 days until

Health & Safety

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it is made. If the most serious charge against a defendant is a misdemeanor, the court will order outpatient treatment unless there is good cause for inpatient treatment. (4) COVID-19 stability payments will be allocated to ground ambulance providers based on numbers of vehicles they have available to serve Medicaid patients; other subsidies to providers under Medicaid are increased (**P.A. 102-1118**, enacted by H.B. 240, G.Harris et al./Gillespie et al.).

Nurse Employment

Agreements. Through 2027, a nurse agency may make a

noncompetition agreement with a nurse or certified nurse aide who is assigned to a health care facility for over 24 consecutive months if the agency pays educational, licensing, or travel and similar expenses for the nurse's or aide's services. The contract for such a long-term assignment may require a violator to pay actual damages or fees incurred for violation. An existing requirement to disclose compensation and other costs in contracts between nurse agencies and health care facilities will not apply to such long-term contracts. Nurses and certified nurse aides assigned by a nurse agency to a health care facility may be terminated by the agency only for cause (**P.A. 102-1124**, enacted by

S.B. 1836, Gillespie/Hoffman et al.).

Sprinkler System Safety. The licensed plumber who inspects a lawn sprinkler system installed by an irrigation contractor (rather than any licensed plumber) must make the physical connection between the sprinkler system and the backflow prevention device, and must inspect each part of the system. Noncompliance can bring a fine of \$10,000 plus the cost for another plumber to correct violations; license suspension; and misdemeanor charges. The civil penalty for an irrigation contractor employing unregistered persons is doubled to \$10,000 (**P.A. 102-1137**, enacted by H.B. 4245, Hoffman/Holmes).

Local Government

Lawmakers voted to allow creation of local districts to fund tourism services, and to add provisions to help municipalities determine whether public utilities are properly collecting municipal taxes on their services. Other new laws establish methods for filling vacancies in elective offices of counties with the county executive form of government, and increase oversight of county Veterans Assistance Commissions.

The **Cook County Forest Preserve District** can increase property taxes to enable full funding of its Employees' Annuity and Benefit Fund by 2055 (**P.A. 102-1131**, enacted by H.B. 1859, K.Burke et al./Martwick et al.).

County Government

Operations. Methods are stated for filling vacancies in elective offices of counties with the county executive form of government. Such counties' regular board meetings will be in June, September, and other times set by the board. Special meetings may be held only on request of at least one-third of

board members or the county executive. Meetings are open to the public. The county board will choose a speaker for a 2-year term, who may be removed by four-fifths vote. The board by unanimous consent may approve multiple propositions in one vote (**P.A. 102-1120**, enacted by S.B. 1015, Mattson/Smith).

County Veteran Commissions.

Oversight of county Veterans Assistance Commissions is increased. Among other changes, all actions by a Commission require a vote by its full membership; a Commission superintendent will be evaluated annually, and may be removed

if three delegates request it and a majority of Commission members so vote; and each Commission is to create bylaws and have an annual audit. The Attorney General may bring civil actions or seek restraining orders to enforce the law. Counties not yet providing retirement and health benefits to Commission employees must do so by 90 days after the act took effect (**P.A. 102-1132**, enacted by H.B. 2369, Kifowit – D.Vella et al./Wilcox – Koehler et al.).

Government Efficiency. A

2022 act requiring many local

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Local Government

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governments to form committees every 10 years to study possible efficiencies is amended to simplify some functions, including allowing a township board and highway commissioner in a county of under 400,000 to form a joint committee (P.A. 102-1136, enacted by H.B. 4228, Hoffman – Costa Howard – West – Carroll et al./J.Morrison – Crowe – Holmes et al.).

Municipal Taxes. Detailed provisions are added to the Illinois Municipal Code to help municipalities determine whether public utilities are properly collecting municipal taxes on their services. Municipalities may request information from public utilities going back as far as 6 years for auditing purposes. Data identifying a customer may not normally be included; but a municipality or utility may ask the Department of Revenue to decide whether such data must be disclosed.

The statute of limitations period for a unit of local government to assess taxes is extended from 4 years after the year for which a return was filed (or due) to 5; a timely audit or review will suspend the running of that period by up to 1 year (P.A. 102-1144, enacted by S.B. 1794, L.Murphy et al./DeLuca).

Regional Water Commissions may use procurement methods such as design-build or construction-manager-at-risk that they deem best for a construction project, under procedures for solicitation and selection set in this act. They may set goals or requirements for procuring from local businesses, or those owned by minorities, women, people with disabilities, or veterans, and establish preferences for awarding contracts to such businesses. A commission may issue credits against any amounts due from a municipality to repay it for costs relating to the commission (P.A. 102-1134, enacted by H.B. 2870,

Walsh – Manley – Avelar – Batinick – K.Wheeler/Mattson – Loughran Cappel – Rezin – Joyce – Anderson).

Tourism Districts. A new act allows creation of “tourism preservation and sustainability districts” in which lodging establishments pay amounts to a local tourism and convention bureau to support tourism-related services and improvements in the district, and may collect those amounts from customers. Establishment owners may petition a local government to create such a district, certifying that they expect collectively to pay over half of the proposed amounts (limited to 5% of each nightly room rate). A district may last up to 5 years and be re-established for terms of up to 10 years—each subject to early termination under procedures in this act (P.A. 102-1127, enacted by H.B. 268, Williams – Yingling et al./Feigenholtz – Hall – D.Turner et al.).

State Government & Pensions

New acts doubled the Rental Housing Support Program surcharge for recording documents; removed the requirement that state jobs be located in Sangamon County unless their nature requires them to be located elsewhere; and allowed a gender change on a birth certificate without a physician’s attestation. Another new law made changes to implement the state’s fiscal year 2023 budget. They included adjusting payments to hospitals and TANF recipients; funding increases in state officer salaries; and increasing transfers to the Budget Stabilization Fund, with a goal that it be 7.5% of annual general funds revenues.

Birth Certificate Re-Issuance. The State Registrar of Vital Records is to issue a new birth certificate changing the named person’s gender designation to male, female, or X upon receiving a written statement from the person attesting to making the request “for the purpose of affirming the person’s gender

identity or intersex condition” (replacing a requirement that a physician attest that the person has been treated for gender transition). Fees for new birth certificates are to be waived, for limited numbers of times, for persons released from prison; youth in care; homeless persons; and domestic violence shelter

residents (P.A. 102-1141, enacted by H.B. 9, Gong-Gershowitz – Didech – Moeller – Avelar – Buckner et al./Fine – Feigenholtz – Lightford – Van Pelt – K.Villa et al.).

Mailed Ballot Verification; Judicial District Changes. In

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State Government

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determining whether an applicant for a mail-in ballot is entitled to vote, election authorities are to verify the applicant's signature on file with the office (instead of comparing the applicant's signature with the one on a voter registration record card). After receiving a completed mailed ballot, election authorities are to compare the signature on its envelope with the signature on the verified application, or (as in current law) the signature of the voter on file with the election office. Separately, the act changes judicial districts to correct a drafting error, convert the remaining at-large judgeships in the 6th and 17th circuits to resident judgeships, and clarify that boundary changes do not affect an incumbent judge's qualification for office or right to seek retention (**P.A. 102-1126**, enacted by H.B. 45, Tarver et al./Harmon).

Procurement. Public institutions of higher education (added to the Capital Development Board) may use "single prime" (design-bid-build) or design-build procurement for construction projects. Any such institution may award single prime contracts with total cost up to \$100 million per fiscal year (\$300 million for the University of Illinois). Such institutions' buying of software available only from its creator or provider, and costs outside the U.S. to recruit international students, are exempted from the Illinois Procurement Code.

The limit on procuring construction without competitive

source selection was to rise from \$100,000 to \$250,000; but that change evidently was reversed by P.A. 102-1115, summarized below. A public hearing is no longer required before extending emergency procurements.

The limit on annual gross sales of a business eligible for certification as owned by minorities, women, and/or persons with disabilities is doubled to \$150 million.

The Local Food, Farms, and Jobs Council is abolished. State agencies and state facilities that buy food are to publish in their procurement bulletins annual notices of local farm or food products bought in the preceding year.

The limit on the value of an item of state property deemed of "nominal value" and not required to be recorded by property officers is raised from \$1,000 to \$2,500. The cost of a change order for which a written determination and authorization are required is raised from \$10,000 to \$25,000. The increase in project completion time due to a change order that will necessitate such written documentation is changed from 30 days to 180 days (**P.A. 102-1119**, enacted by H.B. 4285, K.Stuart/Castro et al.).

Rental Housing Funds. On July 1, 2023, the state Rental Housing Support Program surcharge for recording any document related to real estate will double to \$18, and the minimum county fee for recording such documents will rise by \$1. An Illinois Rental Housing Support

Program Funding Allocation Task Force will study and make recommendations on equitable distribution of rental housing support funds statewide, and work with the Illinois Housing Development Authority on adjusting funding allocations based on 2020 Census data (**P.A. 102-1135**, enacted by H.B. 3878, Tarver – Stoneback – LaPointe – Andrade – Guzzardi et al./Pacione-Zayas – J.Collins – K.Villa et al.).

State Job Locations, Etc. The requirement that state jobs be located in Sangamon County unless their nature requires them to be located elsewhere is removed, but Sangamon County remains the "preferred location" for Personnel Code jobs. Some board and commission members' numbers and terms are increased, and some qualifications for membership removed. The Des Plaines and Illinois Rivers Act (governing navigation on those rivers) is repealed (**P.A. 102-1129**, enacted by H.B. 1563, K.Burke et al./Cunningham).

State Salary Increases, Budget Implementation, etc. Salaries. For terms starting in January 2023, salaries of some 30 department directors and 17 assistant directors are increased and will be determined by law or by the Governor, whichever is higher. Directors' salaries range from six getting \$165,000 to eight getting \$200,000. Starting July 1, 2023, those officers; the Executive Inspector General; and the Illinois EPA's Electric Vehicle Coordinator will get annual inflation adjustments.

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State Government

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Statewide executive officers' salaries are raised to these levels: Governor, \$205,700; Secretary of State and Attorney General, \$183,300 each; and Lieutenant Governor, Comptroller, and Treasurer, \$160,900 each.

Legislators' salaries are increased to \$85,000 starting with the 103rd General Assembly. In any General Assembly in which at least 71 elected members of the House belong to one party, it will have two additional majority officers—one paid the same as the majority leader, and one paid the same as the assistant majority leader. A similar provision applies when at least 36 elected members of the Senate belong to one party.

Grants and payments. Subject to state or federal funding, the Department of Commerce and Economic Opportunity will make grants to local chambers of commerce harmed by the COVID-19 pandemic. The Illinois Law Enforcement Training Standards Board may make grants to local governments and public colleges and universities to hire and retain law enforcement officers.

The Department of Healthcare and Family Services is to distribute \$460 million in pandemic recovery payments to hospitals before April 2023. Safety net hospitals and critical access hospitals will get added consideration in distribution.

The Department of Human Rights will use a new Hate Crimes and Bias Incident Prevention and Response Fund to support eradication of hate crime and bias incidents, by methods including grants.

All child support collected after 2022 will be disregarded in determining a family's TANF grant (the amount so disregarded formerly was limited).

Miscellaneous. The limit on construction procurement without competitive source selection (which P.A. 102-1119 would have raised) is kept at \$100,000.

Several transfers between funds are mandated in FY 2023. The goal for the Budget Stabilization Fund is raised from 5% of annual general funds revenues to 7.5%.

The Department of Children and Family Services is to seek federal reimbursement for costs of legal

representation of children in foster care.

The Illinois Liquor Control Commission may use a checking account with a balance up to \$25,000 to buy evidence and pay people to obtain evidence.

A Warehouse Safety Standards Task Force is created and is to report quarterly to the Governor and General Assembly until January 2025 (P.A. 102-1115, enacted by S.B. 1720, Sims – Hunter/G.Harris).

Veterans' Assistance Foundation. The Illinois Joining Forces Foundation's board of directors is changed by replacing the members of the Illinois Joining Forces Executive Committee with up to 18 other voting members: up to 9 chosen by the board itself and up to 9 chosen by the Director of Veterans' Affairs or of Military Affairs. Those Departments may, but are no longer required to, provide assistance to the Foundation. The Foundation may receive services, including contractual services, from either Department (P.A. 102-1140, enacted by H.B. 5542, Kifowit et al./Cunningham et al.).

Transportation

A new law requires two types of permits to be offered for persons operating vehicles used as school buses.

School Bus Driver Permits.

The Secretary of State must offer two types of permits: (1) for operating as school buses only First Division vehicles (which can carry up to 10 people), and (2) for operating as school buses

either First or Second Division vehicles. A permit applicant must pass the written test for the vehicle type(s) to be driven, and meet other existing requirements. By 2024 the Secretary of State is to develop a classroom course and

refresher course for operating First Division vehicles as school buses, to be offered by regional school superintendents (P.A. 102-1130, enacted by H.B. 1688, E.Hernandez et al./K. Villa – Muñoz et al.).

Bills With Governor's Action

All bills summarized in this issue of *First Reading* are listed below. Beside the number of each bill is its Public Act number. 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 2021-22 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	S.B.	Public Act
9	102-1141	1859	102-1131	4412	102-1123	208	102-1143
45	1126	2369	1132	4664	1117	1015	1120
240	1118	2542	1133	5107	1138	1001	1142
268	1127	2870	1134	5285	1139	1720	1115
969	1122	3878	1135	5471	1116	1794	1144
1064	1128	4228	1136	5542	1140	1836	1124
1563	1129	4245	1137			2801	1121
1688	1130	4285	1119			2951	1125

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 remove 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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First Reading

A publication of CGFA

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